

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, May 2, 2018, 7:00 p.m.

MINUTES—APPROVED

The following minutes are written as a summary of the main points that were made and are the official and permanent record of the actions taken by the Town of Farmington Planning Board. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions. An audio recording of the meeting is made in accordance with the Planning Board adopted Rules of Procedure. The audio recording is retained for 12 months.

Board Members Present: Edward Hemminger, *Chairperson*
Adrian Bellis
Shauncy Maloy
Mary Neale
Douglas Viets

Staff Present:
Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group, D.P.C.
Ronald L. Brand, Town of Farmington Director of Development and Planning
David Degear, Town of Farmington Water and Sewer Superintendent
Don Giroux, Town of Farmington Highway Superintendent
James Morse, Town of Farmington Code Enforcement Officer
Collin Sowinski, Civil Engineer II, MRB Group, D.P.C.

Applicants Present:
James and Kimberly Brenchley, 5106 Rushmore Road, Palmyra, N.Y. 14522
Daniel Brocht, Commercial/Residential Project Manager, Costich Engineering,
217 Lake Avenue, Rochester, N.Y. 14618
John Clarke, Senior Project Manager, DDS Companies, 45 Hendrix Road,
West Henrietta, N.Y. 14586
David and Kathy Cooper, 5650 County Road 41, Farmington, N.Y. 14425
Brent Long, McFarland Johnson Inc., Box 6, Suite 101, 2525 State Route 332,
Canandaigua, N.Y. 14424
Wayne McClure, 5106 Rushmore Road, Palmyra, N.Y. 14522

Resident Present:
Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. After the Pledge of Allegiance was recited. Mr. Hemminger introduced the Planning Board members and staff, explained the emergency evacuation procedures and noted that copies of the evening's agenda were available on the table at the door. He also asked everyone to set his or her cell phone on silent mode.

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on March 7, 2018.

2. APPROVAL OF MINUTES OF APRIL 18, 2018

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the minutes of the April 18, 2018, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on Wednesday, April 25, 2018:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN THAT the Planning Board of the Town of Farmington, 1000 County Road 8, Ontario County, New York, will hold a Public Hearing on the 2nd day of May, 2018, commencing at 7:00 p.m. for the purpose of considering the application of:

PB #0501-18: JAMES BRENCHLEY, 5106 RUSHMORE ROAD, PALMYRA, N.Y. 14522: Request a two-lot subdivision approval to create Lot #2 consisting of 2.645 acres and the remaining lands of the parent parcel, Lot #1, will consist of 19.668 acres with an existing dwelling. The property is located at 5106 Rushmore Road and zone A-80 District.

ALL PARTIES IN INTEREST and citizens will be given an opportunity to be heard in respect to such application. Persons may appear in person or by agent.

Ed Hemminger, Chairperson
Planning Board

4a. PRELIMINARY TWO-LOT SUBDIVISION

PB #0501-18 Preliminary Two-Lot Subdivision Application

Name: James Brenchley, 5106 Rushmore Road, Palmyra, N.Y. 14522

Location: 5106 Rushmore Road, Palmyra, N.Y. 14522

Zoning District: A-80 Agricultural District

Request: Two-Lot subdivision creating Lot #2 consisting of 2.645 acres and the remaining lands of Lot #1 will consist of 19.668 acres with an existing dwelling

4b. PRELIMINARY SITE PLAN

PB #0502-18 Preliminary Site Plan Application

Name: James Brenchley, 5106 Rushmore Road, Palmyra, N.Y. 14522

Location: 5106 Rushmore Road, Palmyra, N.Y. 14522

Zoning District: A-80 Agricultural District

Request: Creating Lot #2 consisting of 2.645 acres for a building lot

Mr. Hemminger opened the Public Hearing on PB #0501-18. He concurrently began the discussion on the accompanying site plan application (PB #0502-18).

Mr. Long presented this application. James and Kimberly Brenchley, and Mr. McClure, also attended.

Mr. Long said that James and Kimberly Brenchley plan to build a new home on proposed Lot #2. He described the boundaries of the lot and noted that a minimum of 150 feet of frontage on Rushmore Road is required for installation of the conventional septic system on the lot. He said that an existing brush row, which will screen the new home from the existing home on Lot #1, will not be disturbed. He said that the construction of the new home will not encroach upon wetlands or flood plains.

Mr. Long said that an application has been submitted to the Zoning Board of Appeals for an Area Variance to permit an existing accessory structure to remain on what will become the front of proposed Lot #2.

The proposed driveway will be more than 300 feet in length. Mr. Long reviewed an elevation profile of the driveway on the plans. He said that the driveway will increase in height from the home up to Rushmore Road.

Mr. Long said that Rochester Gas & Electric will install a new pole at the road for overhead utility installation. No utilities will be run under Rushmore Road. A contractor will install a transformer and will run the electric service from the pole to the house.

Mr. Long said that the location of the well has yet to be determined. It is now shown in a preliminary location on the site plan. He said that the well would be drilled at least 100 feet from the septic field.

The driveway will be crushed stone or possibly road millings, if available. Mr. Long said that the owners' intent is not to have a paved driveway.

Mr. Long reported that percolation holes and a deep hole test were drilled in the area of the proposed septic system. He said that there are about 12 inches of topsoil, then about 12 to 36 inches of silt loam, and then clay. He said that the design of the septic system will comply with New York State Department of Health (DOH) requirements for a four-bedroom home. He said that this would be a shallow absorption open gravel gravity-based septic system.

Mr. Brand said that a draft State Environmental Quality Review (SEQR) resolution and that a second draft resolution to continue the applications pending action by the Zoning Board of Appeals have been prepared for board consideration this evening.

Mr. Brand suggested that enough room be allocated on Lot #2 for installation of an alternate septic system if the primary septic system design is inadequate. Mr. Long said that there is enough space on the lot if needed.

Mr. Long said that the applicant may shift the north property line of Lot #2 to the south to accommodate the continued rental of the land to a farmer. He said that this would be shown on the Final Subdivision Plat application.

Mr. Brand asked about the gravel-based driveway. He referred to the Town standard which requires that the first portion of a driveway is to be paved to protect the shoulder of the road. Mr. Giroux explained that the first 30 feet of the driveway within the Town right-of-way must be paved. He also discussed the placement of driveway as it will relate to site distances on Rushmore Road and noted that the driveway must be flat at the road.

Mr. Hemminger expressed concern about the length and the quality of the driveway. He asked if it will accommodate the weight of fire and emergency vehicles. Mr. Giroux said that it will be in the owner's best interest to assure that emergency vehicles will be able to negotiate the driveway. Mr. Long said that this would be monitored during construction of the home when he expects heavy construction equipment use on the driveway. Mr. Hemminger said that the fire department will bring in tanker trucks with water in an emergency and that the applicant should be sensitive to emergency vehicle access during and after construction of the home.

Mr. Hemminger asked about a pull-off area along the driveway for vehicles and emergency equipment. Mr. Brabant explained that New York State code requires a pull-off area if a driveway exceeds 500 feet in length. Mr. Hemminger asked Mr. Long to consider a pull-off area even though the length of the proposed driveway is less than 500 feet.

Mr. Morse asked about the DOH review of the septic system. Mr. Long said that he worked with the DOH on a similar septic system design at another project. Mr. Morse requested that a letter from the DOH be provided for the Town files concerning the DOH acceptance of the septic system design. Mr. Long said that he would follow up with the DOH on this.

Mr. Brabant discussed his engineering comment letter of April 30, 2018. He requested that the boundaries of a possible Federal wetland be shown and identified on the plans. He also requested that the septic system location on Lot #1 be shown on the subdivision plat map and confirmed that the first 30 feet of the driveway within the Town right-of-way must be paved.

Mr. Brand asked if the flood zone identification is shown on the plans. Mr. Long said yes.

Mr. Morse requested that revised plans showing the shift in the north boundary line of Lot #2 be provided to the Building Department as soon as possible.

Mr. Hemminger asked if anyone in attendance wished to speak for or against the application. There were no comments or questions from those in attendance.

Mr. Maloy asked about the existing accessory structure and its setbacks. Mr. Long said that the property line was shifted five feet to accommodate this structure. Mr. Morse said that the applicant is seeking an Area Variance to permit the structure in what will become the front of the lot. He said that the structure meets the setback from the road.

Mr. Bellis discussed consideration of a pull-off area along the driveway.

Ms. Neale asked about the length of the driveway. Mr. Long said that the driveway will serve as a buffer between the new house and the existing house on Lot #1 and will also prevent as much land as possible from encroaching upon the existing farmland. Mr. McClure noted that the land is rented to a local farmer.

Mr. Hemminger suggested that the applicant use care in shifting the northern boundary lot line too far to the south in the event that more land is needed for the septic system leach field. He also requested that care be taken to assure that the location of the well is at least 100 feet from the leach field.

There were no further comments or questions on the application this evening.

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the reading of the following State Environmental Quality Review (SEQR) resolution be waived and that the resolution be approved as submitted by the Town staff:

**TOWN OF FARMINGTON PLANNING BOARD
SEQR RESOLUTION—DETERMINATION OF NON-SIGNIFICANCE
PRELIMINARY SUBDIVISION PLAT AND PRELIMINARY SITE PLAN
JAMES BRENCHLEY, 5106 RUSHMORE ROAD**

PB #0501-18

PB #0502-18

APPLICANT: James Brenchley, 5106 Rushmore Road, Palmyra, N.Y. 14522
ACTION: Preliminary Subdivision Plat and Preliminary Site Plan:
State Environmental Quality Review Determination

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has determined the above referenced Actions to be Unlisted Actions (hereinafter referred to as Actions) under Part 617 of the State Environmental Quality Review Act (SEQR) Regulations; and

WHEREAS, the Planning Board has conducted a public meeting upon said Actions giving consideration to the comments provided; and

WHEREAS, the Planning Board is established as the designated Lead Agency in accordance with the procedures established under Part 617 described above herein; and

WHEREAS, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) (1) of the SEQR Regulations and the information contained in Parts 1, 2 and 3 of the Short Environmental Assessment Form, along with supporting documentation and maps submitted with these two applications.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Actions, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems; and
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Actions; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Actions; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered

species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site; and

- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Actions; and
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations; and
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site, or will the proposed Actions impair the existing community or neighborhood character;
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed Actions;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a change in the use of current active agricultural land;
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the Actions;
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related Actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED that based upon the information and analysis above and the supporting documentation referenced above, the proposed Actions WILL NOT result in any significant adverse environmental impacts.

BE IT FURTHER RESOLVED that the Planning Board does hereby make a Determination of Non-Significance upon said Actions and directs the Planning Board Chairperson to sign and date the Short Environmental Assessment Form.

BE IT FINALLY RESOLVED that the Clerk of the Board is to file copies of the environmental record, Parts 1, 2 & 3 of the Short Environmental Assessment Form and this Determination on Non-Significance with the applicant and the property file.

Adrian Bellis

Aye

Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

Mr. Hemminger then asked the clerk to read aloud the following resolution:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY TWO-LOT SUBDIVISION AND PRELIMINARY SITE PLAN CONTINUATION
JAMES BRENCHLEY, 5106 RUSHMORE ROAD**

**PB #0501-18
PB #0502-18**

APPLICANT: James Brenchley, 5106 Rushmore Road, Palmyra, N.Y. 14522

**ACTION: Preliminary Subdivision Plat and Preliminary Site Plan:
State Environmental Quality Review Determination**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received applications for the above referenced actions; and

WHEREAS, the Planning Board has opened the public hearing at tonight’s meeting upon the proposed Preliminary Subdivision Plat and Preliminary Site Plan (hereinafter referred to as Actions); and

WHEREAS, the Planning Board has reviewed the submitted Part 1 of the Short Environmental Assessment Form (EAF) submitted in accordance with the provisions contained in Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review (SEQR) Regulations); and

WHEREAS, the Planning Board has completed its review of Part 2 of the Short Environmental Assessment Form (EAF); and

WHEREAS, the Planning Board has completed a Part 3 of the Short EAF.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby determine the proposed Actions to be Unlisted Actions as further defined in Part 617 of Article 8 of the New York State Environmental Conservation Law, the State’s Environmental Quality Review (SEQR) Regulations.

BE IT FURTHER RESOLVED that the Planning Board does hereby accept the Part 2 of the Short EAF.

BE IT FURTHER RESOLVED that the Planning Board, under separate resolution, has considered the criteria set forth in Part 617.7 (c) of the SEQR Regulations making a Determination of Non-Significance upon said Actions.

BE IT FURTHER RESOLVED that the Planning Board may not make a decision upon these two Actions until such time as a determination upon a pending area variance has first been made by the Town of Farmington Zoning Board of Appeals (hereinafter referred to as Zoning Board).

BE IT FURTHER RESOLVED that the Planning Board does hereby move to table any further discussion or consideration upon the above referenced Actions; and moves to continue the public hearing thereon to 7:00 p.m. on Wednesday, June 6, 2018, so as to provide time for the Zoning Board to consider acting upon a proposed area variance.

BE IT FURTHER RESOLVED that the Planning Board does hereby instruct the Clerk of the Board to provide a copy of this resolution, along with the completed Parts 2 and 3 of the Short EAF to the applicant and the property file.

Mr. Hemminger asked Mr. Long if he understood the resolution. Mr. Long said that he understood the resolution.

■ A motion was made by MS. NEALE, seconded by MR. MALOY, that the preceding resolution ber approved.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

5. FINAL SITE PLAN

PB #0503-18 Final Site Plan Application

Name: David and Kathy Cooper, 5650 County Road 41, Farmington, N.Y. 14425

Location: 5650 County Road 41

Zoning District: GB General Business and LI Limited Industrial

Request: Final Site Plan approval to construct a two-story general store (general goods, picnic tables, Amish-built furniture and cabinetry) and outdoor display of Amish-built sheds

The State Environmental Quality Review (SEQR) resolution for this application (Un-listed Action, no significant adverse environmental impacts) and the Preliminary Site Plan were approved by the Planning Board on March 21, 2018.

Mr. Brocht presented this application. David and Kathy Cooper also attended.

Mr. Brocht said that revised plans which address the Town staff, Planning Board and Town Engineer's comments have been submitted. He also acknowledged receipt of the draft Final Site Plan and Final Sign Site Plan resolution and asked for clarification on several of the conditions of approval.

Regarding Condition #6, which requires that all outdoor storage areas are to be grassed, Mr. Brocht said that the applicant would prefer to have a portion of the outdoor storage area remain as a gravel surface to avoid further site disturbance. He said that this area would be maintained but that Mr. Cooper would like it to remain gravel.

Regarding Condition #8 concerning four-foot-wide wood-chip trails around the display area to the north of the existing pole barn, Mr. Brocht said that Mr. Cooper would prefer that an existing portion of the trail remain as a gravel surface.

Regarding Condition #3 in the "sign" section of the resolution, Mr. Brocht said that Mr. Cooper would prefer to have the "Bobcat Excavator" symbol remain on the sign. He said that these excavators are used to place storage sheds on customers' properties.

Mr. Brand discussed an Ontario County Planning Board comment that Mr. Cooper's property is located within two zoning districts (GB General Business and LI Limited Industrial zones). Mr. Brocht said that the current application for Mr. Cooper's general store is entirely within the General Business zoning district.

Mr. Cooper said that a small parcel of land which he purchased from the Blackwood Business Park was in the Limited Industrial zoning district. Mr. Morse said that it is Mr. Cooper's intention to petition the Town Board in the future to rezone the entire parcel to General Business.

Mr. Brand asked Mr. Brocht to check the Town Local Law and zoning map. He said that he believes that both of Mr. Cooper's parcels are already in the General Business zoning district. He said that it would have been improper for the Town Board to have designated Mr. Cooper's parcels in two separate zoning districts. Mr. Brand said that his research shows that this point has been addressed and that the Official Zoning Map shows both of Mr. Cooper's parcels in the General Business zoning district.

Mr. Brand discussed the issue of having a gravel surface around the storage barn when other areas would be grassed. He said that he did not understand the distinction and that he preferred to have all grass in the outdoor storage area.

Mr. Brand discussed exterior lighting and noted that lighting plan indicates that the access driveway into the site off County Road 41 shows a dark area. He said that the Planning Board has traditionally requested that an access driveway be well illuminated at the highway. Mr. Brocht said that this point has been discussed with Mr. Cooper and that there are plans to relocate one of the lighting fixtures closer to County Road 41 to provide a strong light contour at the point of driveway access.

Mr. Brand said that the plans do not indicate any lighting on the structure. He asked if there would be adequate illumination from the two light poles shown on the plans for customers walking into the store. Mr. Brocht said that there would be downward-pointing lighting fixtures on the porch which will illuminate the front walkway between the parking area and the garage. Mr. Brand requested that this be noted on the Final Site Plan and that the illumination pattern be amended.

Mr. Brand asked about a pedestrian connection from the front porch around the west side of the building to the back of the store. Mr. Brocht said that there would not be a wrap-around porch but that a wood-chip path—with lighting on the front and back of the store—would be installed all around the building. Mr. Brand said that the wood-chip path must be shown on the plans for field verification during inspections by the Town staff. Mr. Brocht said that the plans show the wood-chip path on both sides of the building and going around the porch. Mr. Brand asked that the building lighting pattern be shown on the site plan drawing.

Mr. Bellis asked about the landing surface for the outdoor steps. Mr. Cooper said that the steps go down to a milled surface and not to a concrete slab. He said that the milled surface is an extension of the parking lot to the bottom of the outdoor steps and that the concrete slab stops where the building stops. Mr. Hemminger and others noted that the plans show the concrete slab extending to the bottom landing of the outdoor steps. Mr. Cooper agreed that the landing area of the outdoor steps is a concrete pad. Mr. Brocht said that this would be clarified on the Final Site Plan as a concrete landing.

Mr. Brand discussed the commercial speech sign—“Dave’s Diggs Enterprises”—with four symbols in each corner, one of which is a Bobcat Excavator. Mr. Brand and Mr. Hemminger expressed concern that the sign legend and symbol give the impression that Mr. Cooper is operating an excavating business. Mr. Cooper said that “Dave’s Diggs Enterprises” is the name on his LLC business filing. Mr. Hemminger said that he did not understand the business name and the sign given that the business is to be a general store selling Amish-made furniture, other items, and cemetery monuments. Mr. Cooper said that he would be doing a great deal of advertising through the newspaper and that he wanted to include each of his areas on the sign.

Mr. Brabant reiterated that the current project is under the New York State Department of Environmental Conservation (DEC) threshold for water quality and quantity controls but that a note is to be added to the plans that any future development would trigger the DEC requirement for water quality and quantity measures.

Mr. Viets asked about the asphalt pavement which abuts the concrete sidewalk in the front of the store. He suggested that a raised sidewalk or other measures be considered to avoid having vehicles driving onto the sidewalk. Mr. Brocht said that bumpers would be added to the site plan.

Mr. Viets noted differences between the sign as shown on the site plan and the sign as shown on a separate submittal. He also asked about the landscaping to be planted around the sign. Mr. Brocht said that the landscape architect in his firm has spaced the plantings according to the actual dimensions of the sign.

Mr. Viets asked about the millings that are noted on the plans for installation under the covered porch. Mr. Cooper said that millings will be installed under the porch and at the two handicapped parking spaces. Mr. Morse explained that the millings may not comply with the Americans With Disabilities (ADA) requirements. Mr. Cooper said that he was under the impression that millings were sufficient for ADA compliance. Mr. Viets said that this issue has been raised to protect Mr. Cooper from potential legal liability if the milling surface is not ADA compliant. Mr. Brocht said that he would look into this.

Ms. Neale asked about the number of handicapped parking spaces. She asked if one handicapped space is sufficient. Mr. Brabant said that one handicapped space is sufficient based upon the total number of parking spaces. Mr. Cooper said that two handicapped parking spaces would be provided, even though only one is required. Ms. Neale said that she was pleased that there would be two handicapped parking spaces.

Mr. Maloy asked if the plans had been reviewed by a representative of the fire department for fire-lane access. Mr. Morse said that the fire lanes were reviewed at the Project Review Committee meeting.

Mr. Bellis asked about the purpose of the outdoor stairs. Mr. Cooper said that the second floor is for private use and is not part of the public store. He said that the outdoor and indoor stairs are a convenience to access the second floor. Ms. Neale asked if there would be handrails on the stairs. Mr. Cooper said yes.

Based upon this evening's discussion, Mr. Hemminger asked Mr. Brocht and Mr. Cooper if they preferred the imposition of the additional conditions of Final Site Plan approval to the draft resolution, or if they preferred to have the application continued to a future meeting. He said that a continuation would provide them with time to revise plans to address the comments which have been raised this evening.

Mr. Brand said that revisions to the exterior lighting would affect the illumination pattern on the entire site plan.

Mr. Brand asked about the existing driveway into the residential portion of the site from County Road 41. Mr. Cooper said that the first 30 feet by the road would be removed and that the rest of the existing driveway would remain in place to avoid further disturbance.

Mr. Brand said that he did not understand why Mr. Cooper does not wish to have building-mounted signage to distinguish the general store section of the building from the cemetery monument section. Mr. Brand said that Mr. Cooper is entitled to this type of signage by the Town Code. He and Mr. Hemminger suggested that these types of revisions should be made before the Planning Board considers the Final Site Plan application to avoid Mr. Cooper having to return to the Planning Board later for an amended plan.

Mr. Bellis said that he was pleased that there would be no outdoor displays located in the front-yard portion of the site. He thanked Mr. Cooper for removing outdoor displays from the plans in this area. Mr. Bellis also noted that he had no objections with keeping the existing gravel surfaces in the back of the existing storage building for the outdoor displays of sheds.

Mr. Bellis asked about the Town Code requirements for having several business names on one sign. Mr. Morse said that business names often change and that applicants would not have to return to the Planning Board for approval as long as the sign meets the Town Code requirements. For example, he said that Mr. Cooper's sign could read "Amish Furniture and Monuments." Mr. Hemminger suggested that Mr. Cooper review the text of his sign with Mr. Morse to assure compliance with the Town Code.

There were no further comments or questions on this application this evening.

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the following resolution be approved:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
DAVID AND KATHLEEN COOPER
FINAL SITE PLAN AND FINAL SIGN SITE PLAN—CONTINUATION**

PB #0503-18

**APPLICANTS: David and Kathleen Cooper, 5650 County Road 41,
Farmington, New York 14425**

**ACTION: Final Site Plan and Final Sign Site Plan, for development of a
portion of the 8.958-acre site located along the north side of
County Road 41 opposite Wood Drive, with a two-story
building to be used for a general store and monument sales
store, with outdoor display areas and related site
improvements.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received the above referenced application; and

WHEREAS, the Planning Board has tonight opened the public meeting upon the proposed Final Site Plan (hereinafter referred to as Action); and

WHEREAS, the Planning Board has completed its review and has made a Determination of Non-Significance upon said Action; and

WHEREAS, the Planning Board has given consideration to the comments made at tonight's meeting and the comments contained in the Director of Planning and Development's Memorandum dated April 15, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to table any further discussion upon the above referenced Action and moves to continue the public meeting thereon to 7:00 p.m. on Wednesday, May 16, 2018, so as to provide time for the applicant to revise the plans as discussed at tonight's meeting.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

6. OPEN DISCUSSION

State Route 332/Beaver Creek Road Incentive Rezoning Project:

Mr. Clarke presented a concept plan for a development on the east side of State Route 332, south of Route 96, and west of Beaver Creek Road, as follows:

- Applicant: Doma 332 LLC
- Request: Amended IZ Incentive Zoning for Tax Account #29.00-1-23.114 (15.23 acres) from IZ Incentive Zoning approved by the Town Board on September 9, 2008; and the rezoning of Tax Account #29.11-3-13.100 (6.99 acres) from GB General Business to IZ Incentive Zoning.
- Proposed amenities to the Town:
 1. A public dedicated road connection between Beaver Creek Road and State Route 332.

2. Sidewalks and a 12-inch water main to be installed as part of the public dedicated road improvements between Beaver Creek Road and State Route 332.
3. Improvements to the intersection of the connection road, State Route 332 and Mercier Drive based upon New York State Department of Transportation requirements and in partnership with adjacent property developments.

The following conceptual building schedule is proposed:

Building A	Restaurant	4,000 square feet	1 store
Building B	Gas Station	4,000 square feet	1 store
Building C	Hotel	60,000 square feet	3 stores
Building D	Medical Building	10,500 square feet	1 store
Building E	Hotel	60,000 square feet	3 stores
Building F	Restaurant	3,000 square feet	1 store
Building G	Restaurant	5,000 square feet	1 store
Building H	Bank	5,000 square feet	1 store
Building I	Office Building	36,000 square feet	2 stores
Building J	Storage Building	2,000 square feet	1 store
Building K	Storage Building	2,000 square feet	1 store
Building L	Storage Building	2,000 square feet	1 store

- Total of 12 building pads, 200,000 square feet; varied uses; concepts only at this stage of the project.

Mr. Clarke said that the developer plans to combine the lots after the property is rezoned. He said that stormwater management will meet New York State Department of Environmental Conservation (DEC) standards and that landscaping will meet the requirements of the Town.

Mr. Clarke said that the concept plan was presented to the Town Board last week and was referred to the Planning Board. The plan will be referred to the Ontario County Planning Board following the Town Board’s receipt of a favorable report and recommendation from the Planning Board.

Mr. Brand explained that this evening’s presentation is part of the Town’s standard referral procedure by the Town Board to the Planning Board. He said that a portion of this property was originally part of the Mercier Incentive Zoning project and that a hotel/motel and commercial uses had been previously discussed at the time of the Incentive Zoning application.

Mr. Brand said that it makes sense to combine these parcels and to consider the development of this area of the Town as an overall package to avoid an alternative piecemeal approach.

Mr. Brand noted that like another project under review at this time, there is a parcel of land on Beaver Creek Road which is privately owned and which is not part of this application. He suggested that the developer may wish to look into the possibility of combining that parcel with this project. He said that he is not indicating or promoting this, but that he is just bringing it up for discussion. Mr. Clarke said that the developers are aware of this property.

Mr. Brand said that this concept plan will be discussed at the Project Review Committee meeting to be held on Friday, May 4, 2018, at which representatives from the Ontario County Planning Board and the New York State Department of Transportation will attend.

Mr. Brand said that the next step in this process is for the Planning Board to issue a report and recommendation to the Town Board on the concept plan.

Mr. Giroux requested that the applicant consider the use of pervious surfaces as drainage mitigation measures on the site.

Mr. Hemminger asked about the Town-dedicated road which will connect State Route 332 to Beaver Creek Road. He requested that Mr. Clarke work with Mr. Giroux regarding the installation of traffic-calming devices. He asked that the developer be sensitive to traffic-calming measures. Mr. Giroux said that traffic-calming measures on this new Town road would not include speed bumps.

Mr. Morse suggested that the developers consider a connection to the Indus Hospitality Group development of a Taco Bell Restaurant and a Microtel Hotel on the adjacent property to the north of this site.

Mr. Brabant said that this development and other new developments now under construction are creating a strain on the capacity of the sewer system. He said that meeting is planned with the Town Water and Sewer Superintendent to review this issue. Mr. Degear said that the sewer system in this area must be a gravity system and that no pump stations should be considered. Mr. Brabant said that the developer may have to install an oversized system.

Mr. Brabant discussed parking, land-banked parking, building alignment, the main issue of traffic flow, and New York State Department of Transportation requirements which will take precedence. Mr. Hemminger said that the plan must meet the Town's requirements for the proper number of parking spaces but that land-banking of some spaces may be considered.

Mr. Bellis expressed concern with the amount of parking areas and asphalt as depicted on the concept plan. He also noted that the separate parcel on Beaver Creek Road is a currently-occupied residence and expressed concern about the impact of the development upon this home. He also said that he did not favor having mini storage buildings near

State Route 332 and expressed concern about traffic flow and the intersection of the new Town road and Beaver Creek Road.

Ms. Neale expressed concern about the small amount of green space shown on the concept plan. She said that she does not consider the stormwater retention ponds as green space and encouraged the developer to consider this issue. Mr. Clarke said that the project will meet the Town's green space requirements. Ms. Neale said that she would be looking at the overall aesthetics of the development.

Mr. Viets said he is looking for more landscaping than just having a large field with parking spaces. He said that he would like to see the hotels moved back (to the east) of the property to avoid having them block the views of the other businesses from State Route 332.

Mr. Viets asked about stormwater management. Mr. Clarke said that the development would be designed to reduce the rate of stormwater flowing into Beaver Creek. He said that Town and DEC requirements would be met. Mr. Viets said that nearby residents have expressed concerns about stormwater management and drainage during the planning of projects on adjacent properties, and that the developers of this project must be aware of these drainage concerns.

Mr. Hemminger said that State Route 332 is known as the "Gateway to the Finger Lakes" which the Town takes seriously. He said that the density of the concept plan is an issue and that the Planning Board will be concerned with land-banking of parking, the consolidation of green space, and the walkability of the site for visitors and employees of the businesses which will be located on the site. He said that aesthetics of the development, especially along State Route 332, will be a major issue for the Planning Board and that adequate screening will be required to reduce the impact of the development upon the residential home on Beaver Creek Road.

Mr. Hemminger said that the design of signage will be important. He suggested that a overall title for this development should be created.

Mr. Maloy asked if any tenants have been signed. Mr. Clarke said that he did not know of any tenants which have been signed but he noted that there is considerable interest in the development.

Mr. Morse expressed concern about the internal road which is shown on the concept plan to run parallel with State Route 332. He noted the confusion that this internal road could create for motorists on State Route 332, especially at night. Mr. Clarke said that this internal road may be removed from the plan and that he shares this concern.

Mr. Bellis discussed the need for sidewalks along the entire frontage of the property on State Route 332 and along the entire frontage of the property on Beaver Creek Road. Mr. Brand said that the sidewalks along State Route 332 would extend from the end of the

sidewalk to be installed by the Indus Hospitality Group and continue south to the southern boundary of the property.

There were no further comments or questions on this concept plan this evening.

Farmington Pointe (1600 Rochester Road, Laviano Incentive Zoning Project):

Mr. Brand reported that Town staff will meet with the Town Engineer next week to discuss the capacity of the sewer system and other utilities which are impacted by the new developments now under construction and those which are proposed. A report and recommendation is expected to be issued in several weeks.

Mr. Brand said that the Town will also seek a recommendation from the Farmington fire department regarding the location of a new fire station on Mr. Laviano's property. As an amenity to the Town as part of the Incentive Zoning proposal, Mr. Laviano has proposed the donation of land for a new fire station.

Director of Development and Planning:

Mr. Brand discussed the following topics:

- An updated grant application for the funding of the development of Beaver Creek Park is now being prepared. To further demonstrate the need for the park, Mr. Morse compiled the following statistics for the application: From 2004 to 2017, there have been a total of 1,196 new dwelling units constructed in the Town. This figure does not include the new units now under construction (2018) at the Farmington Gardens II and Pintail Crossing developments. Mr. Brand said that this number of new dwelling units indicates that there is a shortage of parkland in the Town just to meet the increase in the population since the last Town park was completed in 2003.
- Representatives from Empire Pipeline will attend the Project Review Committee meeting on May 4, 2018, to discuss the MS4 program requirements. Mr. Morse serves as the Town's MS4 coordinator. Mr. Brand also noted that the Empire Pipeline property is currently actively farmed and the current property owner is receiving an agricultural property tax exemption. He said that the Town Assessor is now recalculating the assessment of the property. He also noted that representatives from the Ontario County Planning Department will attend the meeting to learn about the new access driveway to the Town Highway Department facility from Collett Road.

- Training booklets from the Association of Towns meeting were distributed to Planning Board members. A review of the material will be conducted by Mr. Brand. Planning Board members will receive two credits for attending this review.
- The update of stormwater regulations has been completed by the Town Code Advisory Committee. The draft has been submitted to the Town Attorney. Following his review, the draft will be submitted to the Ontario County Planning Department, followed by adoption by the Town Board.
- The public bidding procedure for the Beaver Creek Pedestrian Bridges Project began May 1, 2018, and will conclude on May 15th. The bridges will provide access from Lillybrook Court to Amber Drive and from the Monarch Manor Subdivision to the Beaver Creek Park site.
- The first project status meeting with the contractor for the Auburn Trail project was held on May 2, 2018. The project is underway with the clearing of the path of the trail. Downed trees and stumps will be ground into chips and removed from the site. Victor Excavating will remove the topsoil pile from the Trail path by May 10th. The topsoil pile which encroaches upon the Town/trail property is from the adjacent MIII project (Cerone Incentive Zoning Project, “Always Locked” mini storage) on the west side of State Route 332.

Highway Superintendent:

Mr. Giroux reported that all underdrainage work is completed on the next section of the Mertensia Road improvement project. Surveying and paving of this section will follow.

Water and Sewer Superintendent:

Mr. Degear reported that surveying and stake-outs have begun for the installation of the new 12-inch water line on Beaver Creek Road between Route 96 and County Road 41. He said that construction will begin as soon as all of the required easements are signed.

Mr. Degear reported that the start-up of the new UV disinfection structure at the Water and Sewer Plant as required by the New York State Department of Environmental Conservation will begin tomorrow (May 4, 2018). Final completion is scheduled for mid May.

Mr. Degear also noted that the New York State Department of Health (DOH) has contacted the Town to request that acceptance of the new water line which has been installed at the Farmington Gardens II construction site be withheld because of the lack of adherence to DOH conditions of approval of the line. Mr. Degear said that there have been

issues with the construction of the Farmington Gardens II project. He said that the Town Construction Inspector is spending a considerable amount of time on the site.

Code Enforcement Officer:

Mr. Morse reported that Kip Finley of Indus Hospitality Group has provided construction samples of the exterior for both the Taco Bell Restaurant and for the Microtel Hotel for the Planning Board's review. He said that he would place Mr. Finley's presentation on the May 16th agenda for discussing these materials. He said that Mr. Finley would like to have Final Subdivision and Site Plan approvals of the Taco Bell Restaurant and the Microtel Hotel projects at the Planning Board meeting on June 6, 2018. Mr. Hemminger emphasized that the stormwater management easement from the adjacent landowner (Finger Lakes Pet Resort, 1296 Beaver Creek Road) must also be signed and submitted to the Town prior to the Planning Board's consideration of the final plans.

Mr. Morse discussed the construction of the first structure at the Redfield Grove Incentive Zoning Project development off Hook Road and opposite King Hill Drive. He reported that the height of the basement of the structure was increased by one additional course of blocks. This has created a height variance from the plans which were approved by the Planning Board. Mr. Hemminger asked board members to consider whether this variation requires a formal amendment to the site plan or if it may be approved by an administrative determination by the Code Enforcement Officer.

Mr. Morse also reported that the applicant wishes to amend the approved site plan for the K&P Associates new 6,400-square-foot maintenance building now under construction at 5966 Collett Road. The Final Site Plan was approved by the Planning Board on February 14, 2018. Mr. Morse said that the applicant would like to add an overhead door and a 15-foot-wide driveway to the south portion of the building (facing Collett Road) to provide for installation of a commercial vehicle paint spray booth in the building. Mr. Hemminger said that the consensus of the Planning Board is that this change can be made by an administrative determination by the Code Enforcement Officer. Mr. Giroux requested that consideration be given to the installation of the sidewalk along the frontage of the property on Collett Road and the grade of the road. Mr. Brand requested that consideration be given to the extra strength of the sidewalk leading from the building to the sidewalk along Collett Road due to the heavy vehicles which will cross the sidewalk to enter the spray booth.

Mr. Morse noted that the Building Department has issued more than 200 building permits since January and that the Town has already exceeded the budgeted revenue amount of \$58,000 in the collection of Parks and Recreation fees.

Town Engineer:

Mr. Brabant discussed three issues with construction of the first structure at the Redfield Grove site, i.e., 1) lighting; 2) drainage; and 3) code compliance with the height of the structure. He said that these issues have been included in an MRB Group engineering comment letter to the applicant.

Mr. Brabant reported that the updated Site Design criteria manual has been submitted to the Town for review and approval. He said that the stormwater maintenance agreement also has been revised and will be removed from the Town Code and included in the Site Design criteria material for more efficient updates in the future. He also noted all forms and materials would be posted upon the Town website.

Planning Board Members:

Mr. Hemminger asked about Phase 4 of the Hickory Rise Subdivision. He requested that the Town staff and the Town Engineer monitor the work in this section to assure that a large number of trees on the south boundary of the subdivision are not removed during construction.

7. PUBLIC COMMENTS

None.

8. ADJOURNMENT

■ A motion was made MR. MALOY, seconded by MS. NEALE, that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 9:05 p.m.

The next regular meeting of the Planning Board will be held at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, on Wednesday, May 16, 2018, at 7:00 p.m.

Following the meeting, the front entrance doors to the Town Hall were locked.

Respectfully submitted,

John M. Robortella,
Clerk of the Farmington Planning Board

L.S.