

# *Town of Farmington*

1000 County Road 8  
Farmington, New York 14425

**PLANNING BOARD**  
**Wednesday, November 1, 2017, 7:00 p.m.**

## **MINUTES—APPROVED**

*The following minutes are written as a summary of the main points that were made and are the 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:** Scott Makin, *Chairperson*  
Adrian Bellis  
Edward Hemminger  
Mary Neale  
Douglas Viets

**Staff Present:**  
Lance S. Brabant, CPESC, Town of Farmington Engineers, 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

**Applicants Present:**  
Michael Birkby, Conifer Realty LLC, 1000 University Avenue, Suite 500,  
Rochester, N.Y. 14607  
Jerry A. Goldman, Esq., Woods Oviatt Gilman LLP, 700 Crossroads Building,  
2 State Street, Rochester, N.Y. 14614  
Megan Houppert, Development Manager, Home Leasing, 180 Clinton Square,  
Rochester, N.Y. 14604  
Al LaRue, L.S., McMahon LaRue Associates P.C., 822 Holt Road, Webster, N.Y. 14580  
Matt Tomlinson, P.E., Marathon Engineering, 39 Cascade Drive, Rochester, N.Y. 14614

**Residents Present:**  
Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425  
Jessica Brumbaugh, 1403 Creek Pointe, Farmington, N.Y. 14425  
James and Cindy Dykes, 6137 Hanover Road, Farmington, N.Y. 14425  
Brian Sandore, 6143 Hanover 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. Makin 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. Makin said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on March 1, 2017.

## 2. APPROVAL OF MINUTES OF OCTOBER 18, 2017

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the minutes of the October 18 2017, meeting be approved.

Motion carried by voice vote.

## 3. NEW FINAL RE-SUBDIVISION PLAT

### **PB #1101-17                      Final Re-Subdivision Plat Application**

**Name:** Home Leasing LLC, 180 Clinton Square, Rochester, N.Y. 14604

**Location:** West side of State Route 332, south of Mercier Boulevard

**Zoning District:** IZ Incentive Zoning and MTOD Major Thoroughfare Overlay District

**Request:** Final Re-Subdivision Plat approval, Mercier Incentive Zoning Project: Lot #R-1C1 consisting of 14.97 acres to be used for a proposed 104-unit apartment project, Lot #R-1C2 consisting of 1.651 acres to be used for a proposed three-structure office project and a 1.784-acre strip of land to be dedicated to the Town of Farmington for right-of-way for the extension of Hathaway Drive, located south of Mercier Boulevard and north of Perez Drive

The Planning Board approved the Completion of Environmental Assessment and the State Environmental Quality Review (SEQR) Determination of Significance resolutions on September 20, 2017 (SEQR classification as an Unlisted Action with a negative declaration).

The Public Hearing on this application was opened on January 18, 2017, and was continued to the meetings on February 15, 2017; April 5, 2017; May 17, 2017; September 6,

2017; September 20, 2017; and October 4, 2017. The Public Hearing was closed on October 4, 2017.

The Planning Board approved the Preliminary Subdivision Plat on October 4, 2017.

Mr. LaRue presented this application. Ms. Houppert also attended.

Mr. LaRue said that the comments on the Preliminary Re-Subdivision Plat approval resolution have been addressed.

Mr. Brand said that he had no issues with the Final Re-Subdivision Plat application and that he prepared a draft resolution for approval with conditions for the board’s consideration.

There were no further comments or questions from Town staff or members of the Planning Board on this application.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
MERCIER INCENTIVE ZONING PROJECT (HOME LEASING LLC)  
LOTS #4 AND #5 AMENDMENT/FARMINGTON GARDENS APARTMENTS, PHASE II  
FINAL RE-SUBDIVISION PLAT APPROVAL**

**PB #1101-17**

**APPLICANT: Home Leasing LLC, 180 Clinton Square,  
Rochester, N.Y. 14604**

**ACTION: Final Re-Subdivision Plat Approval, Mercier Incentive Zoning Project: Lot #R-1C1 consisting of 14.97 acres to be used for a proposed 104-unit apartment project and Lot #R-1C2 consisting of 1.651 acres to be used for a proposed three-building office project; and a 1.784-acre strip of land to be dedicated to the Town of Farmington for right-of-way for the extension of Hathaway Drive, located south of Mercier Boulevard and north of Perez Drive.**

**WHEREAS,** the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received an Application from Home Leasing, LLC for Final Re-Subdivision Plat Approval for Lot # 1C (formerly Lot #4 and Lot #5) of the Mercier Incentive Zoning Project (identified as Tax Map Account # 29.00-01-23.110) containing a total of 18.422 acres); and

**WHEREAS,** the Planning Board has completed its review under SEQR making a determination of non-significance upon this Action; and

**WHEREAS**, the Planning Board has given consideration to the Ontario County Planning Board's referral #106-2017; and

**WHEREAS**, the Planning Board has reviewed and given consideration to the Town Engineer's comments contained in their letter dated November 1, 2017; and

**WHEREAS**, the Planning Board has received testimony at tonight's Public Meeting regarding the proposed final re-subdivision application.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby move to grant Final Re-Subdivision Plat Approval, for what is now known as Lots #R-1C1 (14.987 acres) and #R-1C2 (1.651 acres) and a 60-foot-wide right-of-way (1.784 acres) to be dedicated to the Town of Farmington for the extension of Hathaway Drive, with the following conditions:

1. Final Re-Subdivision Plat Approval is based upon the drawing prepared by McMahon/LaRue Associates, P.C., Engineers & Surveyors, identified as drawing 2 of 14, Project: Farmington Gardens II, Hathaway Drive, and entitled "Final Re-Subdivision Lot 1C, George Mercier Subdivision Lots #R-1C1 and #R-1C2," dated October, 2017.
2. Prior to the Town Engineer signing the Final Re-Subdivision Plat drawing, all comments contained in their November 1, 2017, letter that pertain to the final plat map are to be addressed.
3. The Revision Box is to be amended to reflect changes made to the map in accordance with Planning Board Files #PB-0102-17 and #PB-1101-17 and dates.
4. Once all conditions of Final Re-Subdivision Plat Approval have been made on the revised drawing, a mylar and seven (7) paper prints are to be submitted to the Town Code Enforcement Officer, within 180 days, for his review and acceptance.
5. Once all signatures have been affixed to the revised Final Re-Subdivision Plat drawings, then the Planning Board Chairperson may sign the drawings.
6. The mylar and two paper prints of the Final Re-Subdivision Plat map are then to be filed in the Ontario County Clerk's Office within 62 days of the date of signing by the Planning Board Chairperson.
7. One signed paper copy is to be provided to each of the following: Town Highway Superintendent, Town Water and Sewer Superintendent, Town Engineers, Town Development Office and the Applicant. If additional copies are required by the Applicant, then the number of additional copies are to be provided at the time of submittal.

- 8. Final Re-Subdivision Plat Approval is valid for a period of 180 days from today. Failure to have the Final Re-Subdivision Plat drawings signed within this time period will result in the need for a new application for Final Re-Subdivision Plat Approval.

Mr. Makin asked Mr. LaRue if he understood the resolution and agreed with the conditions. Mr. LaRue said that he understood the resolution and agreed with the conditions.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

**4. NEW FINAL SITE PLAN**

**PB #1102-17 Final Site Plan Application**

**Name:** Home Leasing LLC, 180 Clinton Square, Rochester, N.Y. 14604

**Location:** West side of State Route 332, south of Mercier Boulevard

**Zoning District:** IZ Incentive Zoning and MTOD Major Thoroughfare Overlay District

**Request:** Final Site Plan approval, Mercier Incentive Zoning Project: Lot #R-1C1 consisting of 14.97 acres to be used for a proposed 104-unit apartment project and Lot #R-1C2 consisting of 1.651 acres to be used for a proposed three-structure office project, location north of Mercier Boulevard and south of Perez Drive

The Planning Board approved the Completion of Environmental Assessment and the State Environmental Quality Review (SEQR) Determination of Significance resolutions on September 20, 2017 (SEQR classification as an Unlisted Action with a negative declaration).

The discussion on this application was opened on January 18, 2017, and was continued to the meetings on February 15, 2017; April 5, 2017; May 17, 2017; September 6, 2017; September 20, 2017; and October 4, 2017.

The Planning Board approved the Preliminary Site Plan on October 4, 2017.

Mr. LaRue presented this application. Ms. Houppert also attended.

Mr. LaRue had no comments on this application.

Mr. Brand said that he prepared a draft resolution for approval with conditions for the board's consideration. He reported that the resolution was provided to board members and the applicant prior to the meeting and that the resolution was posted on the Town's website in advance of the meeting.

Mr. Morse said that he discussed his comments on the application with Mr. Brabant in advance of the meeting.

Mr. Degear also said that he discussed his comments with Mr. Brabant in advance of the meeting. He reported that the applicant requested a waiver of the sewer connection fee and that the applicant was informed that the sewer connection fee could not be waived.

Mr. Brabant discussed the MRB Group, D.P.C., engineering comment letter on this application, dated November 1, 2017. The comment letter was provided to the board in advance of the meeting. Among the engineering comments which Mr. Brabant discussed at the meeting were:

- The proposed streetlight near the Community Center patio should be relocated off the sidewalk.
- The construction sequence must be more site specific pertaining the two phases.
- A revised Overall Project Stormwater Pollution Prevention Plan (SWPPP), once updated, is to be resubmitted.
- The revised plans must show the dumpster locations and turning radii to prevent vehicles from blocking the driveway for emergency vehicle access when the dumpsters are in use. In several locations, dumpsters should be repositioned away from the sidewalk and to prevent potential compromising issues with the accessible parking spaces.
- Details of the project sign at the intersection of Hathaway Drive and Mercier Boulevard must be provided. Mr. Brabant asked if signs would be illuminated. Mr. LaRue said that the signs would be illuminated.
- More detail is required for the bridge crossing of Beaver Creek. The bridge and culvert must be designed in accordance with New York State Department of Environmental Conservation (DEC) Standard Specifications. The bridge and culvert plans also must be reviewed and approved by the Highway Superintendent and the U.S. Army Corps of Engineers. Mr. LaRue reported that the plans have been

submitted to the New York State Department of Health, the DEC and the Army Corps and that the applicant would address Mr. Brabant's comments and the comments to be received from these agencies on the revised plans.

- The foot-candle for the proposed light on the western side of Building #4 should be corrected so that it is projected away from the building and toward the parking lot area. Mr. Brabant said that this would add additional security lighting for Storage Building B-1.
- Mr. Brabant explained that easement maps and legal descriptions for all proposed easements to the Town must be provided for review and approval prior to the issuance of building permits.
- Mr. Brabant also said that the Final Phase 1 SWPPP is to be provided for review and approval. He said that this would be followed by the MS4 SWPPP Acceptance Form to be completed and filed in the project SWPPP. He said that a stormwater maintenance agreement is to be provided for review and approval by the Town Attorney prior to the issuance of building permits.

Mr. Viets said that the storage units are not within 300 feet or less walking distance from their corresponding apartment entrances, as required in Condition #9 of the Town Board Incentive Zoning approval resolution. He said that he measured the distances as shown on the site plan and that all of the distances are greater than 300 feet, i.e., 412 feet, 505 feet, and 858, for example. Mr. Viets said that he raised this issue during the discussion of the Preliminary Site Plan application in October and that it has not yet been addressed on the plans by the applicant.

Mr. Viets said that color renderings of the Community Center and storage units, which also were requested during the discussion of the Preliminary Site Plan, have not yet been submitted. He asked about the design of these structures and if they would be of a similar design as the apartment structures.

Mr. Viets discussed the turning radii and asked about emergency vehicle movement and access.

He also requested that what appear to be air-conditioning units be properly labeled on the plans and that adequate landscape screening be provided for them.

Mr. Viets discussed landscaping along State Route 332 and requested that additional plantings be installed to break up sight distances and provide screening for residents. Ms. Houppert noted that a portion of this area is already wooded.

From the audience, Ms. Brumbaugh discussed landscaping and grading that is proposed in her backyard on Creek Pointe. She said that the grading would begin right next to her children's swing set. She said that most of the existing vegetation would be cleared and that the Home Leasing landscape architect reported that the new trees to be planted only

would be at a height of about six feet. Ms. Brumbaugh said that it would be great to have a berm installed along the property line as a buffer between her backyard and the Home Leasing property. Ms. Houppert explained that a berm would not be feasible because of the need to address the water issues along the Home Leasing property line and the residential properties on Creek Pointe and Hanover Drive. She also noted that landscaping and other plantings cannot be installed atop the sewer line. Mr. Brabant requested that the site plans show the tree limits and the trees which will not be removed during construction. Mr. Brabant also noted that the landscaping plans depict a two-foot-high berm to the rear of the open space on the Home Leasing property. He said that this berm would have plantings on top to help screen the structures from the residential backyards.

Mr. Viets discussed the area of the commercial component of the project along State Route 332 and asked about landscaping and improving the visual appearance of the property from along the highway. Mr. LaRue explained that no disturbance or landscaping is planned in this area during Phase 1 because commercial tenants have not been retained. He said that leaving the property in its natural state is the best solution at this time for the commercial component area. Ms. Houppert said that this area of the property would not be developed until tenants are signed. Mr. Brabant requested that proposed landscaping for this area as depicted be removed from the Phase 1 site plan. He said that any landscaping which is not part of Phase 1 must be removed from the plans. He requested that a note be added to the site plans that the areas which will not be disturbed in Phase 1 be grassed and stabilized where appropriate.

Mr. Viets said that several species of trees as indicated on the site plan are too small and do not comply with the Town's Major Thoroughfare Overlay District (MTOD) requirements. Mr. LaRue said that these would be adjusted to comply with the MTOD specifications.

Mr. Bellis asked about the details of the enclosures around the dumpsters. He said that these details were not shown on the site plans.

Mr. Hemminger said that plantings would provide a break in the view of the Home Leasing property from the residential backyards.

Mr. Houppert explained that it is Home Leasing's goal to receive Final Site Plan approval this evening. She said that the funding for the development must close by Monday, November 6, 2017. She also reported that a meeting with residents has been scheduled on Wednesday, November 15, 2017, and that Home Leasing would like to break ground for the project on Monday, November 27, 2017, on the assumption that the plans are finalized and permits can be issued by the Town.

Mr. Makin explained the process following Final Site Plan approval by the Planning Board. The steps include completion of the revised Final Site Plan drawings, review and approval by the Town Building Department and Code Enforcement Officer, signing by department heads and the Planning Board Chairperson, and receipt of approvals from other agencies such as the Army Corps.

Mr. Viets said that a major concern is the walking distance which must be less than 300 feet between the apartment entrances and the storage units as required by the Town Board Incentive Zoning approval. He asked how this could be handled when the plans currently show farther walking distances. He asked if Planning Board of the Final Site Plan would violate the Incentive Zoning approval. Ms. Houppert said that she did not realize that this would be an issue this evening. She said that she was under the assumption that the plans showed the walking distances all within 300 feet. She said that she would consult with Mr. McMahon on this. Mr. Brand said that the Planning Board may include the 300-foot walking distance requirement as a condition of Final Site Plan approval. Mr. LaRue said that his firm would create a plan to address this on the revised Final Site Plan.

Although the Public Hearing on the re-subdivision application was closed on October 4, 2017, Mr. Makin asked if anyone in attendance wished to comment or ask questions on this application. Mr. Dykes asked about the Army Corps approval. Mr. Brabant said that the applicant has submitted the plans to the Army Corps and that a letter of approval would be required prior to the signing of the plans by the Town staff, the Town engineer and the Planning Board Chairperson. Mr. Brabant said that the Army Corps also would verify if the proposed disturbance of the Beaver Creek area is appropriate and, if so, would issue a permit for the work along the creek. Mr. Brand explained that the Army Corps would not review the application until a Final Site Plan is approved by the Planning Board. He said that the Corps requires a form of conditional approval from the Planning Board prior to initiating an application review.

Mr. Dykes also asked about the SWPPP. Mr. Brabant said that the report from the applicant's engineer has been received and approved.

Mr. Sandore said that there are a number of issues with this application which must be addressed. He said that he has attended nearly all of the Planning Board and Town Board meetings at which this application has been discussed and that other projects are not given final approval with this number of outstanding issues. He said that ultimately these questions must be answered prior to the Planning Board's decision on the Final Site Plan. Based upon his experience at meetings, he said that very rarely does the Planning Board approve an application with these many issues which must be addressed. He said that this is his opinion. Mr. Makin said that the Planning Board in the past has approved Final Site Plans with a number of conditions of approval.

Mr. Sandore asked what would happen if the new plantings and landscaping do not grow. He said that he has lived in his home for 15 years, that the soil is too wet, and that he has been unsuccessful with trees which he has planted. He asked who would replace the trees that may not grow. Mr. Sandore said that the applicant's landscape architect informed the residents that it may take up to 10 years for the new plantings to become well established. He asked what would happen if the new plantings do not grow and if the residents would be left with an eyesore. Mr. Morse explained that the Town requires sureties and letters of credit from applicants in advance of a project. He said that the Town staff makes regular inspections of construction sites to assure compliance with each of the Planning Board's conditions of approval. Mr. Brabant said that the sureties and letters of credit

remain in place during construction and for up to two years after construction to provide the Town with the financial leverage to assure that the applicant will comply with each of the conditions of project approval. He said that construction sites and completed projects are monitored and inspected by the Code Enforcement Officer, the Construction Inspector and by the Town engineering firm.

Ms. Houppert said that representatives from Home Leasing, including the construction supervisor of the Farmington Gardens II project and the regional manager, will attend the information meeting on November 15, 2017. She said that residents would contact these staff members with questions or concerns during and following construction.

Mr. Brand said that he takes great exception to Mr. Sandore's comments regarding Planning Board approval of applications with conditions. He said that the Town staff, the Town engineer and the Planning Board Chairperson would not sign the final plans if any issues remain outstanding. He also noted that final site plan approval resolutions traditionally have a number of conditions of approval which must be addressed prior to the signing of the plans and the issuance of building permits. He said that the purpose of the Planning Board review is to identify the issues of concern, establish the conditions of approval, and document the conditions which the applicant must address in the approval resolution. He said that this is the process by which applications move along. Mr. Brand said that this application is not being treated as an exception and is under review in the same manner as other applications. Mr. Makin said that he agreed with Mr. Brand's comments.

Mr. Hemminger said that the key concerns expressed by Mr. Viets should be included as conditions of Final Site Plan approval. He said that the Planning Board can move the application along by approving the Final Site Plan with conditions but that the question will be how quickly the applicant can address them. He said that this is beyond the control of the Planning Board and that the applicant may have to return to the Planning Board if the conditions of approval cannot be met. He said that this process is consistent with what the Planning Board has done in the past.

Mr. Hemminger then summarized the discussion and the comments of Mr. Viets and Mr. Brabant. Five additional conditions of approval were offered to Mr. Brand's draft approval resolution, as follows:

New Condition: Prior to the Planning Board Chairperson's signing the Final Site Plans, the Final Site Plans are to identify compliance with Condition #9 in the Town Board Resolution #120 of 2016 that walking distances of no more than 300 feet are being provided between the residential apartments and their corresponding storage unit buildings.

New Condition: A note is to be added to the Final Site Plan that the proposed office building component area, Lot #R-1C2, located along State Route 332, will remain vegetative and grassed, and maintained during

and following construction of the apartment project (Lot #R-1C1), and that this area will remain vegetative and grassed until such time as the office building component is developed in a future phase of the project. Relocate the topsoil stockpile to Lot #R-1C1 in proximity to the Community Center area. This relocation will reduce the potential for wind-blown dust onto State Route 332.

New Condition: The Final Site Landscaping Plan, drawing #904-L1, Sheet 7 of 14, shows a portion of the frontage across Lot #R-1C2 (the office building component area) which is to be landscaped and maintained as part of the apartment project. The Planning Board requires the Final Site Plan, Sheet 3 of 14, show this frontage as being within the limits of disturbance proposed with the construction of the apartment complex.

New Condition: Prior to the Planning Board Chairperson’s signing the Final Site Plans, the applicant will submit color architectural renderings of the proposed Community Center and storage units, to be reviewed and accepted by the Planning Board Chairperson. The exteriors of these buildings are to be of a similar color and architectural design as the apartment structures.

New Condition: Sheet 14 of 14, entitled “Final Details,” is to be amended adding the specifications for the site dumpsters and screening materials, including colors, for all dumpsters shown. The Final Site Plan, Sheet 3 of 14, is to be amended by adding a note where the dumpster details are found. The Planning Board Chairperson is to review and accept the design specifications for the site dumpsters before signing.

There were no further comments or questions from Town staff on this application.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
MERCIER INCENTIVE ZONING PROJECT (HOME LEASING LLC)  
LOTS #4 AND #5 AMENDMENT/FARMINGTON GARDENS APARTMENTS, PHASE II  
FINAL SITE PLAN APPROVAL**

**PB #1102-17**

**APPLICANT: Home Leasing LLC, 180 Clinton Square,  
Rochester, N.Y. 14604**

**ACTION: Final Site Plan Approval, Mercier Incentive Zoning Project:  
Lot #R-1C1 consisting of 14.97 acres to be used for a proposed**

**104-unit apartment project and Lot #R-1C2 consisting of 1.651 acres to be used for a proposed three-building office project; located south of Mercier Boulevard and north of Perez Drive.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received an Application from Home Leasing, LLC for Final Site Plan Approval for Lot #1C (formerly Lot #4 and Lot #5) of the Mercier Incentive Zoning Project (identified as Tax Map Account #29.00-01-23.110) containing a total of 18.422 acres); and

**WHEREAS**, the Planning Board has completed its review under SEQR making a determination of non-significance upon this Action; and

**WHEREAS**, the Planning Board has given consideration to the Ontario County Planning Board's referral #106.1-2017; and

**WHEREAS**, the Planning Board has reviewed and given consideration to the Town Engineer's comments contained in their letter dated November 1, 2017; and

**WHEREAS**, the Planning Board has received testimony at tonight's public meeting regarding the proposed final site plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby move to grant Final Site Plan Approval, for what is now known as Lots #R-1C1 (14.987 acres) and a 60-foot-wide right-of-way (1.784 acres) to be dedicated to the Town of Farmington for the extension of Hathaway Drive, with the following conditions:

1. Final Site Plan Approval is based upon the drawing prepared by McMahon/LaRue Associates, P.C., Engineers & Surveyors, identified as drawing 3 of 14, Project: Farmington Gardens II, Hathaway Drive, and entitled "Final Site Plan."
2. Prior to the Town Engineer signing the Final Site Plan drawing, all comments contained in their November 1, 2017 letter that pertain to the final site plan map are to be addressed.
3. There is to be a note added to the Final Site Plan drawing that reads . . . "Prior to the issuance of Building Permits a Park and Recreation Fee for each dwelling unit is to be paid to the Town in accordance with the latest Town Fee Schedule."
4. There is to be a note added to the Final Site Plan drawing that reads . . . "Prior to the issuance of Building Permits for the development of Lot R-1C2, an application for Final Site Plan Approval is to be submitted to the Town Planning Board for review and approval."
5. Prior to the Planning Board Chairperson's signing the Final Site Plans, the Final Site Plan is to identify compliance with Condition #9 in the Town Board Resolution #120 of 2016 that walking distances of no more than 300 feet are being pro-

vided between the residential apartments and their corresponding storage unit buildings.

6. A note is to be added to the Final Site Plan that the proposed office building component area, Lot #R-1C2, located along State Route 332, will remain vegetative and grassed, and maintained during and following construction of the apartment project (Lot #R-1C1), and that this area will remain vegetative and grassed until such time as the office building component is developed in a future phase of the project. Relocate the topsoil stockpile to Lot #R-1C1 in proximity to the Community Center area. This relocation will reduce the potential for wind-blown dust onto State Route 332.
7. The Final Site Landscaping Plan, drawing #904-L1, Sheet 7 of 14, shows a portion of the frontage across Lot #R-1C2 (the office building component area) which is to be landscaped and maintained as part of the apartment project. The Planning Board requires the Final Site Plan, Sheet 3 of 14, show this frontage as being within the limits of disturbance proposed with the construction of the apartment complex.
8. Prior to the Planning Board Chairperson's signing the Final Site Plans, the applicant will submit color architectural renderings of the proposed Community Center and storage units, to be reviewed and accepted by the Planning Board Chairperson. The exteriors of these buildings are to be of a similar color and architectural design as the apartment structures.
9. Sheet 14 of 14, entitled "Final Details," is to be amended adding the specifications for the site dumpsters and screening materials, including colors, for all dumpsters shown. The Final Site Plan, Sheet 3 of 14, is to be amended by adding a note where the dumpster details are found. The Planning Board Chairperson is to review and accept the design specifications for the site dumpsters before signing.
10. The Revision Box is to be amended to reflect changes made to the map in accordance with Planning Board Files PB #0101-17 and PB #1102-17 and dates.
11. Once all conditions of Final Site Plan Approval have been made on the revised drawing, then five (5) sets of the drawings are to be submitted to the Town Code Enforcement Officer, within 180 days, for his review and acceptance.
12. Once all signatures have been affixed to the Final Site Plan drawings then the Planning Board Chairperson may sign the drawings.
13. One signed set of Final Site Plan drawings is to be provided to each of the following: Town Highway and Parks Superintendent, Town Water and Sewer Superintendent, Town Engineers, Town Development Office and the Applicant. If addi-

tional copies are required by the Applicant, then the number of additional copies are to be provided at the time of submittal.

- 14. Final Site Plan Approval is valid for a period of 180 days from today. Failure to have the Final Site Plan drawings signed within this time period will result in the need for a new application for Final Site Plan Approval.

Mr. Makin asked Mr. LaRue if he understood the resolution and agreed with the conditions. Mr. LaRue said that he understood the resolution and agreed with the conditions.

■ A motion was made by MR. HEMMINGER, seconded by BELLIS, that the preceding resolution be approved.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

**5. NEW PRELIMINARY SITE PLAN**

**PB #0000-17 Preliminary Site Plan Application**

**Name:** Conifer Realty LLC, 1000 University Avenue, Suite 500, Rochester, N.Y. 14607

**Location:** South side of County Road 41, west of Running Brook Drive and Red Fern Drive

**Zoning District:** RMF Residential Multi-Family

**Request:** Preliminary Site Plan approval of a proposed 112-unit apartment project on a 15.9-acre site known as “Pintail Crossing Residential Multi-Family Development”

Mr. Goldman presented this application. Mr. Tomlinson and Mr. Birkby also attended.

Mr. Goldman provided the following description of this application:

- Rezoning of a 15.9-acre portion of the formerly known “Glacier Lakes Planned Development” from PD Planned Development to RMF Residential Multi-Family. The site is located south of County Road 41 and west of Running Brook Road.

- The applicant appeared before the Town Board on May 23, 2017, to describe the project. The Planning Board approved a report and recommendation on the application on June 21, 2017. The Town Board approved the rezoning of the property on August 22, 2017.
- Ontario County Administrator Mary A. Krause submitted a letter in support of the project to the Town dated October 2, 2017.
- The project will be constructed in two phases. Mr. Goldman displayed the site plan. He said that the project has been downsized from the original proposal to 14 buildings and 112 residential units. Eight buildings are planned in Phase 1. All utilities and stormwater facilities will be constructed in Phase 1.
- Access will be from Quentonshire Drive off County Road 41. Quentonshire Drive will be upgraded from an existing private driveway to a Town-dedicated road with a 60-foot right-of-way and a 24-foot pavement width constructed to Town specifications.
- Stormwater runoff, which is now sheet drained, will be contained and controlled by two retention facilities.
- Town Board and Planning Board comments received at previous meetings have been incorporated into the revised Preliminary Site Plan presented this evening.
- The applicant would like to have an entry sign at the corner of County Road 41 and Quentonshire Drive. This may require an application to the Zoning Board of Appeals for a variance.
- A color architectural rendering of the housing units was displayed. The units will be a mix of one-, two- and three-bedroom units.
- Turning radii throughout the development are appropriate for emergency vehicle access, as requested at a previous presentation.

Mr. Tomlinson described the sidewalk installations and connections throughout the development. These will link with the adjacent Farmbrook Subdivision to the south and County Road 41 to the north. An emergency access gate off Running Brook Road was described and noted on the site plans.

Mr. Brand said that the application has been referred to the Ontario County Planning Board for the agenda on November 8, 2017.

Mr. Brand also discussed the State Environmental Quality Review (SEQR) 30-day coordinated review of this application by the identified Involved Agencies and Interested Agencies. He said that a draft resolution has been prepared for Planning Board consideration this evening to indicate its intention to be declared as the Lead Agency for mak-

ing the SEQR determination of significance on this project and to establish the 30-day coordinated review period from November 2, 2017, to December 4, 2017. Mr. Brand said that the Planning Board could declare itself as the Lead Agency for making the SEQR determination at its meeting on December 6, 2017.

Mr. Giroux expressed concern about stormwater runoff on the property and asked if more stormwater could drain to the north to County Road 41 and into an existing culvert leading to Beaver Creek and away from the homes on Dalton Drive and Running Brook Drive in the Farmbrook Subdivision to the south. Mr. Tomlinson said that a full SWPPP modeled the stormwater runoff and that the stormwater facilities as shown on the site plans have been significantly oversized to address the concerns about drainage as discussed by Mr. Giroux. He said that these oversized facilities have been designed to significantly reduce the runoff away from an existing swale which leads toward the Farmbrook Subdivision.

Mr. Giroux also discussed the emergency access gate off Running Brook Road. Mr. Tomlinson explained that this section of the driveway would be gravel. Mr. Hemminger said that initiatives should be employed to avoid having motorists enter this driveway under the mistaken impression that it is a standard access point into the development.

Mr. Hemminger said that he was pleased to see the design of the stormwater retention facilities and that all drainage work would be included in Phase 1 of the project.

Ms. Neale and Mr. Bellis noted that the revised Preliminary Site Plan drawing as displayed by Mr. Goldman this evening had not been included in the board members's packets in advance of the meeting.

Mr. Goldman said that he and Mr. Tomlinson would meet with the Project Review Committee on Friday, November 3, 2017, to discuss further the comments raised at this evening's meeting.

Mr. Bellis asked about a "bump-out" area shown on the drawing. Mr. Goldman said that this would be used as a transit service or school bus stop.

Mr. Bellis also asked about the architectural design of the housing units. Mr. Birkby displayed color architectural drawings and additional refinements to the Farmington project. He explained that Conifer Realty would own and manage the property.

Mr. Viets asked if the school district had been contacted about the project. Mr. Goldman said that the school district (Victor Central School District) has indicated that the layout of the development is acceptable.

Mr. Giroux asked about the dimensions of the "bump-out" and noted that the interior roads and hammerhead turnarounds must be constructed to Town specifications for school bus and emergency vehicle access.

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

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

**FARMINGTON PLANNING BOARD RESOLUTION  
SEQR RESOLUTION – UNLISTED ACTION**

**PB #1201-17**

**APPLICANT: Conifer Realty LLC, 1000 University Avenue, Suite 500,  
Rochester, N.Y. 14607**

**ACTION: Preliminary Site Plan Approval Pintail Crossing Residential  
Multi Family Development Project—SEQR Lead Agency  
Declaration and Project Notification**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as the Board) based upon its review of Sections 617.4 and 617.5 of the State Environmental Quality Review (SEQR) Regulations, a part of article 8 of the New York State Environmental Conservation Law, finds the proposed Action to be and Unlisted Action.

**NOW, THEREFORE, BE IT RESOLVED** that the Board determines the proposed Action is subject to approvals from a number of involved agencies and, therefore, determines that a coordinated review of this Unlisted Action is warranted.

**BE IT FURTHER RESOLVED** that the Board determines that the following agencies are Involved Agencies for this Action: the U.S. Army Corps of Engineers, Buffalo Regional Office; Region 8 Office of the New York State Department of Environmental Conservation; the Geneva Regional Office of the New York State Department of Health; the Ontario County Department of Public Works; the Town of Farmington Highway Superintendent; and the Town of Farmington Water and Sewer Superintendent.

**BE IT FURTHER RESOLVED** that the following agencies are Interested Agencies for this Action: Ontario County Planning Board; James Morse, Town of Farmington Code Enforcement Officer; Town of Farmington Environmental Conservation Board; and Lance S. Brabant, CPESC, Director of Planning, MRB Group, P.C.

**BE IT FURTHER RESOLVED** that the Board does hereby declare its intent to be designated the lead agency, at its December 6, 2017 meeting, for making the required determination of significance upon said Unlisted Action.

**BE IT FURTHER RESOLVED** that the Board does hereby establish a 30-day public review and comment period to commence on Thursday, November 2, 2017 and to end at noon on Monday, December 4, 2017.

**BE IT FURTHER RESOLVED** that the Board does hereby direct the Clerk of the Board to mail out, on Thursday, November 2, 2017 the Project Notification Review Letter (PNRL), a set of preliminary site plan drawings and other related packets of material associated with this Unlisted Action to the involved agencies and the interested agencies identified above herein.

**BE IT FURTHER RESOLVED** that the Clerk of the Board is to file a complete set of documents with the Town Clerk’s Office, on Thursday, November 2, 2017, for public review.

**BE IT FURTHER RESOLVED** that the Board does hereby move to table further consideration upon this application and to continue the public meeting thereon to the December 6, 2017, meeting.

**BE IT FINALLY RESOLVED** that the Board directs copies of this resolution be provided to: the U.S. Army Corps of Engineers, Buffalo Regional Office; Region 8 Office of the New York State Department of Environmental Conservation; the Geneva Regional Office of the New York State Department of Health; the Farmington Town Clerk; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Code Enforcement Officer; the Town Director of Planning and Development; the Ontario County Department of Public Works; the Ontario County Planning Board; the Town Engineering Firm, MRB Group, D.P.C.; and the Applicant.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

**6. OPEN DISCUSSION**

***Director of Development and Planning:***

**Letter of Credit Release:**

Mr. Brand said that the following resolution has been prepared for board consideration this evening for the partial release of a Letter of Credit for Redfield Grove Subdivision, Section 1.

■ A motion was made by MR. HEMMINGER, seconded by MR. BELLIS, that the reading of the resolution be waived and that the following resolution be approved as submitted:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
LETTER OF CREDIT RELEASE NO. 1—PARTIAL  
REDFIELD GROVE SUBDIVISION, SECTION 1  
EARTHWORK AND EROSION CONTROL SITE IMPROVEMENTS**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request from Lance S. Brabant, CPESC, MRB Group, P.C., the Town Engineers, dated October 3, 2017, to approve a partial release (Release #1) from the above referenced letter of credit for site improvements within Section 1 of the Redfield Grove Subdivision; and

**WHEREAS**, the Planning Board has also received and reviewed the Letter of Credit Release Forms, signed by all Department Heads and the Town Engineers, along with the applicant’s Engineer Estimates of Value attachment thereto; and

**WHEREAS**, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor the requested release from the letter of credit.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board, after having reviewed the file on this subdivision and the recommendations from the Town Department Heads and Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to release a total of \$154,592.92 (Release #1) from this letter of credit. The total amount in the letter of credit is \$870,840.15, with a balance remaining of \$716,247.23 after the first partial release of funds from the letter of credit.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

Mr. Brand reported on the following topics:

- An information session at the Town Hall on October 30, 2017, was attended by approximately 120 residents. Town officials and staff provided information on the two bridge projects that will span Beaver Creek in the vicinity of the Auburn Meadows, Estates at Beaver Creek and Monarch Manor subdivisions. The session also included updates on the Auburn Trail project, the status of the development of Beaver Creek Park, and the new roads proposed in the Major Thoroughfare

Overlay District which includes State Route 332, State Route 96 and County Road 41. Mr. Brand said that the session was well received by the residents.

***Code Enforcement Officer:***

Mr. Morse reported that the Building Department office is receiving a great number of applications and questions regarding solar installation permits now that the Town's solar law has been accepted by New York State and has become effective.

Regarding the Conifer Realty Pintail Crossing revised drawing, Mr. Morse explained that the applicant did not remit the fee to the Town until this afternoon and therefore the materials were not included in the board packets prepared last week for this meeting. He said that the staff would now strictly enforce timelines for receipt of materials and fees.

***Highway Superintendent:***

Mr. Giroux reported that Town highway staff members are now preparing the snowplows for winter. He noted that another staff member is assisting Construction Inspector Matt Heilmann with the site inspection workload. He said that highway staff will be inspecting the Redfield Grove site to perform maintenance work on an existing stormwater retention pond.

***Water and Sewer Superintendent:***

Mr. Degear reported that meters have been measuring the flow and capacity of sewer lines along State Route 332. He said that the meters have now been moved to McMahon Road. Mr. Degear said that more than 7.5 million gallons have flowed into the sewer plant following the recent period of heavy rain. He said that the data from the flow meters will assist the staff to determine from where the additional heavy inflows are coming.

Mr. Degear also noted that he will be meeting with the developer of the Hathaway's Corners development—which is proposed for the southwest corner of State Route 332 and County Road 41—regarding the impact of this project on the sewer system.

***Town Engineer:***

Mr. Brabant reported that MRB Group will be participating in the meeting with the Hathaway's Corners developer regarding the capacity of the existing sewer system in the vicinity of State Route 332 and County Road 41.

***Planning Board Members:***

Ms. Neale asked about the elimination of a section of sidewalk in the Monarch Manor Subdivision. Mr. Morse explained that the Town staff has determined that this section is not needed. Mr. Brabant said that this section of sidewalk was to have been installed in the back of residents' homes for access to the Beaver Creek pedestrian bridge. He said that the area which had been proposed for installation of the sidewalk is wet and that the staff has determined that a sidewalk would have enhanced the drainage issues. He also noted that the sidewalk would have been damaged during construction of the pedestrian bridge. Mr. Morse reported that a catchbasin was located in the path of the sidewalk.

Mr. Hemminger reported on the information session which was held at the Town Hall on October 30, 2017. He said that residents were pleased to have learned that the Hathaway Cemetery is to be preserved and enhanced with adjacent park-like landscaping as part of the Hathaway's Corners development. He also reported that residents liked the proposed traffic flow through the development to link with the existing traffic signal at the intersection of State Route 332 and Farmbrook Drive, and with the new Town road—Carmen's Way—which will also lead to the signalized intersection at State Route 332 and Farmbrook Drive. Mr. Brabant said that the road connectivity was an important issue for the residents and that it was well received.

Ms. Neale and Mr. Hemminger reported on their attendance at the recent Ontario County training session on development from the developers' point of view. They noted that developers seek consistency among the various municipal planning boards and that they seek honesty among the municipal staffs and planning board members.

**7. PUBLIC COMMENTS**

None.

**8. ADJOURNMENT**

■ A motion was made MR. BELLIS, seconded by MR. VIETS, that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 8:40 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, November 15, 2017, at 7:00 p.m.

Following the meeting, the clerk secured the front entrance doors to the Town Hall.

Respectfully submitted,

\_\_\_\_\_  
John M. Robortella L.S.  
Clerk of the Farmington Planning Board