

# *Town of Farmington*

1000 County Road 8  
Farmington, New York 14425

**PLANNING BOARD**  
**Wednesday, October 2, 2019, 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  
Dan Delpriore, Town of Farmington Code Enforcement Officer  
Don Giroux, Town of Farmington Highway and Parks Superintendent  
Emilio Moran, MRB Group D.P.C.

**Applicants Present:**  
Kevin and Anna Comstra, 411 Titus Avenue, Rochester, N.Y. 14617  
Dan Crowley, Farmington United Methodist Church, 5925 County Road 41  
Farmington, N.Y. 14425  
Brian Hemminger, Marks Engineering, 42 Beeman Street, Canandaigua, N.Y. 14424  
Scott Theriault, 125 Camelot Square, Apt. 152-E, Canandaigua, N.Y. 14424

**Residents Present:**  
Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425  
Neil Comstra, 290 Stonefield Lane, 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 explained the emergency evacuation procedures. He asked everyone to please sign in and requested that cell phones and other devices be set on silent mode.

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on February 6, 2019.

**2. APPROVAL OF MINUTES OF SEPTEMBER 18, 2019**

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the minutes of the September 18, 2019, meeting be approved.

Motion carried by voice vote.

**3. NEW FINAL SIGN SITE PLAN**

**PB #0908-19                      New Final Sign Site Plan Application**

**Name:** Farmington United Methodist Church, 5925 County Road 41, Farmington, N.Y. 14425

**Location:** 5925 County Road 41

**Zoning District:** RB Restricted Business

**Request:** Final Sign Site Plan approval to erect a 32-square-foot freestanding commercial speech sign with moving/motion signage to be located along the southeast corner of the intersection of State Route 332 and County Road 41.

The Area Variance for this commercial speech sign was approved by the Zoning Board of Appeals on August 26, 2019.

The Planning Board approved the State Environmental Quality Review (SEQR) classification for this application (Type II Action) and the Preliminary Sign Site Plan application with conditions on September 18, 2019.

Mr. Crowley presented this application.

He said that the Final Sign Site Plan that was submitted to the Town by the McFarland Johnson engineering firm includes the 15-foot front setback from along the State Route 332 right of way, dimensions of the landscaped area around the freestanding sign and the

species of the plantings. This information was requested by the Planning Board at the meeting on September 18, 2019.

The landscaped area around the sign will be 9.5 feet x 3 feet. The inside area will be covered with 1.5 cubic feet of triple brown mulch. The species to be planted will be Franklin Gem Boxwoods and Stella de Oro Daylilies.

Mr. Brand said that the Final Sign Site Plan depicts the location of the sign to be 15 feet from the State Route 332 right of way and that a graphic depiction of the sign also was submitted by the sign company.

Mr. Brand said that a draft resolution has been prepared for the board's consideration this evening for Final Sign Site Plan approval with conditions.

Mr. Brand requested that the plantings in the landscaped area around the sign be completed this season. Following discussion with Mr. Crowley and the members of the Planning Board, it was the consensus of the board that a condition of approval be added to the resolution that the plantings will be installed by November 1st. Mr. Crowley concurred with this request and had no objections.

Mr. Delpriore said that the applicant provided all the details that had been requested, that the Building Department staff reviewed the Final Sign Site Plan materials, and that the application is ready for approval.

Mr. Viets said that he was pleased to see the details regarding the dimensions of the landscaped area around the sign and the identification of the species to be planted.

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

Mr. Hemminger asked Mr. Crowley if he had received the draft resolution prior to the meeting, and if he understood the resolution and agreed with the conditions. Mr. Crowley said that he had received the draft resolution prior to the meeting, and that he understood the resolution and agreed with the conditions.

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

**FARMINGTON PLANNING BOARD RESOLUTION  
FINAL SIGN SITE PLAN APPROVAL WITH CONDITIONS**

**PB #0908-19**

**APPLICANT: Farmington United Methodist Church  
5925 County Road 41, Farmington, N.Y. 14425**

**ACTION:** **Final Sign Site Plan Approval for a 32-square-foot freestanding electronic commercial speech sign with changeable copy message to be located on the property at the above referenced address.**

**WHEREAS,** the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the sign information and the revised Sign Design Detail Drawing submitted by Skylight Signs Inc., 60 Industrial Park Circle, Rochester, N.Y. 14624; the drawing prepared by McFarland Johnson, identified as being a Revised Drawing Number C-01, entitled “Sign Layout for the Farmington UMC,” and “Landscaping and Planting Detailed,” shown on the revised Drawing and dated September 2019; the Ontario County Planning referral #191-2019; and the public meeting record on the proposed Final Sign Site Plan Application.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board based upon the above referenced information presented at tonight’s meeting does hereby grant Final Sign Site Plan Approval with the following condition:

- 1. The landscape plantings as depicted upon the above referenced Revised Drawing No. C-01 are to be planted no later than November 1, 2019.

**BE IT FURTHER RESOLVED THAT** the proposed sign and landscaping is to be installed in accordance with the above cited drawings.

**BE IT FURTHER RESOLVED THAT** Final Sign Site Plan Approval shall expire within 180 days from today unless signed drawings have been completed and filed in the Town Development Office and a Building Permit has been issued by the Town Code Enforcement Officer.

**BE IT FINALLY RESOLVED THAT** the Certificate of Compliance shall not be issued by the Town Code Enforcement Officer until the landscaping around the proposed sign has been installed and mulched.

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

Motion carried.

**4a. NEW FINAL TWO-LOT SUBDIVISION**

**PB #1001-19 New Final Two-Lot Subdivision Application**

**Name:** Scott Theriault, 125 Camelot Square, Apt. 152-E, Canandaigua, N.Y. 14424

**Location:** 504 Sheldon Road

**Zoning District:** A-80 Agricultural

**Request:** Final Two-Lot Subdivision approval, Subdivision Plat of Lands of Scott Theriault, creating Lot #1 consisting of 1.837 acres with the existing house and Lot #2 consisting of 3.508 acres to remain vacant as a non-approved building lot requiring site plan approval. The property is located at 504 Sheldon Road and is zoned A-80 Agricultural.

**4b. NEW PRELIMINARY SITE PLAN**

**PB #0905-19 New Preliminary Site Plan Application**

**Name:** Scott Theriault, 125 Camelot Square, Apt. 152-E, Canandaigua, N.Y. 14424

**Location:** 504 Sheldon Road

**Zoning District:** A-80 Agricultural

**Request:** Preliminary Site Plan approval to erect a single-family residence consisting of a total of 1,360 square feet, with full basement, upon Lot #2 of the Subdivision Plat of Lands of Scott Theriault.

**4c. NEW FINAL SITE PLAN**

**PB #1008-19 New Final Site Plan Application**

**Name:** Scott Theriault, 125 Camelot Square, Apt. 152-E, Canandaigua, N.Y. 14424

**Location:** 504 Sheldon Road

**Zoning District:** A-80 Agricultural

**Request:** Final Site Plan approval to erect a single-family residence consisting of a total of 1,360 square feet, with full basement, upon Lot #2 of the Subdivision Plat of Lands of Scott Theriault.

The Planning Board approved the State Environmental Quality Review (SEQR) classification for these applications (Type II Action) and the Preliminary Two-Lot Subdivision Plat with conditions on September 18, 2019.

Brian Hemminger (Marks Engineering) presented these applications. Mr. Theriault also attended.

Prior to beginning the discussion of these applications, Chairperson Edward Hemminger disclosed for the record that Brian Hemminger of Marks Engineering is his brother. Chairperson Hemminger said that he has no financial or personal interest in this application in any way, but that nonetheless he would abstain from voting upon the resolutions associated with this application so as to remove any impression of a conflict of interest.

Chairperson Hemminger concurrently opened the discussion on the Final Two-Lot Subdivision application (PB #1001-19) and the accompanying Preliminary Site Plan and Final Site Plan applications (PB #0905-19 and PB #1008-19, respectively).

Brian Hemminger said that the applicant proposes to subdivide a 5.345-acre parcel to create Proposed Lot #1 consisting of 1.837 acres with an existing house and sheds, and Proposed Lot #2 consisting 3.508 acres for construction of a new home (the accompanying Preliminary and Final Site Plan applications).

He said that an existing driveway on Proposed Lot #2 would remain and will be used for access to the new home. He said that a new blacktop paved apron and a new drainage culvert will be installed. He said that the existing driveway will extend to the new home and that parking would be under the house.

Brian Hemminger also said that the subdivision application and setbacks meet all Town Code requirements and that no Area Variances are required.

He said that the lot is steep and that a stormwater diversion swale is proposed to direct water away from the home. A conventional drop box septic system is planned. Public water is available.

Mr. Brand acknowledged Chairperson Hemminger's decision to abstain from voting upon the resolutions associated with these application while retaining the chair to conduct the meeting.

Mr. Brand asked for clarification about the existing driveway to the new home on Proposed Lot #2. Brian Hemminger said that the existing driveway on Proposed Lot #2 will be improved with paving at the apron and with the installation of a new drainage culvert. He said that the plan is to retain the use of the existing driveway cut at the road.

Mr. Brand said that the subdivision plat currently shows one tax account number for both proposed lots. He said that it is expected that a new tax account number will be issued for

Proposed Lot #2 and that this number should be included on the Final Site Plan upon its assignment.

Mr. Delpriore said that he has no issues with the subdivision or the site plan applications. He said that the Building Department staff will closely review the installation of the septic system because of the steep slope of the property.

Mr. Giroux asked about the driveway to the existing home and the driveway to the new home. Brian Hemminger said that the driveway to the existing home is paved and that the driveway to the new home will only be paved at the apron in accordance with the Town's requirements. The remaining length of the driveway to the new home will be gravel.

Mr. Brabant said that all comments in the MRB Group engineering letter have been addressed. He said that he has no additional engineering comments.

Mr. Maloy asked about the steep driveway. Brian Hemminger said that the driveway is on a 13 percent slope to a flat area at the top to provide a safe location for vehicles to turn around and park. He said that a reduced slope would have adversely affected the safety of vehicles by having a flat area of reduced size at the top.

Mr. Maloy also said that the plans show a drop of five feet over the width of the septic field. Brian Hemminger said that a diversion swale will be installed to direct stormwater runoff away from the septic field and the drop-box system.

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

Chairman Hemminger asked Brian Hemminger if he received the draft resolutions prior to the meeting, and if he understood the resolution and agreed with the conditions. Brian Hemminger said that he received the draft resolutions prior to the meeting, and that he understood the resolutions and agreed with the conditions.

■ A motion was made by MR. VIETS, seconded by MR. MALOY, that the following resolution be approved.

**FARMINGTON PLANNING BOARD RESOLUTION  
FINAL TWO-LOT SUBDIVISION PLAT APPROVAL WITH CONDITIONS**

**PB #1001-19**

**APPLICANT: Scott Theriault, 125 Camelot Square, Apt. 152E,  
Canandaigua, N.Y. 14424**

**ACTION: Final Two-Lot Subdivision Plat Approval, creating Lot #1  
consisting of 1.837 acres with an existing house and Lot #2  
consisting of 3.508 acres to remain vacant as a non-approved**

**building lot requiring site plan approval. The property is located at 504 Sheldon Road.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the drawing prepared by Marks Engineering, identified as Job 19-144, dated 09/24/2019 and entitled “Final Two Lot Subdivision of Lands owned by Scott T. Theriault;” and the public meeting record held tonight upon the proposed Final Two-Lot Subdivision Plat Application.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board does hereby approve the proposed Final Two-Lot Subdivision Plat Application for the above referenced Applicant with the following conditions:

1. Final Subdivision Plat Approval is granted only for the Two-Lot Subdivision of Tax Map Account #9.03-1-24.00, dated 09/24/2019, prepared by Marks Engineering.
2. Once the above amendments have been made to the drawing identified above herein, a total of six (6) paper prints and one (1) mylar of the Plat Map are to be submitted to the Town Code Enforcement Officer (CEO) for his review and acceptance. Upon his acceptance, the Town Officials shall sign the mylar and the paper drawings. The signed mylar and two (2) signed paper copies are to returned to the applicant for filing in the Ontario County Clerk’s Office within 62 days of the date of signing by the Planning Board Chairperson. A total of four (4) paper prints of the Final Plat map are to be signed. One (1) copy of the signed Final Plat will be kept by: the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town property file; and one copy will be returned to the Applicant’s Engineer. If additional copies of the signed Final Plat are required then the Applicant is to provide those additional copies at the time of signing.
3. Final Subdivision Plat Approval is valid for a period of 180 days and shall expire unless the Final Subdivision Plat drawings has been submitted for signatures.

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

Motion carried.

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



**FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY SITE PLAN APPROVAL—LOT #2**

**PB #0905-19**

**APPLICANT:**               **Scott Theriault, 125 Camelot Square, Apt. 152-E,  
Canandaigua, N.Y. 14424**

**ACTION:**                   **Preliminary Site Plan Approval with conditions for Lot #2,  
Scott Theriault Subdivision, consisting of 3.508 acres to permit  
the construction of a single family dwelling. The property is  
located at 504 Sheldon Road.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the set of drawings prepared by Brennan A. Marks, P.E., dated 8/21/2019 and has given consideration to the comments made at tonight’s public meeting; and,

**WHEREAS**, the Board has, under separate resolution, made a determination that said Action is a Type II Action as classified under the provisions of the State’s Environmental Quality Review (SEQR) Regulations.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board grants Preliminary Site Plan Approval for this Action with the following conditions:

1.       The Cover Page is to be amended to read . . . “Preliminary Site Plan, Lot #2, Scott T. Theriault, 504 Sheldon Road.”
2.       The Index on the Cover Page is to be revised by removing . . . “Plat-Preliminary Subdivision Plat Map”.
3.       Drawing C100, having a revised date of 9/16/19 and entitled . . . “Preliminary Two-Lot Subdivision of Land owned by Scott. T. Theriault” is to be amended to read . . . “Preliminary Site Plan, Lot #2, of Land owned by Scott T. Theriault.”
4.       Drawing C100 referenced above herein is showing two separate lots having the same Tax Map # 9.03-1-24.00. One of these two tax map references is to be changed to identify the two new tax map number accounts as filed by the Ontario County Office of Real Property.
5.       Drawing C100 referenced above herein is have a note added that explains when the “Stabilized Construction Entrance” is to be removed and this portion of the site reclaimed. In addition, the plans for restoring the existing drive are to be identified on the drawing.
6.       Once these changes have been made to the Preliminary Site Plan Drawing referenced above herein, then one (1) copy is to be submitted to the Town Code

Enforcement Officer for his review and acceptance. Upon acceptance, the applicant’s engineer is to submit five (5) paper prints for signing. One (1) signed set of drawings is to be provided to: the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Engineer; the Town Development Office; and the applicant’s engineer.

- 7. Once the Preliminary Site Plan drawings have been signed, then the applicant may submit Final Site Plan drawings for the planning board’s review at a future meeting.
- 8. Preliminary Site Plan approval is valid for 180 days and shall expire unless signed drawings have been completed.

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

Motion carried.

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

**FARMINGTON PLANNING BOARD RESOLUTION  
FINAL SITE PLAN APPROVAL—LOT #2**

**PB #1008-19**

**APPLICANT: Scott Theriault, 125 Camelot Square, Apt. 152-E,  
Canandaigua, N.Y. 14424**

**ACTION: Final Site Plan Approval with conditions for Lot #2, Scott  
Theriault Subdivision, consisting of 3.508 acres to permit the  
construction of a single family dwelling. The property is  
located at 504 Sheldon Road.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the set of drawings prepared by Brennan A. Marks, P.E., identified as Job No. 19-144 and dated 9/24/2019 and has given consideration to the comments made at tonight’s public meeting; and,

**WHEREAS**, the Board has, under separate resolution, made a determination that said Action is a Type II Action as classified under the provisions of the State’s Environmental Quality Review (SEQR) Regulations.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board grants Final Site Plan Approval for this Action with the following conditions:

1. Drawing C100, having a revised date of 9/24/19 and entitled . . . “Final Two-Lot Subdivision of Land owned by Scott. T. Theriault” is to be amended to read . . . “Final Site Plan, Lot #2, of Land owned by Scott T. Theriault.”
2. Drawing C100 referenced above herein is showing two separate lots having the same Tax Map # 9.03-1-24.00. One of these two tax map references is to be changed to identify the two separate tax map number accounts as will be filed by the Ontario County Office of Real Property.
3. Drawing C100 referenced above herein is to have a note added that explains when the “Stabilized Construction Entrance” is to be removed and when this portion of the site reclaimed. In addition, the plans for restoring the existing drive are to be identified on the drawing.
4. Once these changes have been made to the Final Site Plan Drawing referenced above herein, then one (1) copy is to be submitted to the Town Code Enforcement Officer for his review and acceptance. Upon acceptance, the applicant’s engineer is to submit five (5) paper prints for signing. One (1) signed set of drawings is to be provided to: the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Engineer; the Town Development Office; and the applicant’s engineer.
5. Prior to the issuance of a Building Permit, the applicant is to pay the prevailing Park and Recreation Fee for Lot #2 to the Town Clerk’s Office.
6. The applicant may submit an application for a Building Permit once the Two Lot Final Subdivision Plat has been filed in the Ontario County Clerk’s Office, a Tax Map Account Number has been provided for Lot #2, a receipt to this effect is filed with the Town and all signatures have been affixed to the Final Site Plan drawings.
7. Final Site Plan approval is valid for 180 days and shall expire unless signed drawings have been completed.

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

Motion carried.

**5. NEW FINAL SITE PLAN APPROVAL**

**PB #1002-19 New Final Site Plan Application**

**Name:** Kevin Comstra, 411 Titus Avenue, Rochester, N.Y. 14617

**Location:** East side of Bowerman Road, north of Green Road and south of Barberry Lane

**Zoning District:** A-80 Agricultural District

**Request:** Final Site Plan approval to erect a two-story single-family residence consisting of a total of 2,188 square feet upon Lot #2 of the Comstra Subdivision

The Planning Board approved the State Environmental Quality Review (SEQR) classification for this application (Type II Action) and the Preliminary Site Plan with conditions on August 7, 2019.

Mr. Comstra presented this application.

He acknowledged that all conditions of Preliminary Site Plan approval and the engineering comments have been addressed, and that there have been no other changes since the Preliminary Site Plan approval on August 7, 2019.

Mr. Bellis asked about a barn that was located on the property. Mr. Comstra said that the barn has been removed and that a note to this effect appears on the site plan.

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

Mr. Hemminger asked Mr. Comstra if he received the draft approval resolution prior to the meeting, and if he understood the resolution and agreed with the conditions. Mr. Comstra said that he received the draft resolution prior to the meeting, and that he understood the resolution and agreed with the conditions.

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

**TOWN OF FARMINGTON PLANNING BOARD  
FINAL SITE PLAN APPROVAL**

**PB #1002- 19**

**APPLICANT:** Kevin Comstra, 411 Titus Avenue, Rochester, N.Y. 14617

**ACTION: Final Site Plan approval for a single-family dwelling to be located on the east side of Bowerman Road, north of Green Road and south of Barberry Lane  
Tax Map #8.00-1-70.3**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as the Board) has determined the proposed Action to be a Type II Action under the State Environmental Quality Review (SEQR) Regulations, thereby satisfying the procedural requirements under SEQR; and

**WHEREAS**, the Board has considered the public comments entered into the public record on this Action.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board does hereby grant Final Site Plan Approval with the following condition.

1. Final Site Plan Approval is granted upon the drawing prepared by Greene Land Surveying, PLLC, identified as Job No. 19-2376, dated September 16, 2019, and entitled Final Site Plan for Kevin R. Comstra.”

**BE IT FURTHER RESOLVED** that a total of five (5) paper prints are to be submitted to the Town Code Enforcement Officer for his review and acceptance. Once accepted, then the Town departments will sign the drawings. Three (3) signed drawings will be retained by the Town. Two (2) signed drawings will be returned to the Applicant. If additional copies of the signed Final Site Plan are necessary, then the Applicant is to provide those additional copies at the time of submission for signatures. Once the drawings have been signed and returned, then the Applicant may submit an application for a Building Permit.

**BE IT FURTHER RESOLVED** that Final Site Plan Approval is valid for a period of 180 days from today and shall automatically expired unless signed drawings have been completed, or the Applicant requests in writing an extension to this time period.

**BE IT FINALLY RESOLVED** that copies of this resolution are to be provided to: Kevin R. Comstra; Michael G. Sponable, P.E., Greene Land Surveying, PLLC; the Town Code Enforcement Officer; the Town Highway Superintendent; the Town Water and Sewer Superintendent; the Town Development Office File; and the Town Engineer.

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

Motion carried.

**6. NEW FINAL SITE PLAN AND NEW FINAL SIGN SITE PLAN**

**PB #1003-19 New Final Site Plan and New Final Sign Site Plan Application**

**Name:** John Malvaso, 1176 State Route 332, Farmington, N.Y. 14425

**Location:** 1176 State Route 332

**Zoning District:** GB General Business

**Request:** Final Site Plan approval to modify the use of the existing house into a commercial/retail store in one half of the building and residential in the other half; and Final Sign Site Plan

The Planning Board approved the State Environmental Quality Review (SEQR) classification for this application (Type II Action) and the Preliminary Site Plan with conditions on September 18, 2019.

It was noted that to date no information has been provided for the Planning Board’s consideration of the the Final Site Plan and Final Sign Plan.

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

**FARMINGTON PLANNING BOARD RESOLUTION  
FINAL SITE PLAN AND FINAL SIGN SITE PLAN APPROVAL WITH CONDITIONS  
CONTINUATION**

**PB #1003-19**

**APPLICANT:** John Malvaso, 1176 State Route 332, Farmington, N.Y. 14425

**ACTION:** Final Site Plan and Final Sign Site Plan Approval, for a combined commercial/residential structure at the above street address.

**WHEREAS,** the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the sign information contained in the meeting minutes of the September 18, 2019 meeting; and

**WHEREAS,** the applicant has not provided any new information for the planning board’s consideration.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board agrees to table any further discussion upon this application until its October 16, 2019, meeting in order to provide time for the applicant to submit the required information.

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

Motion carried.

## 7. OPEN DISCUSSION

### *Director of Development and Planning:*

Mr. Brand reported on the following topics:

- The monthly Project Review Committee meeting to be held on Friday, October 4, 2019, will begin at 8:00 a.m. because of the lengthy agenda to include updates on the following applications:

Byrne Dairy Store  
 Maddie's Power Sports  
 Empire Pipeline Pumping Station  
 Pintail Crossing Phase 1  
 America's Best Value Inn  
 Hickory Rise Subdivision Section 4  
 Hathaway's Corners Phase 1  
 Lyons National Bank  
 DiFelice and Malvaso Property  
 Redfield Grove Subdivision Phase 2  
 Auburn Meadows Subdivision Sections 7S and 8S  
 Monarch Manor Subdivision Section 2  
 Cobblestone Arts Center addition  
 Auburn Junction Phase II

- New Energy Works plans construction of a new storage building on their property at 1180 Commercial Drive. Mr. Brand said that a meeting will be scheduled next week with Mr. Delpriore, Mr. Brabant and company representatives to discuss this new project.
- The Town staff met with the attorneys who will represent the Planning Board in the Article 78 proceeding that has been filed by the group Concerned Citizens of Farmington (James and Nancy Falanga, James Dennie, James Redmond, James and Ann Foley, Eric and Edith Chapman, Petrina Case and Daniel Geer), Index #126079-2019, State of New York, Supreme Court, Ontario County, regarding the Delaware River Solar applications. Mr. Brand said that upon the advice of counsel

the Public Hearing to be reconvened on Wednesday, October 16, 2019, will be held as scheduled.

- An amendment to the Delaware River Solar Preliminary Subdivision Plat is expected to be submitted. This will be in addition to the amended Preliminary Site Plan that already has been submitted. Mr. Brand said that both of the amended applications are due to the denial by the Zoning Board of Appeals of the applicant's four Area Variance applications and the reconfiguration of the solar panels on the property to comply with the Town Code. Mr. Brand said that the amended Preliminary Site Plan and the amended Preliminary Subdivision Plat have been referred to the Ontario County Planning Board for that board's agenda on October 9, 2019.
- Mr. Brand said that Town resident Brian Blazey has taken a number of aerial photographs of the various development sites in the Town. Mr. Delpriore said that he will send Planning Board members the link to these photographs on the web tomorrow morning, as follows:

<https://photos.app.goo.gl/u2Z9U9fWWd7vdwr69>

- The Town Board has authorized MRB Group to prepare an application to the Genesee Transportation Council (GTC) for federal grant funding of a feasibility study to develop a Sidewalk Master Plan for the Town.
- Construction on the Byrne Dairy Store on the southwest corner of State Route 96 and Mertensia Road is progressing. Mr. Brand said that the applicant is currently working to resolve several issues with the New York State Department of Transportation.
- Mr. Brand extended appreciation to Highway Superintendent Don Giroux and Town Engineer Lance Brabant for their revision to the Town's Site Design and Development Criteria regarding the top coat paving of Town-dedicated roads. He said that there is a major difference and a marked improvement of the roads that have been paved following the new top-coat specifications.

***Code Enforcement Officer:***

Mr. Delpriore said that the Planning Board agenda for the meeting to be held on October 16, 2019, will be lengthy. Agenda items will include the amended Delaware River Solar project Preliminary Subdivision Plat and Preliminary Site Plan applications, Phase II of the MIII Enterprises project on State Route 332 (Auburn Function) and the Cobblestone Arts Center addition on State Route 332, among other applications.

Mr. Delpriore said that the Building Department is aware of incorrect parking lot striping at several locations in the Town, including the Farmington Plaza commercial site at 1600



State Route 332 (location of the U.S. post office and other businesses). He said that the property owners have been contacted to correct the striping to double stripes to comply with the Town Code. Mr. Delpriore encouraged board members to contact his office when they are aware of any concerns in the Town.

***Highway and Parks Superintendent:***

Mr. Giroux said that oil and stone paving is continuing on a number of Town roads and that a number of Ontario County roads within the Town will be restriped by the County before the end of this season.

He said that work is continuing on the installation of the box culvert on Canandaigua–Farmington Town Line Road and that this portion of the road in the construction area is expected to be repaved prior to the close of the asphalt plants later this year.

***Water and Sewer Superintendent:***

Mr. Degear reported that a contractor planted several street trees atop the sewer and water utility lines and easements in the Hickory Rise Subdivision. He said that the developer has been contacted and will see that the trees are removed and replanted in the proper locations.

Mr. Degear also said that similar issues are occurring in the Auburn Meadows Subdivision where large homes are being built on small lots which creates situations where the driveways are being installed over the sewer and water utilities. Mr. Degear said that these issues are a recurring problem for the Water and Sewer Department.

Mr. Brand said that the salespeople for the home builders should be more aware of what they are selling and where optional features for the homes can be built. Mr. Brabant said, for example, that some lots cannot accommodate a three-car garage due to the locations of the sewer and water underground utilities. Mr. Degear said that driveways, trees and other structures cannot be built atop the utilities or the easements.

Mr. Degear reported that the installation of the offsite sanitary sewer main for the Hathaway's Corners development is proceeding along the west side of State Route 332. He said that the bore under County Road 41 will begin shortly, followed by installation of the sewer main on the Hathaway's Corners property. Mr. Degear said that the developer has ordered 90 manholes for installation on the Hathaway's Corners site.

Mr. Brand said that the builder of the Villas homes in Hathaway's Corners is expected to request a redesign of the subdivision layout. He said that BME Associates (the applicant's consulting engineering firm) is expected to submit an amended Subdivision Plat for consideration by the Planning Board. Mr. Brand said that the developer is aware that he must construct a segment of Carmen's Way in this subdivision.

***Town Engineer:***

Mr. Brabant reported that comments have been received from Town staff and the Planning Board on the draft State Route 96 Street Scape Guidelines. The Town Conservation Board is also reviewing these guidelines and it is expected that they will have comments. The revisions will be incorporated into the final draft that will be presented to the Town Board for approval.

Mr. Brabant also said that the most recent revisions to the Site Design and Development Criteria are now with the Town Board for approval.

**8. PUBLIC COMMENTS**

None.

**9. TRAINING OPPORTUNITY****Genesee/Finger Lakes Regional Planning Council  
Fall 2019 Regional Local Government Workshop**

Friday, November 15, 2019

Quality Inn & Suites, 8250 Park Road, Batavia, N.Y. 14020

Information: David Zorn, Genesee/Finger Lakes Regional Planning Council at  
(585) 454-0190, ext. 14 or [dave.zorn@gflrpc.org](mailto:dave.zorn@gflrpc.org)

**10. ADJOURNMENT**

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

Motion carried by voice vote.

The meeting was adjourned at 7:40 p.m.

The next regular meeting of the Planning Board will be held at Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, on Wednesday, October 16, 2019, at 7:00 p.m.

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

Respectfully submitted,

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