

# *Town of Farmington*

1000 County Road 8  
Farmington, New York 14425

**PLANNING BOARD**  
**Wednesday, September 15, 2021 • 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.*

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The meeting was conducted at the Farmington Town Hall and via Zoom video conference.

**Board Members Present:** Edward Hemminger, *Chairperson*  
Adrian Bellis  
Timothy DeLucia  
Aaron Sweeney  
Douglas Viets

**Staff Present at the Town Hall:**  
Ronald L. Brand, Town of Farmington Director of Development and Planning  
Dan Delpriore, Town of Farmington Code Enforcement Officer  
Don Giroux, Town of Farmington Highway and Parks Superintendent  
Collin Sowinski, Town of Farmington Engineer, MRB Group D.P.C.

**Applicants Present at the Town Hall:**  
Alexander H. Amering, P.E., Costich Engineering, 217 Lake Avenue, Rochester, N.Y. 14608  
Jeff Berends, Construction Manager, Meyer’s RV Superstore of Farmington,  
c/o 100 Sanford Road North, Churchville, N.Y. 14428  
Kevin Bragg, Chrisanntha Construction Corporation, 4661 Dewey Avenue, P.O. Box 165,  
Gorham, N.Y. 14461-0165

**Applicants Present via Zoom Video Conference:**  
Jeff Gerstner, Gerstner Medical, 1175 Pittsford–Victor Road, Suite 140, Pittsford, N.Y. 14534  
Robert Winans, The DDS Companies, 45 Hendrix Road, West Henrietta, N.Y. 14586

**Others Present at the Town Hall:**  
Chief Phil Robinson, Farmington Volunteer Fire Association

**Others Present via Zoom Video Conference:**

None/unidentified

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**1. MEETING OPENING**

The meeting was called to order at 7:00 p.m. by Chairperson Edward Hemminger.

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on January 20, 2021.

**2. APPROVAL OF MINUTES OF SEPTEMBER 1, 2021**

■ A motion was made by MR. VIETS, seconded by MR. DELUCIA, that the minutes of the September 1, 2021, meeting be approved.

Motion carried by voice vote. Mr. Bellis abstained due to his absence from the meeting on September 1, 2021.

**3. LEGAL NOTICE**

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on September 8, 2021:

**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that the Planning Board of the Town of Farmington will conduct a Public Hearing on the 15th day of September 2021 commencing at 7:00 p.m., in the Farmington Town Hall, Main Meeting Room, 1000 County Road 8, Farmington, New York 14425 for the purpose of receiving testimony upon and giving consideration to the application of:

**PB #0804-21: LOOMIS ROAD INDUSTRIAL PARK LLC, 120 LINDEN OAKS, ROCHESTER, N.Y. 14625:** Requesting a Special Use Permit to operate a motor vehicle service building upon Lot #4 of the Loomis Road Industrial Park Subdivision according to Chapter 165-77 of the Town of Farmington Codes. The property is located on the north side of Loomis Road between the New York State Thruway and Loomis Road, and is zoned GI General Industrial and MTOD Major Thoroughfare Overlay 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, Chairman, Planning Board

#### 4. CONTINUED PUBLIC HEARING: PRELIMINARY SITE PLAN

##### **PB #0703-21                      Continued Public Hearing: Preliminary Site Plan Application**

**Name:** Loomis Road Industrial Park LLC, 120 Linden Oaks,  
Rochester, N.Y. 14625

**Location:** North side of Loomis Road between the New York State Thruway  
and Loomis Road

**Zoning District:** GI General Industrial and MTOD Major Thoroughfare Overlay  
District

**Request:** Preliminary Site Plan approval to develop Lot #4, a 4.672-acre site,  
and approval of related Overall Site Improvements to be installed  
within the 32.80-acre proposed 10-Lot Loomis Road Industrial  
Park, located along the north side of Loomis Road and the south  
side of the New York State Thruway (I-90)

The Final Re-Subdivision Plat for the Loomis Road Industrial Park was approved by the Planning Board on July 7, 2021 (PB #0702-21)

On July 7, 2021, the Planning Board classified this application as a Type I Action under the State Environmental Quality Review (SEQR) regulations, declared its intent to be designated the SEQR Lead Agency for making the determination of significance upon this application, and established the SEQR 30-day coordinated review period from July 8, 2021, to August 9, 2021.

On August 18, 2021, the Planning Board opened the Public Hearing on the Preliminary Site Plan, designated itself as the Lead Agency for making the determination of significance upon this application, and continued the Public Hearing to the meeting this evening (September 15, 2021).

Mr. Hemminger reconvened the Public Hearing on the Loomis Road Preliminary Site Plan and concurrently opened the Public Hearing on the Special Use Permit for the Loomis Road Industrial Park (which is the next application on this evening's agenda).

Mr. Winans presented these applications via Zoom video conference.

He said that the motor vehicle service facility which has been proposed on Lot #4 will be more of a high-end facility for tuning and work on high-performance vehicles. He said that it will not be a standard automobile repair shop but will be more of a high-end business.

Mr. Winans said that the owners have requested that the Preliminary Site Plan be continued to October 20, 2021, to provide time to work on the architectural details of the building and to prepare complete elevation renderings and details.

He also said that the time will be used to respond to the engineering comments on this application.

Mr. Delpriore said that a facility which provides work on high-performance vehicles is not specifically listed in the Town Code, and that although this application is not a typical or a general automobile repair shop, the determination has been made that the use is similar enough to a general automobile repair shop to require a Special Use Permit.

Mr. Delpriore said that the applicant and Mr. Winans are looking for comments from the board on the use of the site for upgrades, accessories and tuning of high-performance vehicles.

Mr. Brand said that the board's first step this evening is to consider the draft resolution which has been prepared by the Town staff on the State Environmental Quality Review (SEQR) criteria for determining significance. The approval of this resolution will be the board's determination that the application will not result in any significant adverse environmental impacts.

The Town staff and the board discussed with Mr. Winans the timeline for submission of revised materials for the Planning Board meeting on October 20, 2021. Mr. Brand also asked if Mr. Winans would have the revised materials available for presentation and discussion at the next meeting of the Town Project Review Committee (PRC) on Friday, October 1, 2021. Mr. Winans said that he will try to have revised materials in time for the PRC meeting on October 1st and for the continued Public Hearing at the Planning Board meeting on October 20th.

Mr. Sowinski said that MRB Group issued an engineering comment letter on August 4, 2021, and that MRB Group awaits the responses.

Mr. Hemminger requested that the percentage of green space on the Preliminary Site Plan be calculated without the central stormwater pond. He said that he understands that the applicant is using the center section of the property to offset the percentage of green space which is required, but that a stormwater pond is generally green space which would not be usable by employees and customers of the various businesses which will be located here.

Mr. Hemminger asked if anyone in the meeting room wished to speak for or against this application, or to ask questions. There were no requests from those in the meeting room.

Mr. Hemminger then asked if anyone on the Zoom video conference wished to speak for or against this application, or to ask questions. There were no requests from those on the Zoom video conference.

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

Mr. Hemminger asked Mr. Winans if he received the draft resolutions prior to this evening's meeting, if he understood the resolutions, and if he agreed with the conditions. Mr.

Winans said that he received the resolutions prior to the meeting, that he understood the resolutions and that he agreed with the conditions.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
CRITERIA FOR DETERMINING SIGNIFICANCE**

**PB #0703-21**

**APPLICANT: Loomis Road Industrial Park LLC, 120 Linden Oaks,  
Rochester, N.Y. 14625**

**ACTION: Preliminary Site Plan Approval of Lot #4 and related site  
development of the overall Loomis Road Industrial Park Site,  
located along the north side of Loomis Road and between the  
New York State Thruway (I-90), and east of the former Finger  
Lakes Motel site**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), based upon its review of the Criteria contained in § 617.7 of NYCRR, Article 8, New York State Environmental Conservation Law (SEQR), finds the above referenced Preliminary Site Plan to be an Unlisted Action; and

**WHEREAS**, the Planning Board has completed a coordinated review with Involved Agencies, conducted a 30-day public review and comment period and has been designated the Lead Agency under SEQR for making a determination on significance upon said Action; and

**WHEREAS**, the Planning Board has reviewed the revised Part 1 of the Short Environmental Assessment Form and has completed Part 2 of the Short Environmental Assessment Form (hereinafter referred to as SEAF); and

**WHEREAS**, the Planning Board has reviewed Part 3 of the SEAF.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby accept the findings contained in Parts 2 and 3 of the SEAF and directs the Planning Board Chairperson to sign and date the Part 3 SEAF.

**BE IT FURTHER RESOLVED** that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Part 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;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; 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;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed action;
- (iv) the overall density of the sites is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site, or will the proposed action 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 action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a substantial change in the use, or intensity of use, of land including open space or recreational resources, or in its capacity to support existing uses;
- (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 action;
- (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 upon the environment.

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

**BE IT FINALLY RESOLVED** that the Board directs that copies of this determination of non-significance be filed as provided for under the SEQRA Regulations.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY SITE PLAN, LOT #4  
CONTINUATION OF PUBLIC HEARING AND DELIBERATIONS**

**PB #0703-21**

**APPLICANT: Loomis Road Industrial Park LLC, 120 Linden Oaks,  
Rochester, N.Y. 14625**

**ACTION: Preliminary Site Plan Application Lot #4, Loomis Road  
Industrial Park, to operate a motor vehicle service facility in  
accordance with the provisions in Chapter 165, Article VI,  
Section 77 of the Farmington Town Code; and continuing the  
Public Hearing and the Board’s deliberations upon this Action  
to Wednesday, October 20, 2021.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Board) has tonight opened the continued Public Hearing upon the above referenced Action; and

**WHEREAS**, the Board has tonight received testimony on the above referenced Action; and

**WHEREAS**, the Board has previously classified the proposed Action as being an Unlisted Action under the State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, the Board has conducted a coordinated review of the Unlisted Action that ended on August 9, 2021; and at their meeting on August 18, 2021, declared themselves the Lead Agency for making the required determination of significance; and

**WHEREAS**, the Board under separate resolution tonight adopted a Determination of Non-Significance upon the proposed Action; and

**WHEREAS**, the Applicant on September 1, 2021, in an email to the Town Code Enforcement Officer, requested continuation of this Public Hearing to Wednesday, October 20, 2021.

**NOW, THEREFORE, BE IT RESOLVED** that the Board does hereby move to table any further discussion upon this Action at tonight’s public hearing and to continue the Public Hearing thereon to Wednesday, October 20, 2021 commencing at 7:00 p.m., and to continue further public discussion and Board deliberation at that time.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

**5. NEW SPECIAL USE PERMIT**

**PB #0804-21 New Special Use Permit Application**

**Name:** Loomis Road Industrial Park LLC, 120 Linden Oaks, Rochester, N.Y. 14625

**Location:** North side of Loomis Road between the New York State Thruway and Loomis Road

**Zoning District:** GI General Industrial and MTOD Major Thoroughfare Overlay District

**Request:** Special Use Permit to operate a motor vehicle service building upon Lot #4 of the Loomis Road Industrial Park Subdivision according to Chapter 165-77 of the Town of Farmington Codes.

The Public Hearing on this application was opened currently by Mr. Hemminger when the Public Hearing on the Loomis Road Preliminary Site Plan (PB #0703-21) was reconvened earlier in this evening's meeting.

*See* the discussion above (pp. 3–4).

Mr. Winans presented this application via Zoom video conference.

Mr. Viets asked if the applicant plans to have outdoor storage of motor vehicles on the property. Mr. Winans said that there will be some outdoor parking around the building but that there would be minimal parking of vehicles awaiting work. He said that there could be some carry-over of customers dropping off and picking up their vehicles, and that he will check with the owners on these details.

Mr. Hemminger said that the board assumes that all vehicles will be registered and running, and that there will be no “junkers” just sitting around on the property. Mr. Winans said that the vehicles on the property will be “on the road” and that the customers will be bringing their vehicles for the improvement of the vehicle performance. He said that these will be expensive high-end vehicles, that they will be well taken care of, and that they will not be sitting around on the property as “junkers.”

Mr. Viets said that he would like to know how many vehicles would be stored outdoors, especially because the Special Use Permit will run with the property and the use of the property could change with subsequent owners. Mr. Brand also asked for information on the turnaround time for work on the vehicles. He said, for example, that the Town does not expect a car to be dropped off in January and then picked up in April. Mr. Hemminger also requested that the applicant provide the maximum number of vehicles which would be stored outdoors. Mr. Winans said that he will check with the owners and will provide this information. Mr. Viets said that the application fits the use of the property well and that he is just looking into the potential future uses.

Mr. DeLucia asked if vehicle trailers will be stored outdoors when the vehicles are at the facility. He said that trailers are often used by owners of high-end cars and that the number of trailers which may be stored outdoors must be provided. Mr. Winans said that this is a good point and that he will check with the owners.

Mr. Bellis asked if there will be outdoor storage of fuel tanks. Mr. Winans said that he does not remember the owners speaking about this and that he will contact them to check on it. Mr. Hemminger said that the board will be expected to add a condition of Special Use Permit approval that there is to be no outdoor storage of fuel tanks and tires. Mr. Winans said that he will inform the owners about this.

Mr. Hemminger asked if anyone in the meeting room wished to speak for or against this application, or to ask questions. There were no requests from those in the meeting room.

Mr. Hemminger then asked if anyone on the Zoom video conference wished to speak for or against this application, or to ask questions. There were no requests from those on the Zoom video conference.

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

Mr. Hemminger asked Mr. Winans if he received the draft resolutions prior to this evening's meeting, if he understood the resolutions, and if he agreed with the conditions. Mr. Winans said that he received the resolutions prior to the meeting, that he understood the resolutions and that he agreed with the conditions.

■ A motion was made by MR. DELUCIA, seconded by MR. SWEENEY, that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff:

**FARMINGTON PLANNING BOARD RESOLUTION  
SPECIAL USE PERMIT SEQR CLASSIFICATION**

**PB #0804-21**

**APPLICANT: Loomis Road Industrial Park LLC, 120 Linden Oaks,  
Rochester, N.Y. 14625**

**ACTIONS: Special Use Permit Application to operate a motor vehicle  
service building upon Lot #4 of the Loomis Road Industrial  
Park Subdivision located on the north side of Loomis Road,  
east of the former Finger Lakes Hotel and Conference Center  
and adjacent to the New York State Thruway (I-90)**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the criteria in Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, for determining the Classification associated with the above referenced Action; and,

**WHEREAS**, the Board finds that the proposed Actions are classified as a Type II Actions under Part 617.5 (c) (9), (25) and (34) of article 8 of the New York State Environmental Conservation Law.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board does hereby classify the proposed Actions as Type II Actions under Section 617.5 (c) of the SEQR Regulations.

**BE IT FURTHER RESOLVED THAT** Type II Actions are not subject to further review under Part 617.

**BE IT FINALLY RESOLVED THAT** the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the Town file upon this Action.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
SPECIAL USE PERMIT CONTINUATION OF DELIBERATIONS**

**PB #0804-21**

**APPLICANT: Loomis Road Industrial Park LLC, 120 Linden Oaks,  
Rochester, N.Y. 14623**

**ACTION: Special Use Permit Application Lot #4, Loomis Road Industrial  
Park, to operate a motor vehicle service facility in accordance  
with the provisions in Chapter 165, Article VI, Section 77 of the  
Farmington Town Code—Continuation to October 20, 2021**

**WHEREAS,** the Town of Farmington Planning Board (hereinafter referred to as Board) has tonight opened the Public Hearing upon the above referenced application for Special Use Permit approval, hereinafter referred to as Action; and

**WHEREAS,** the Board has tonight received testimony on the above referenced application; and

**WHEREAS,** the Board has tonight classified the proposed Action as being a Type II Action under the State Environmental Quality Review Act (SEQRA); and

**WHEREAS,** the Applicant, in an email to the Town Code Enforcement Officer, on Wednesday, September 1, 2021 requested a continuation of this public hearing to Wednesday, October 20, 2021.

**NOW, THEREFORE, BE IT RESOLVED** that the Board does hereby move to table any further discussion upon this Action at tonight’s meeting, to continue the Public Hearing hereon to Wednesday, October 20, 2021, commencing at 7:00 p.m., and to continue further public discussion and Board deliberation at that time.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

## 6. CONTINUED PRELIMINARY SITE PLAN

### **PB #0802-21**                      **Continued Preliminary Site Plan Application**

**Name:**                              G&A Development and Construction Corporation, c/o Jim Stathopoulos, 101 North Street, Canandaigua, N.Y. 14424

**Location:**                        West side of State Route 332, south of State Route 96

**Zoning District:**                GB General Business, MTOD Major Thoroughfare Overlay District, MSOD Main Street Overlay District

**Request:**                         Preliminary Site Plan approval to erect a 2,600-square-foot single-story financial institution upon Lot #R-2 of the G&A Development and Construction Corporation Re-Subdivision Plat

This application was reviewed by the Project Review Committee (PRC) on May 7, 2021; July 2, 2021; August 6, 2021; and September 3, 2021.

On August 4, 2021, the Planning Board classified this application as an Unlisted Action under the State Environmental Quality Review (SEQR) regulations and established the SEQR 30-day review period from August 5, 2021, to September 3, 2021.

Also on August 4, 2021, the consideration of the Preliminary Site Plan was continued to the meeting this evening (September 15, 2021).

On August 18, 2021, the recalled Resolution #0802-21 (August 4, 2021) regarding the SEQR classification of the Preliminary Site Plan as an Unlisted Action and reclassified the Preliminary Site Plan as a SEQR Type II Action.

On September 1, 2021, the Planning Board continued both the Public Hearing on the Preliminary Re-Subdivision Plat and the Preliminary Site Plan to October 6, 2021.

Mr. Hemminger resumed the consideration of the Preliminary Site Plan.

Mr. Brand said that the draft resolution which has been prepared for the board's consideration this evening is to reaffirm its decision of September 1, 2021, to continue the Preliminary Site Plan application to October 6, 2021.

He also said that the Zoning Board of Appeals (ZBA) began consideration of the applicant's request for an Area Variance at its August meeting and continued the deliberation on the Area Variance to the ZBA meeting to be held on September 27, 2021. Mr. Brand said that the Planning Board may not take action upon the Preliminary Site Plan until the Area Variance has been determined by the ZBA.

Mr. Hemminger asked if anyone in the meeting room wished to speak for or against this application, or to ask questions. There were no requests from those in the meeting room.

Mr. Hemminger then asked if anyone on the Zoom video conference wished to speak for or against this application, or to ask questions. There were no requests from those on the Zoom video conference.

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

■ A motion was made by MR. VIETS, seconded by MR. DELUCIA, that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff:

**FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY SITE PLAN APPLICATION—CONTINUATION**

**PB #0802-21**

**APPLICANT: Jim Stathopoulos, c/o G&A Development and Construction Corporation, 101 North Street, Canandaigua, N.Y. 14424**

**ACTION: Preliminary Site Plan for a 2,600-square-foot single-story financial institution to be located upon proposed Lot #R-2 of the proposed Preliminary Plat Map prepared for Lots #R-1, #R-2 and #R-3, G&A Development and Construction Corporation (Farmington Commons)**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as the Board) on Wednesday, August 4, 2021, took action to continued its deliberations upon the above referenced Action to tonight's meeting; and

**WHEREAS**, the Applicant's Engineers, Marathon Engineering, Matt Tomlinson, CPESC, has submitted a letter to the Town Director of Planning and Development, dated August 25, 2021 requesting the Board to table further discussion upon the Preliminary Re-subdivision Application (PB #0801-21) and to continue Board's deliberations upon this appli-

cation (PB #0802-21) at a continued public hearing/meeting to be held at the October 6, 2021, Planning Board meeting; and

**WHEREAS**, the Board did act on Wednesday, September 1, 2021, to continue its deliberations upon both of the above cited applications to its meeting on Wednesday, October 6, 2021; and

**WHEREAS**, the Board has received testimony at tonight’s continued public meeting upon the above referenced Application (PB #0802-21).

**NOW THEREFORE BE IT RESOLVED** that the Board does hereby move to reaffirm its September 1, 2021, decision to table further discussion upon the above referenced Action (PB #0802-21) to the Planning Board’s scheduled meeting on Wednesday, October 6, 2021.

**BE IT FURTHER RESOLVED** that the Board directs the Clerk of the Board to provide a copy of tonight’s public meeting record and this resolution to: the Town Zoning Board of Appeals; the Applicant, the Applicant’s Engineers; and the Applicant’s Attorney.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

**7. NEW PRELIMINARY SITE PLAN**

**Name:** Paul Gillette, 6025 Denny Drive, Farmington, N.Y. 14425

**Location:** North side of Denny Drive and south of Collett Road

**Zoning District:** LI Limited Industrial

**Request:** Preliminary Site Plan approval to erect seven (7) new single-story storage buildings of various sizes ranging from 3,000 square feet to 17,835 square feet, totaling approximately 57,035 square feet.

This application was reviewed by the Project Review Committee on July 2, 2021; and August 6, 2021.

On August 4, 2021, the Planning Board continued the consideration of this application to the meeting this evening (September 15, 2021).

Mr. Delpriore said that Don Lewis (the applicant's engineer) contacted him to request that the application be continued to October 20, 2021, to provide time for the inclusion of additional updates to the plan such as the revised stormwater material which Mr. Lewis just received today.

Mr. Brand said that the Planning Board may move forward for the State Environmental Quality Review (SEQ) classification of this application as an Unlisted Action with the request that the applicant is to provide the Short Environmental Assessment Form which will identify all the required actions associated with the granting of a Preliminary Site Plan.

Mr. Brand also said that a draft resolution has been prepared for the board's consideration this evening to continue the Preliminary Site Plan with conditions to October 20, 2021.

Mr. Hemminger asked if anyone in the meeting room wished to speak for or against this application, or to ask questions. There were no requests from those in the meeting room.

Mr. Hemminger then asked if anyone on the Zoom video conference wished to speak for or against this application, or to ask questions. There were no requests from those on the Zoom video conference.

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

■ A motion was made by MR. DELUCIA, seconded by MR. SWEENEY, that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff:

**FARMINGTON PLANNING BOARD RESOLUTION  
STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) CLASSIFICATION**

**PB #0803-21**

**APPLICANT: A Safe Place Storage, c/o Paul Gillette, 6205 Denny Drive,  
Farmington, N.Y. 14425**

**ACTION: SEQR Classification—Preliminary Site Plan Approval for six  
(6) single-story mini-warehouse storage buildings, one (1)  
17,835-square-foot climate-controlled self-storage building,  
and related site improvements on a 5.5 acre site that is located  
along the south side of Collett Road, the east side of  
Commercial Drive and the north side of Denny Drive.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as the Board) has at tonight’s public meeting opened discussion and received comments upon the above referenced Action; and

**WHEREAS**, the Board has reviewed the criteria in Parts 617.4 and 617.5 of the State Environmental Quality Review (SEQR) Regulations for determining the Classification associated with the above referenced Action.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board does hereby classify the above referenced Action as being an Unlisted Action under the above referenced provisions of Parts 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.

**BE IT FURTHER RESOLVED THAT** the Applicant is to provide a Short Environmental Assessment Form that identifies all required Actions associated with the granting of a Preliminary Site Plan for the development of the above site.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

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

**FARMINGTON PLANNING BOARD RESOLUTION  
CONTINUATION**

**PB #0803-21**

**APPLICANT:** A Safe Place Storage, c/o Paul Gillette, 6025 Denny Drive, Farmington, N.Y. 14425

**ACTION:** Preliminary Site Plan Approval for six (6) single story mini-warehouse storage buildings, one (1) 17,835-square-foot climate-controlled self-storage building and related site improvements on a 5.5-acre site that is located along the south side of Collett Road, the east side of Commercial Drive and the north side of Denny Drive.

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as the Board) has at tonight's public meeting opened discussion and received comments upon the above referenced Action; and

**WHEREAS**, the Board has reviewed the criteria in Parts 617.4 and 617.5 of the State Environmental Quality Review (SEQR) Regulations for determining the Classification associated with the above referenced Action and has, under separate resolution, made a Classification that the proposed Action is an Unlisted Action under Part 617 of Article 8 of the New York State Environmental Conservation Law; and

**WHEREAS**, the Board has given consideration to the Ontario County Planning Board referral comments (Referral Number 148-2021) that the proposed Action is a Class 1 Action and has only made comments.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board does hereby move to continue its deliberations upon the proposed Action with the following conditions:

1. The Applicant must first make application for a Special Use Permit as required under the provisions contained in § 165-84.1 A. of the Farmington Town Code.
2. The Applicant is either to combine these two lots into one lot, or the Applicant is to make application to the Zoning Board of Appeals for an area variance to the minimum separation requirement of 1,500 feet from an existing mini-warehouse site (§ 165-84.1 B.).
3. The Applicant is to re-design the site plan drawing to avoid showing any structures being placed within the existing sanitary sewer easement that bisects the property.
4. All of the previous staff comments that have been provided as attachments to the Planning Board's August 4, 2021, resolution are to be addressed in writing.
5. If these conditions are not met prior to the end of business on October 12th date for distribution of agenda items for the Planning Board's October 20, 2021, meeting, then the Planning Board, at its meeting on October 20, 2021, shall consider taking appropriate action at that time.

**BE IT FURTHER RESOLVED THAT** the Board does hereby continue its deliberation upon this application to the October 20, 2021, meeting to provide the Applicant and his Engineer time to prepare the necessary report and applications to the above listed conditions.

**BE IT FINALLY RESOLVED THAT** the Board does hereby declare its intent to take action upon this application at its scheduled meeting on Wednesday, October 20, 2021, based upon the availability and adequacy of the information requested above herein from the Applicant.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

## 8. NEW PRELIMINARY SITE PLAN

### **PB #0806-21            New Preliminary Site Plan Application**

**Name:** Gerstner Medical, 1175 Pittsford–Victor Road, Suite 140, Victor, N.Y. 14534

**Location:** 5801 County Road 41

**Zoning District:** PD Planned Development and MTOD Major Thoroughfare Overlay District

**Request:** Preliminary Site Plan approval to erect a 7,500-square-foot two-story medical office and medical equipment sales facility with associated site improvements to include all applicable utility service, landscaping, lighting and parking facilities.

This application was reviewed by the Project Review Committee on June 4, 2021; August 6, 2021; and September 3, 2021.

On August 18, 2021, the Planning Board approved the accompanying Preliminary Subdivision Plat with conditions (PB #0805-21) and the State Environmental Quality Review (SEQR) classification (Type II Action) for the Preliminary Subdivision Plat.

Mr. Amering (Costich Engineering) and Mr. Bragg (Chrisanntha Construction) presented this application in the meeting room. Mr. Gerstner (Gerstner Medical) attended via Zoom video conference.

Mr. Amering provided the following information:

- Gerstner Medical operates a medical equipment company in Rochester.
- The applicant proposes the construction of a new building in the rear portion of the 3.014-acre VR Food Equipment Inc. property at 5801 County Road 41 (southeast corner of County Road 41 and Quentonshire Drive). VR Food Equipment occupies

the front portion of the parcel. A subdivision to separate the rear portion of the parcel is proposed. The property is located in a PD Planned Development Zoning District.

- An office building of approximately 7,500 square feet is planned. Mr. Amering said that a mock-up operating room will be included in the building for the display of medical equipment to the applicant's clients.
- A small storage/warehouse area will also be located within the building.
- Access will be off Quentonshire Drive which recently was improved during the Pintail Crossing residential development project.
- The existing zoning of this parcel requires a minimum lot size of 60,000 square feet. Mr. Amering said that the subdivision of the property will comply with this requirement.

Mr. Amering said that an Area Variance is required for the separated VR Food Equipment lot due to the right-of-way dedication and change in property lines when Quentonshire Drive was improved for construction of the Pintail Crossing multi-family residential parcels which are located immediately south of the applicant's location. The improvement of Quentonshire Drive created a non-conforming setback from the existing VR Food Equipment building to Quentonshire Drive of 31.1 feet when the Town Code requires 80 feet.

Mr. Amering said that the Zoning Board of Appeals will hear the Area Variance application on September 27, 2021.

Mr. Amering said that parking demands for Gerstner Medical will be low and will consist of parking for employees and clients who usually will arrive by appointment. He said that the facility will generally not be open to the public and will not generate a great deal of vehicle traffic.

He said that all utilities (sanitary sewer, water and storm sewer) are available on Quentonshire Drive. Mr. Amering said that some streetlights and sidewalks were installed during the Pintail Crossing residential development.

Mr. Amering said that a workshop was held with the Town engineering firm MRB Group regarding the stormwater constraints on the site. He said that the stormwater measures on the VR Food Equipment site pre-date a number of New York State Department of Environmental requirements. He said that it was decided that stormwater measures on the applicant's site will go above and beyond what is required to offset the stormwater measures on the VR Food Equipment property which has a lower elevation than the applicant's site. Mr. Amering said that he will continue to work with Mr. Brabant and Mr. Sowinski of MRB Group on the site's stormwater management plan.

Mr. Amering acknowledged receipt of the recent MRB Group engineering comment letter. He said that most of the comments were technical in nature and largely focused on utilities, stormwater management, erosion control, and sidewalk and driveway entrance details. He said that they are comfortable working with the Town Engineer on these.

Lighting and landscaping plans have been provided. Mr. Amering acknowledged the Town's specific criteria for buffering. He said that they made their own interpretations and that MRB Group has offered clarifications.

Mr. Amering acknowledged receipt of the draft Preliminary Site Plan approval resolution which was prepared by the Town staff. He requested the deletion of Condition #1 (j) regarding the relocation of the overhead door which is shown on the west side of the building. Mr. Amering said that this would not be a loading dock and would serve for the occasional deliveries by small box-type trucks.

He said that revised building elevation renderings were provided to the Town staff earlier today. (Mr. Delpriore said that the elevations also were sent to the Planning Board members via email and have been distributed in hard-copy format at the meeting this evening). Mr. Amering said that Mr. Bragg has been working with Jay Harris-Maxwell of Hanlon Architects to refine the architectural features, materials and budget. Updated renderings include additional arch features (compared to what was originally submitted), variation in the types of exterior wall materials, façade relief refinements, a canopy over the main entrance, and more glass in the northwest corner of the building which will be the most prominent when viewed from Quentonshire Drive.

In a letter to the Planning Board dated September 15, 2021, Mr. Harris-Maxwell provided the following information regarding the Major Thoroughfare Overlay District (MTO) requirements which have been taken into consideration for the façade design:

Generally the new building is in design character with the existing adjacent buildings along County Road 41—a mix of commercial building with industrial use spaces. The use is consistent with these neighboring properties.

- a. The façade, roof form, and exterior walls are clean in design and are keeping with a feel of new health care and hospital facilities to which Gerstner Medical provides services and equipment for.
- b. The building corner scale, massing design and use of glass highlight the building's entrance. The permanent projecting awning provides cover at the main door units and is also an enhanced feature to the building's entry.
- c. Associated equipment will be screened appropriately. Once the building infrastructure and utilities have been determined and designed, screening can be planned for accordingly, with in kind materials of the building.

- d. The façade material and colors are consistent with the clean design of the building, as described in item a. The color scheme is consistent with the company logo and branding that industry professionals associate with.
- e. Character of exterior is as depicted in the civil drawings and landscape plans, with adequate landscape buffering to the neighboring residential apartments on Quentenshire Drive.

The clean, simple form of this building is not a distraction as residence transitions from the County Road 41 businesses and industrial spaces to the residential apartments on Quentenshire. We feel this design enhances the neighboring properties and would not be a detriment.

—*Jay Harris-Maxwell, Project Manager, Hanlon Architects*

Mr. Amering said that they intend to provide buffers on three sides of the building. He said that the main entrance into the building will be from the front façade area located on the northwest side, that there will be no other main access points, and that there are no cross-lot connections.

Mr. Brand discussed the issue of the overhead door (draft Condition of Approval #1 [j] ) which is shown on the west side of the building (the building's frontage along Quentonshire Drive). He said that the property to the east is owned by Delaware North and is part of the Finger Lakes Gaming Casino & Racetrack property. Mr. Brand said that this property is zoned for Restricted Business and that other non-residential uses such as motels and hotels are permitted. He said that he feels the adjacent property should not have been zoned that way, but it is. Mr. Brand said that the draft condition requests that the overhead door be relocated to the east side of the building.

Mr. Brand recommended the consideration of landscaping along the front of the building (the Quentonshire Drive frontage) to improve the appearance of the property.

He also said that if additional design is needed for the stormwater facility, that some of the proposed parking closest to the facility could be relocated to the east side of the building. This would coincide with the relocated overhead door and the proposed sidewalk shown along this side. He said that preference be given by the Planning Board for improving the view of building as seen from along Quentonshire Drive. He noted the often deliveries result in boxes and related packaging debris being placed outside. Mr. Brand also noted that the proposed dumpster is shown on the opposite side of the building and the overhead door. He said that it makes sense to relocate the overhead door and to have everything consolidated on the east side of the building. This would allow more landscaping along the frontage of the building.

Mr. Delpriore said that his comments are technical in nature. Viewing the landscaping plan on the video screen, he requested that some of the more open areas could use additional landscaping.

Mr. Giroux expressed concern with the 15-foot width of the driveway to the overhead door. He said that a pick-up truck would not be able to maneuver and back up square to the overhead door. He also expressed concern about fire apparatus access to the building on the 15-foot-wide driveway. He said that the 15-foot width is too close the building and is not wide enough for the fire department to set up an aerial truck.

Mr. Hemminger agreed that the present design of the site provides fire equipment access only on one side of the building.

Mr. Sowinski said that MRB Group issued an engineering comment letter on September 9, 2021, and that most of the comments were technical in nature. He said that the engineering intent is to oversize the stormwater facilities to provide extra treatment to offset the common-plan aspects of the VR Food Equipment property. Mr. Sowinski said that Mr. Amering submitted a stormwater exhibit yesterday (September 14, 2021) which includes additional bioretention facilities. He said that MRB Group will review the new exhibit soon.

Mr. DeLucia said that he agrees with Mr. Brand that the overhead door should be relocated to the east side of the building. He also expressed concern about the lack of fire apparatus accessibility to fight a structure fire.

Mr. Bragg said that the overhead door could be removed and replaced with a pair of doors. He said that this area is not a true loading dock and has been provided for small-truck deliveries and to avoid mixing pedestrians and trucks in the main parking area. Mr. Amering said that the building is really not a warehouse and that this portion of the building will be a storage area for materials and supplies as they arrive.

Mr. Gerstner said that deliveries to the site would be infrequent. He said that the company's main warehousing is done off the site in warehouses which are located around the country. Mr. Gerstner said that the main purpose of the storage area is for supplies which are used in the demonstration facility. He said that medical companies will be coming to the site and that the nuances of the door and the purpose of the storage area are not lost here. He said that they do not intend to make this a warehouse and that there will be just some basic storage and deliveries by Federal Express and UPS a couple of times a week.

Mr. Viets suggested that possibly a set of double man doors would provide a better appearance, along with more screening on the south side of the building.

Mr. Amering said that they are intending to clear a great of the deal of the south side of the property. He said that there are some mature trees in that area, and just some brush, so there are not a lot of plantings proposed for the southeast corner.

Mr. Viets suggested that any new plantings be deer resistant.

Mr. Viets also requested that the final elevations include accurate colors. Mr. Bragg said that material samples will be provided at the Final Site Plan presentation. Mr. Hemminger said that electronic files of the final elevations can be provided to the Town staff for distribution to the Planning Board members.

Mr. Bellis also requested that the final elevations include the accurate colors of the materials.

Mr. Bellis asked if the number of parking spaces will be adequate if the ownership and use of the building were to change in the future. Mr. Delpriore said that more parking would be available along the side of building and that there are some avenues to provide additional parking if needed in the future. But he said that the parking is adequate for this applicant's use. He noted that any such change in use may require a site plan amendment by this board.

Mr. Sweeney said that the driveway entrance off Quentonshire Drive must be 35 feet in width for access by fire apparatus. He said that the driveway width is now shown as 25 feet on the plans.

Mr. Sweeney requested that the fire hydrant be relocated to a position south of the driveway (it is now shown at a position north of the driveway). He said that the current position to the north of the driveway will create a difficult radius for fire apparatus to turn into the driveway. He said that relocating the hydrant to a point south of the driveway will allow for an open turning radius. Mr. Amering said that this is good feedback.

Mr. Sweeney discussed the wooded brush area and the difference in elevation between the applicant's proposed building and the nearby residential areas. He discussed the dispersion of light and said that he would not like to see a light shining [glare] from the building through the brush and into the residential area. He said that right now a light is not shown on this portion of the building. Mr. Sweeney said that he did not think that the brush is tall enough to block a light [from shining into the residential area]. Mr. Amering said that there are no proposed lighting fixtures [on this portion of the building].

Mr. Sweeney also requested that a Knox Rapid Access System Box for emergency access be provided in a location where it would be easily accessible by fire and emergency personnel.

Chief Robinson also expressed concern about fire apparatus access to the site. He said that the fire department would typically get an aerial device onto the site first, and that access to the site by subsequent vehicles is a concern by the current design of the plans. He said that the key is to place fire vehicles in the areas of the corners of a building to provide access to two sides of a building by one apparatus. Chief Robinson also said that the placement of fire apparatus is generally at a distance from the building of 1.5 times the height of the building, and can sometimes be farther.

Chief Robinson asked about the height of the building. Mr. Amering said that the building will be 24 feet in height.

Chief Robinson also agreed with Mr. Sweeney's suggestion about the relocation of the fire hydrant.

Mr. Hemminger said that he does not like the south elevation which will be seen by the adjacent residential area, even with buffering. He also said that he personally thinks that the design for the overhead door needs to change if it is remain on the west side of the building, or that it would be better if it is relocated to the east side.

Mr. Hemminger requested that the applicant seriously consider providing better access for fire apparatus on at least three sides of the building. He said that right now there is only one side of the building providing fire fighting access and that the 15-foot-wide driveway to the overhead door needs to be redesigned to accommodate fire access. Mr. Hemminger said that the applicant should sit down and discuss fire apparatus access with Town staff and figure out a way around that.

Mr. Hemminger suggested that perhaps a pervious surface grass covered driveway material could be considered for emergency vehicle access on the east side of the building. He said that this could be an option to avoid having to construct additional paved surfaces. He said that there ways around it [improving fire apparatus access].

Mr. Hemminger also suggested that revised elevation renderings be provided with landscaping [to enable the board to better visualize the site] across the west side of the building. He said that overall the building does not look bad, but that the overhead door is ugly and that it should not face the west where it would be visible by motorists on Quentonshire Drive.

Mr. Brand asked why the driveway along the west side of the building is shown on the plan to be concrete and the rest of the driveway area is paved asphalt. He asked why concrete was selected for this portion of the driveway. Mr. Bragg said that concrete was selected to match the existing sidewalks and because it was initially thought that this area would be a loading dock.

Mr. Hemminger said that he likes the concept and having a new business coming into the Town. He said that the board is not trying to ask for the world and would like to see a few changes to make this a better site plan.

Mr. Brand requested that all references on the maps, to the road be spelled correctly: ***Quentonshire*** Drive and not *Quentenshire* Drive.

Mr. Bellis asked about a sign application. Mr. Bragg said that there would be a separate sign application.



Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

Mr. Brand then asked the Planning Board members to confirm that they have reviewed and that they accept the Short Environmental Assessment Form Part 2—Impact Assessment which had been prepared by the Town staff and provided to the Planning Board members prior to the meeting.

■ All members of the Planning Board voted “Aye” to confirm that they have reviewed and that they accept the Short Environmental Assessment Form Part 2—Impact Assessment which had been prepared by the Town staff and provided to the Planning Board members prior to the meeting.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
CRITERIA FOR DETERMINING SIGNIFICANCE**

**PB #0806-21**

**APPLICANT: Gerstner Medical, 1175 Pittsford–Victor Road, Suite 140, Pittsford, N.Y. 14534**

**ACTION: SEQR Determination of Significance for the construction of a 7,500-square-foot two-story medical office building and medical equipment sales facility with associated site improvements, located on a proposed parcel of land along the east side of Quentonshire Drive**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), based upon its review of the Criteria contained in § 617.7 of NYCRR, Article 8, New York State Environmental Conservation Law (SEQR), finds the above referenced Preliminary Site Plan to be an Unlisted Action; and

**WHEREAS**, the Planning Board is the designated Lead Agency under SEQR for making a determination on significance upon said Action; and

**WHEREAS**, the Planning Board has reviewed the Part 1 of the Short Environmental Assessment Form (SEAF) and has completed Parts 2 and 3 of the SEAF.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby accept the findings contained in Parts 2 and 3 of the SEAF and directs the Planning Board Chairperson to sign and date the Part 3 SEAF.

**BE IT FURTHER RESOLVED** that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Part 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;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; 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;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed action;
- (iv) the overall density of the sites is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site, or will the proposed action 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 action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a substantial change in the use, or intensity of use, of land including open space or recreational resources, or in its capacity to support existing uses;
- (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 action;
- (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 upon the environment.

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

**BE IT FINALLY RESOLVED** that the Board directs that copies of this determination of non-significance be filed as provided for under the SEQR Regulations.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

Mr. Hemminger then asked Mr. Amering if he received the Preliminary Site Plan draft resolution prior to the meeting, if he understood the resolution and if he agreed with the conditions.

Mr. Amering said that he received the Preliminary Site Plan draft resolution prior to the meeting and that he understood the conditions. He requested that draft Condition #1 (j) (concerning the relocation of the overhead door to the east side of the building) be deleted.

There were no objections to Mr. Amering’s request.

Draft Condition #1 (j) was deleted.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY SITE PLAN**

**PB #0806-21**

**APPLICANT: Gerstner Medical, 1175 Pittsford–Victor Road, Suite 140,  
Pittsford, N.Y. 14534**

**ACTION:**                    **Preliminary Site Plan approval with conditions for the construction of a 7,500-square-foot two-story medical equipment office and sales building with associated site improvements, located on a proposed parcel of land along the east side of Quentonshire Drive.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received and reviewed a set of drawings prepared by Costich Engineers for the above referenced Action; and

**WHEREAS**, the Planning Board has opened the proposed Action at tonight’s meeting for discussion and consideration; and

**WHEREAS**, the Planning Board has under separate resolution made a determination of non-significance upon the above referenced Action; and

**WHEREAS**, the Planning Board has given consideration to the County Planning Board’s Referral Number 164-2021, prepared for the August 11, 2021, meeting which was canceled by the County due to a lack of a quorum to conduct said meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby grant Preliminary Site Plan approval with the following conditions:

1. Preliminary Site Plan approval is based upon the drawings prepared by Costich Engineering, Project #8401, Sheets Numbered GA001, GA002, VA100, CA100, CA110, CA120, LA100, EA100, CA500, CA501-504, dated July 15, 2021, entitled “Gerstner Medical, Quentonshire Drive, Site Development Plans,” which are further amended as follows:
  - (a) All references shown on the above referenced sheets are to be amended by correcting the spelling of Quentonshire Drive.
  - (b) There is to be a sidewalk connection between the sidewalk along Quentonshire Drive and the proposed building.
  - (c) Drawing #LA 100, Landscaping Plan, contains Note 13 which refers to NYSDOT Permit Plans being issued with applicable permits. The Planning Board does not know of any NYSDOT Permits being issued for this project. This note is to be removed.
  - (d) Drawing #LA 100 referenced above is to provide additional landscaping in the northwest portion of the site. The current plan is showing no landscaping in this area.

- (e) Drawing #EA 100, Lighting Plan, does not appear to identify the existing streetlights across the frontage of this site along Quentonshire Drive. The illumination pattern of these streetlights should be shown on the drawing.
- (f) Drawing #CA 100, Preliminary Site Plan, does not identify the location of the relocated fire hydrant. However, drawing # CA 110, Preliminary Utility Plan, does show the location of this relocated fire hydrant. It is recommended that drawing #CA 100 show the location of this relocated fire hydrant.
- (g) Drawing #CA 110, Preliminary Utility Plan, is showing the water service which stops short of the proposed building. It is recommended that this water service line be extended to the building.
- (h) A general observation, if the on-site stormwater facility needs to be enlarged it appears that some of the nearby on-site parking spaces could be relocated to the east side of the building since there are two entrance/exits shown along this side of the building. In addition, there already is a concrete sidewalk shown along this side of the building which could provide access to the building.
- (i) The Building Elevation drawing does not appear to reflect the design guidelines contained in the MTOD Major Thoroughfare Overlay District (MTOD). A revised Preliminary Building Elevation drawing, in color, is to be submitted prior to Preliminary Site Plan Approval being granted.
- (j) Signature blocks are to be shown on the following drawings and in the approved locations—CA100, CA110, CA120, LA100 and EA100.
- (k) Sheet #A1 is to be stamped by a licensed Engineer or Architect.
- (l) The sanitary lateral needs to be directional drilled as a two percent (2%) minimum slope.
- (m) The contractor shall not open cut Quentonshire Drive.
- (n) The sanitary lateral is not deep enough at the building wall. The lateral needs to be a minimum depth of five (5) feet from finish grade at building wall.
- (o) The Utility Drawing is to clarify how the sanitary lateral is to connect to the sanitary sewer main. Geneco sealtite type E multi-range wye sewer saddle is required. The detail for this have been provided for adding to one of the detail sheets (CA500-504).

- (p) The sanitary sewer clean-out should be on the right-of-way or the town easement line furthest from Quentonshire Drive. Clean-outs are to be spaced a maximum of eighty-five (85) feet apart.
  - (q) The water service is shown as a 1½-inch service. A tapping sleeve and valve is not required. Please note on the print as a 1½-inch service with a 1½-inch saddle.
  - (r) The water service pipe needs to change from DR-14 to CTS SDR-9PVC.
  - (s) All details shown are to be the details for the Town of Farmington as contained in the adopted Town of Farmington Site Design and Development Criteria.
  - (t) A Public Safety Sign and location is to be added to the site plan and the sign detail (Appendix G-9.0 Town of Farmington Site Design and Development Criteria) is to be added to the set of drawings.
  - (u) All comments contained in the MRB Group, D.P.C., Letter to the Director of Planning and Development are to be addressed in writing and, where necessary, changes made to the referenced drawings.
  - (v) The Preliminary Site Plan Drawings contain no Commercial Speech signage. If the applicant intends such signage, then it should be shown on a separate Sign Site Plan Drawing.
  - (w) All revisions required to be made above in these conditions of Preliminary Site Plan approval are to be referenced on each of the revision boxes for the drawings being amended.
2. The Planning Board does hereby not accept the Exterior Elevations Drawings A-1 prepared by Hanlon Architects, dated 7-13-21, Project No. 21-004, finding this drawing does not meet the standards contained in the Town's adopted MTOD Major Thoroughfare Overlay District and directs resubmission of new exterior building elevation drawings.
  3. Preliminary Site Plan approval with Conditions is valid for a period of 180 days during which revised drawings are to be submitted for signing.
  4. Once revised Building Elevation Drawings have been submitted and approved by the Planning Board, along with amended Site Plan Drawings, then Town Staff may sign the revised drawings.
  5. Once signed drawings of both the Preliminary Site Plan and the Building Elevation Drawings has occurred, then the Code Enforcement Officer may schedule Final Site Plan Approval for a future Planning Board Meeting.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

## 9. PLANNING BOARD ACTION ITEMS

### A. Meyer's Finger Lakes RV Construction Schedule Review:

Mr. Berends, Project Manager, provided the following information:

- The installation of the oil/water separator is complete.
- Storm laterals are being run to the retention pond this week.
- Concrete has been dumped. The dump station will be completed for receipt of the Significant Industrial User (SIU) Permit and the curbs will be completed in two weeks.
- Following completion of the curbs, the contractor will fine-grade the parking lot.
- The installation of the sanitary sewer and water service, and the chlorination, will be wrapped up next week.
- Work will begin next week on the fence around the perimeter of the property.
- The erection of the steel for the building shell will begin in two weeks.

Mr. Brand said that this should be the final Phase 1 amendment and that the applicant is being told that the Town expects Phase 1 of the project to be completed by October 5, 2021.

Mr. Delpriore said that Mr. Berends attended the September Project Review Committee meeting at which a number of issues were resolved. He said that the contractor is still working on Phase 1 due to delays of the delivery of concrete and binder from the asphalt plants. Mr. Delpriore said that he is confident that the pavement binder will be installed [before the asphalt plants close for the season] and that the project is going in a good direction. He said that Mr. Berends will provide

an update at the Project Review Committee meeting on October 1, 2021, and that he will probably not be required to return to the Planning Board for a subsequent Final Site Plan Amendment to the Phase 1 construction schedule.

Mr. Giroux said that he is okay with the construction progress on the site.

Mr. Bellis said that he is hopeful that the applicant can meet the Phase 1 completion date of October 5, 2021. Mr. Bellis said that he knows that Mr. Berends is in a tight timeframe, that the schedule window is very small, and that he hopes that all goes well.

■ A motion was made by MR. VIETS, seconded by MR. DELUCIA, that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
MEYER’S RV FINAL SITE PLAN AMENDMENT, PHASE 1—REVISION #8**

**PB #1102-20**

**APPLICANT: Meyer’s RV Superstore of Farmington, 100 Sanford Road North, Churchville, N.Y. 14428**

**ACTION: Final Site Plan Approval, Phase 1, Meyer’s RV Superstore of Farmington, located on property at the northeast corner of State Route 96 and Mertensia Road**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has on November 7, 2018 granted Final Site Plan approval with conditions for the above referenced Action; and,

**WHEREAS**, the Planning Board at its last meeting held upon this Action, Wednesday, August 18, 2021 received a revised schedule for completing the identified tasks to be located within the Phase 1 portion of the overall site improvements; and

**WHEREAS**, the Planning Board has also reviewed the Town staff comments that were made as part of the record for the September 3, 2021, Project Review Committee (PRC) meeting; and

**WHEREAS**, the Planning Board has observed that work continues in good faith within the Phase 1 portion of the site, across the Route 96 frontage to the site within the State’s right-of-way and across the Mertensia Road frontage; and

**WHEREAS**, the Planning Board, having reviewed the above referenced Project Review Committee meeting minutes is aware that the latest revised Work Schedule,

dated 9/10/21, identifies a number of previously scheduled tasks that remain to be completed which include:

- On-site drive aisles and on-site parking blacktopped by 9/24/21; and
- Chlorination Testing: 5 days starting on 9/20/21 and ending on 9/25/21; and
- Install Forms for Mertensia Road Sidewalk—completed on 9/20/21; and
- Inspect new forms for Mertensia Road Sidewalk—completed on 9/20/21; and
- Pour Concrete—completed on 9/20/21; and
- Form Concrete Curbs—completed on 9/23/21; and
- Pour Concrete Curbs—completed on 9/24/21; and
- Fine Grade Parking Lot—completed on 9/16/21; and
- Install Parking Lot Sub-base material—completed on 9/28/21; and
- Install striped island to define drive lanes @ Dollar Tree Entrance—completed on 10/01/21; and
- Install Binder Asphalt for parking lot—completed on 10/5/21; and

**WHEREAS**, the Planning Board has given consideration to the applicant's representative's testimony presented at tonight's meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby direct the applicant and his site contractor to continue work on the remaining tasks identified in the September 9, 2021, Schedule Update for Phase 1, and to submit to the Town Code Enforcement Officer, on or before noon on Friday, October 1st, an updated schedule (to be known as Revision #9) for completing the Phase 1 tasks identified above herein for Town staff review at the next PRC Meeting on Friday, October 1, 2021.

**BE IT FURTHER RESOLVED** that the Applicant and his site contractor are to participate in the October 1, 2021, PRC Meeting to provide up-to-date information upon the Phase 1 scheduled site improvements.

**BE IT FURTHER RESOLVED** that following the October 1, 2021 PRC review of the remaining Phase 1 tasks, the Applicant is to provide an updated and hopefully the final schedule (identified as Revision #9), to the Town Code Enforcement Officer, on or before noon on Wednesday, October 6, 2021.

**BE IT FURTHER RESOLVED** that all of the Conditions of Final Site Plan Approval, PB 1102-18, dated November 7, 2018, remain in effect unless otherwise modified by separate Planning Board resolution.

**BE IT FINALLY RESOLVED** that failure, by the applicant, to comply with completion of the work items identified in the latest Phase 1 Report (Revision #8) of the amended final site plan shall render the Planning Board’s previous approval cited above herein, Null and Void.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

**B. Villas at Hathaway’s Corners Letter of Credit Estimate Review:**

■ A motion was made by MR. DELUCIA, seconded by MR. VIETS, that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff:

**TOWN OF FARMINGTON PLANNING BOARD  
RECOMMENDATION TO ESTABLISH A LETTER OF CREDIT  
THE VILLAS AT HATHAWAY’S CORNERS**

**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 September 15, 2021, to recommend approval of a letter of credit for site improvements within the above referenced Project; and

**WHEREAS**, the Planning Board has reviewed the above referenced letter and the attached Applicant’s Engineer’s Estimate of Value for certain site improvements to be dedicated to the Town of Farmington; 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 establishment of a Letter of Credit.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Con-

struction Inspector and the Town Engineer, does hereby recommend that the Town Board take formal action to accept and recommend the filing of a Letter of Credit, in the Town Clerk’s Office, in the total amount of \$637,807.37 for this phase of the above referenced Project.

**BE IT FINALLY RESOLVED** that the Clerk of the Board is to provide copies of this resolution to the Applicant, the Applicant’s Engineer and the Applicant’s Contractor, the Town Code Enforcement Officer, the Town Construction Inspector and the Town Engineer.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

**C. Auto Wash Letter of Credit Estimate Review:**

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
RECOMMENDATION TO ESTABLISH A LETTER OF CREDIT  
AUTO WASH PROJECT**

**PB #0704-21**

**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 September 8, 2021, to recommend approval of a Letter of Credit for site improvements within the above referenced Project; and

**WHEREAS**, the Planning Board has reviewed the above referenced letter and the attached Applicant’s Engineer’s Estimate of Value for certain site improvements to be dedicated to the Town of Farmington; 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 establishment of a Letter of Credit.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineer, does hereby recommend that the Town Board take formal action to accept and recommend the filing of a Letter of Credit, in the Town Clerk's Office, in the total amount of \$46,285.78 for the above referenced Project.

**BE IT FINALLY RESOLVED** that the Clerk of the Board is to provide copies of this resolution to the Applicant, the Applicant's Engineer and the Applicant's Contractor, the Town Code Enforcement Officer, the Town Construction Inspector and the Town Engineer.

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

## 10. OPEN DISCUSSION

### *Director of Development and Planning Report:*

Mr. Brand provided the following information:

- The Town Board will hold a Public Hearing on September 22, 2021, at 6:30 p.m., on the 2021–2022 Transportation Alternatives (TAP) Improvement Program Grant. The deadline for submitting the final grant application to the State is September 29, 2021. If approved, the grant will provide 75 percent of the total project cost for design, construction and inspection of 17,000 lineal feet of sidewalks, approximately 330 lineal feet of stone dust trails, and one pedestrian bridge crossing of Beaver Creek on County Road 41. At the present time, the total project cost is \$1,996,800 with \$1,497,600 being the Federal share and \$499,200 the Town's share. Mr. Brand said that only one easement for proposed sidewalk construction is needed from a property owner to complete the application.
- The Town is still waiting for a response from the owner of the Farmington Market Center (Tops Supermarket plaza) regarding their most recent proposal for providing Incentive Zoning amenities and the zoning incentives being requested.
- A revised Delaware River Solar Project Decommissioning Plan, for the Smith's property, has been approved by the Town Board. The remaining items prior to the

issuing a Building Permit are holding a Pre-Construction Meeting with the applicant and the filing of a Letter of Credit by the applicant with the Town Clerk.

Mr. Brand also said that the attorneys for the Planning Board and the citizens have presented arguments before Supreme Court Justice Craig Doran regarding the Article 78 proceeding which has been filed in this application. Mr. Brand said that both parties await the judge's ruling. He said that the applicant would like to move forward with the project by this fall. Mr. Brand also said that the judge's ruling in this case may clear the way for the lifting of the solar project moratorium by the Town Board and for the possibility of additional solar project applications.

***Code Enforcement Officer:***

Mr. Delpriore said that the Town Board has scheduled a Public Hearing on September 28, 2021, at 7:00 p.m., on a proposed local law amending portions of Chapter 74 of the Farmington Town Code entitled "Construction Codes, Uniform" and changing the title of the chapter to be known as "Chapter 74—Buildings and Fire Codes, Uniform." He said that the Code amendment will include updated regulations on fire prevention issues such as the installation of sprinklers in commercial buildings regardless of the size of the buildings, and Knox Box fire department and emergency access for fire protection. Mr. Delpriore said that contractors often comply with the minimum regulations of the International Fire Code and that the Town's Chapter 74 amendments will provide stricter Town requirements for improved safety measures.

Mr. Delpriore also said that subdivision and site plan applications are expected to be on a Planning Board agenda in October for the subdivision of approximately six acres of active agricultural land on the north side Fox Road for the construction of a new single-family residence. The new lot would be opposite the proposed Delaware River solar project on the south side of Fox Road.

***Highway and Parks Superintendent:***

Mr. Giroux said that the last segment of pavement base will be installed on Wednesday, September 22, 2021 (weather permitting) on Canandaigua–Farmington Town Line Road between State Route 332 and the Phase 1 road improvement project end point. He said that the installation of the binder will provide a significant difference in the appearance of the road to motorists. Mr. Giroux said that most of the previous work on the road has involved underground improvements of which the progress is not visible to motorists and residents. He said that there will be a substantial change in the appearance of the road next week.

Mr. Giroux also said that chip sealing and improvements to other roads in the Town will continue until the asphalt plants close for the season. He said that the Town Highway Department staff is beginning their plans for the winter snowplowing season.

**Board Members' Comments:**

Mr. Bellis asked about the purpose of heavy equipment on the GLN Farmington Realty site in the vicinity of the southwest corner of State Route 332 and State Route 96. Mr. Delpriore said that a Pre-Construction Meeting on this project was held which allowed the applicant to receive a grading permit to remove tree stumps and poles which are on the property, and to begin construction of the new road which will extend south from State Route 96 into the property to a hammerhead turnaround. Mr. Bellis asked if additional trees will be removed. He said that it seems that way by the heavy equipment which is now on the site. Mr. Delpriore said that he will follow up with the applicant. He said that he is not expecting the removal of additional trees right now.

Mr. Sweeney discussed the recent time which he spent with Town Fire Marshal August Gordner, Development Office Administrator Sarah Mitchell and Director of Planning and Development Ron Brand to become acquainted with the Development Office procedures and functions. Mr. Brand said that he will inform Ms. Daniels in the Supervisor's Office to provide three hours of training credit to Mr. Sweeney for this orientation.

Mr. Viets asked about the stockpile of road millings on the American Equipment property on the northeast corner of State Route 332 and Collett Road. Mr. Delpriore said that the company has been informed by the Development Office that the stockpile of road millings is not a permitted use on the property. He said that the company has been requested to provide the Development Office with a timeframe when the pile will be removed. He said that the Town Zoning Officer is now overseeing this and that a violation will be issued if there is no progress by the company to remove the pile.

Mr. Bellis asked about the violation procedure which is followed by the Development Office. Mr. Delpriore provided the following information.

- Step 1: A violation notice is sent to the property owner. The property owner has 30 days to respond.
- Step 2: If there is no response to the first 30-day notice, a second 30-day notice is sent.
- Step 3: If there is no response to the second 30-day notice, an appearance ticket is issued to the property owner to appear in Town Court. It is up to the Town Court to schedule the case on the docket.
- Step 4: The Town judge hears the case and issues a decision. The judge may allow the property owner a reasonable period of time to bring the property into compliance with the Town Code. Or the judge may dismiss the case if the property owner shows progress toward bringing the property into compliance.

Mr. Delpriore said that every complaint is documented by the Zoning Officer with photographs. He said that if a property owner can show progress that the violation is being addressed, the judge may dismiss the case. Mr. Delpriore said that it is difficult to take a property owner to court if he or she is working to address the violation

## 11. PUBLIC COMMENTS

None.

## 12. TRAINING OPPORTUNITIES

### ■ 2021 Municipal Bootcamp:

A free annual program to provide certification credits to newly elected officials, planning and zoning boards and town officials sponsored by Hancock Estabrook and MRB Group. The program includes 10 hours of remote training designed to provide a comprehensive education that encompasses all aspects of municipal governance. Each program will be provided remotely on the fourth Thursday of the month with subject matter experts and attorneys from Hancock Estabrook and MRB Group.

Remaining sessions in 2021:

***Thursday, September 23, 2021, 6:00 p.m. to 7:00 p.m.***

Session 8: From Big to Small

***Thursday, October 28, 2021, 6:00 p.m. to 7:00 p.m.***

Session 9: Well, Aren't You Special?

***Thursday, December 23, 2021, 6:00 p.m. to 7:00 p.m.***

Session 10: All the Right Forms in All the Right Places

### **Questions to:**

Wendy A. Marsh, Partner, Hancock Estabrook  
wmarsh@hancocklaw.com  
(315) 565-4536

Matt Horn, Director, Local Government Services, MRB Group  
matt.horn@mrbgroup.com  
(315) 220-0740

### **Registration link:**

<https://register.gotowebinar.com/rt/4608077833213548299>

■ **New York Planning Federation 2021 Summer Programming**

“The Essentials of Planning and Zoning”

“Meeting Process and Communication”

“Clean Energy”

“Planning Past, Present & Future”

Each session lasts about an hour. Watch at your convenience for training credit hours.

To enroll: **nypf@nypf.org** to receive a link to watch any program in the NYPF library. Include your municipality and position.

■ **General Code e-Code**

Daily drop-in lunchtime training Q&A sessions plus webinars in several categories.

Information:

<https://www.generalcode.com/training/>

■ **Future Training Opportunities Online:**

Ontario County Planning Department website now lists upcoming training:

<https://www.co.ontario.ny.us/192/Training>

**13. ADJOURNMENT**

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

Motion carried by voice vote.

The meeting was adjourned at 8:35 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, October 6, 2021, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425.

Following the meeting, the clerk locked the Town Hall front doors.

Respectfully submitted,

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