

Zoning Board of Appeals Meeting Agenda
January 28, 2019

1. Open Meeting, Identify Rules of Procedure, Introductions and Emergency Evacuation Procedures—Chairperson DeLucia
2. Approval of Meeting Minutes—December 17, 2018 Meeting
3. Attest to publishing legal notice – There are no published legal notices for tonight’s agenda items—Chairperson DeLucia
4. **CONTINUED BOARD BUSINESS**—There is the following continued public hearings from the September 24, 2018 and November 26, 2018, December 17, 2018 meetings:

ZB #0902-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE, NEW YORK, NEW YORK 10003:
Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet from along the south property line on proposed Lot 2 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0903-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:
Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the south property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0904-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:
Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the north property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

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ZB #0905-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:
Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback 20 feet along the north property line of proposed Lot 4 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

PUBLIC HEARINGS (0):

5. BOARD DELIBERATIONS AND DECISIONS:

ZB #0902-18	Area Variance	Delaware River Solar LLC
ZB #0903-18	Area Variance	Delaware River Solar LLC
ZB #0904-18	Area Variance	Delaware River Solar LLC
ZB #0905-18	Area Variance	Delaware River Solar LLC

6. PUBLIC COMMENTS—OPEN FORUM DISCUSSION

7. OTHER BOARD MATTERS:

- a. Review Operating Procedures for 2019 Meetings.

8. CODE ENFORCEMENT OFFICER UPDATE

9. NEXT MEETING DATE

NOTICE: The next Zoning Board of Appeals Meeting, if needed, will be held on Monday, February 25, 2019 in the Farmington Town Hall, 1000 County Road 8, commencing at 7:00 p.m., Eastern Daylight Saving Time. **Please take further notice that this location may change depending upon a Planning Board determination of significance upon the four pending Delaware River Solar Applications listed above herein. If it is determined that the February Zoning Board of Appeals meeting will require a larger room then the meeting will be moved to the Town Highway Facility, 985 Hook Road, Farmington, New York 14425.**

10. ADJOURNMENT

TOWN OF
FARMINGTON



**Zoning Board of Appeals Meeting Agenda
February 25, 2019**

1. Open Meeting, Identify Rules of Procedure, Introductions and Emergency Evacuation Procedures—Chairperson DeLucia.
2. Approval of Meeting Minutes—January 28, 2019 Meeting.
3. Attest to publishing legal notice – There are three (3) published legal notices for tonight’s agenda items: ZB 0201-19, Create A Scape Enterprise, LLC; ZB 0202-19, Create A Scape Enterprise, LLC; and ZB 0203-19, Matthew Guche, Ontario Mall Antiques —Chairperson DeLucia.
4. CONTINUED BOARD BUSINESS—There is no continued public hearing(s), for tonight’s meeting, from the January 28, 2019 meeting.
5. PUBLIC HEARINGS (3): The following applications have scheduled public hearings scheduled for this meeting.

ZB 0201 -19, CREATE A SCAPE ENTERPRISE LLC, 6162 NYS ROUTE 96, FARMINGTON, NY 14425: Request an area variance to Article V , Chapter 165 – 43 B 1 (c) to the Town of Farmington Codes. The applicant wishes to erect a 20 foot high, two sided commercial speech ground business identification sign (a maximum height of 15 feet is allowed by the Town Code). The property is located at 6162 NYS Route 96 and is zoned GB General Business District.

ZB 0202 -19, CREATE A SCAPE ENTERPRISE LLC, 6162 NYS ROUTE 96, FARMINGTON, NY 14425: Request an area variance to Article V, Chapter 165-43 B 1 (c) to the Town of Farmington Codes. The applicant wishes to erect a two sided commercial speech ground business – identification sign having a total sign area of 300 square feet (a maximum of 64 square feet is allowed by the Town Code). The property is located at 6162 NYS Route 96 and is zoned GB General Business District.

ZB 0203-19 MATTHEW GUCHE, ONTARIO MALL ANTIQUES, 1740 NYS ROUTE 332, FARMINGTON, NY 14425: Request an area variance to Article V, Chapter 165 – 41 A 2 & 6 to the Town of Farmington Codes. The applicant wishes to erect a changeable – copy commercial speech sign. The property is located at 1740 NYS Route 332 and is zoned GB General Business District.

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6. BOARD DELIBERATIONS AND DECISIONS:

ZB #0201-19	Area Variance	Create A Scape Enterprise, LLC
ZB #0202-19	Area Variance	Create A Scape Enterprise, LLC
ZB #0203-19	Area Variance	Matthew Guche, Ontario Mall Antiques

7. PUBLIC COMMENTS—OPEN FORUM DISCUSSION

8. OTHER BOARD MATTERS:

9. CODE ENFORCEMENT OFFICER UPDATE

10. NEXT MEETING DATE

NOTICE: The next Zoning Board of Appeals Meeting, if needed, will be held on Monday, March 25, 2019 in the Farmington Town Hall, 1000 County Road 8, commencing at 7:00 p.m., Eastern Daylight Saving Time. **Please take further notice that this location may change depending upon a Planning Board determination of significance upon the four pending Delaware River Solar Applications. If it is determined that the March Zoning Board of Appeals meeting will require a larger room then the meeting will be moved to the Town Highway Facility, 985 Hook Road, Farmington, New York 14425.**

11. ADJOURNMENT

TOWN OF
FARMINGTON



**Zoning Board of Appeals Meeting Agenda
March 25, 2019**

1. Open Meeting, Identify Rules of Procedure, Introductions and Emergency Evacuation Procedures—Chairperson DeLucia.
2. Approval of Meeting Minutes—February 25 , 2019 Meeting.
3. Attest to publishing legal notice – There is (1) published legal notice for tonight’s agenda item: ZB 0301-19.—Chairperson DeLucia.
4. CONTINUED BOARD BUSINESS— There are two (2) continued agenda items from February 25, 2019 meeting - ZB 0201-19, Create A Scape Enterprise, LLC and ZB 0202-19, Create A Scape Enterprise, LLC.-Chairperon DeLucia.
5. PUBLIC HEARINGS (3): The following applications have scheduled public hearings scheduled for this meeting.

ZB 0201 -19, CREATE A SCAPE ENTERPRISE LLC, 6162 NYS ROUTE 96, FARMINGTON, NY 14425:
Request an area variance to Article V , Chapter 165 – 43 B 1 (c) to the Town of Farmington Codes. The applicant wishes to erect a 20 foot high, two sided commercial speech ground business identification sign (a maximum height of 15 feet is allowed by the Town Code). The property is located at 6162 NYS Route 96 and is zoned GB General Business District. **Application Continued from the February 25, 2019 meeting**

ZB 0202 -19, CREATE A SCAPE ENTERPRISE LLC, 6162 NYS ROUTE 96, FARMINGTON, NY 14425:
Request an area variance to Article V, Chapter 165-43 B 1 (c) to the Town of Farmington Codes. The applicant wishes to erect a two sided commercial speech ground business – identification sign having a total sign area of 300 square feet (a maximum of 64 square feet is allowed by the Town Code). The property is located at 6162 NYS Route 96 and is zoned GB General Business District. **Application Continued from the February 25, 2019 meeting**

ZB 0301 -19, HYLAND HARTSOUGH, 128 COUNTY RD 8, FARMINGTON, NY 14425:
Request an area variance to Chapter 165, Article IV, Sections 18. E. (3) and 35 A. of the Town of Farmington Codes. The applicant wishes to create a lot consisting of 63,000 square feet having a non-conventional septic system. The Town Code requires a minimum lot size of 80,000 square feet for a lot having a non-conventional septic system. The property is located at 140 County Rd 8 and is zoned A-80 Agricultural District.

6. BOARD DELIBERATIONS AND DECISIONS:

ZB #0201-19	Area Variance	Create A Scape Enterprise, LLC
ZB #0202-19	Area Variance	Create A Scape Enterprise, LLC
ZB #0301-19	Area Variance	Hyland Hartsough

7. PUBLIC COMMENTS—OPEN FORUM DISCUSSION

8. OTHER BOARD MATTERS

9. CODE ENFORCEMENT OFFICER UPDATE

10. NEXT MEETING DATE

NOTICE: The next Zoning Board of Appeals Meeting, if needed, will be held on Monday, April 22, 2019 in the Farmington Town Hall, 1000 County Road 8, commencing at 7:00 p.m., Eastern Daylight Saving Time. **Please take further notice that this location may change depending upon a Planning Board determination of significance upon the four pending Delaware River Solar Area Variance Applications. If it is determined that the April Zoning Board of Appeals meeting will require a larger room then the meeting will be moved to the Town Highway Facility, 985 Hook Road, Farmington, New York 14425.**

11. ADJOURNMENT

TOWN OF
FARMINGTON



**Zoning Board of Appeals Meeting Agenda
April 22, 2019**

1. Open Meeting, Identify Rules of Procedure, Introductions and Emergency Evacuation Procedures—Chairperson DeLucia.
2. Approval of Meeting Minutes—February 25, 2019 Meeting.
3. Attest to publishing legal notice – There are no published legal notices for tonight’s agenda items—Chairperson DeLucia.
4. CONTINUED BOARD BUSINESS—There are the following continued public hearings from the September 24, 2018 and November 26, 2018 and December 17, 2018 and January 28, 2019 meetings:

ZB #0902-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE, NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet from along the south property line on proposed Lot 2 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0903-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the south property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0904-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the north property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

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ZB #0905-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:
Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback 20 feet along the north property line of proposed Lot 4 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

5. PUBLIC HEARINGS (0): There are no new public hearings scheduled for this meeting.

6. BOARD DELIBERATIONS AND DECISIONS:

ZB #0902-18	Area Variance	Delaware River Solar LLC
ZB #0903-18	Area Variance	Delaware River Solar LLC
ZB #0904-18	Area Variance	Delaware River Solar LLC
ZB #0905-18	Area Variance	Delaware River Solar LLC

7. PUBLIC COMMENTS—OPEN FORUM DISCUSSION

8. PUBLIC COMMENTS—OPEN FORUM DISCUSSION

9. OTHER BOARD MATTERS:

10. CODE ENFORCEMENT OFFICER UPDATE

11. NEXT MEETING DATE

NOTICE: The next Zoning Board of Appeals Meeting, if needed, will be held on Monday, May 20, 2019 in the Farmington Town Hall, 1000 County Road 8, commencing at 7:00 p.m., Eastern Daylight Saving Time. **Please take further notice that this location may change depending upon a Planning Board determination of significance upon the four pending Delaware River Solar Applications. If it is determined that the May Zoning Board of Appeals meeting will require a larger meeting room then the meeting will be moved to the Town Highway Facility, 985 Hook Road, Farmington, New York 14425.**

12. ADJOURNMENT

TOWN OF
FARMINGTON



**Zoning Board of Appeals Meeting Agenda
May 20, 2019**

1. Open Meeting, Identify Rules of Procedure, Introductions and Emergency Evacuation Procedures—Chairperson DeLucia.
2. Approval of Meeting Minutes—April 22, 2019 Meeting.
3. Attest to publishing legal notice – There is one published legal notice, published in the Daily Messenger on Sunday, May 12, 2019 for tonight’s agenda—Chairperson DeLucia.
4. CONTINUED BOARD BUSINESS—There are the following continued public hearings from: September 24, 2018; November 26, 2018; December 17, 2018; January 28, 2019; and April 22, 2019 meetings:

ZB #0902-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE, NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet from along the south property line on proposed Lot 2 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0903-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the south property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0904-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the north property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

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ZB #0905-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:
Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback 20 feet along the north property line of proposed Lot 4 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

5. PUBLIC HEARING (1): There is one new public hearing scheduled for this meeting.

ZB #0501-19, LUCAS MARSH, 6059 HOLLY LANE, FARMINGTON, NEW YORK 14425:
Request an area variance to Chapter 165, Article V, Section 58. B. of the Town of Farmington Codes. The applicant wishes to erect an accessory structure, a wooden storage building, having a total of 384 square feet in area. The Town Code restricts the size of an accessory structure to a maximum of 200 square feet in area. The property is located at 6059 Holly Lane and is zoned both RS-25 Residential Suburban and A-80 Agricultural District.

6. BOARD DELIBERATIONS AND DECISIONS:

ZB #0902-18	Area Variance	Delaware River Solar LLC
ZB #0903-18	Area Variance	Delaware River Solar LLC
ZB #0904-18	Area Variance	Delaware River Solar LLC
ZB #0905-18	Area Variance	Delaware River Solar LLC
ZB #0501-19	Area Variance	Lucas Marsh

7. PUBLIC COMMENTS—OPEN FORUM DISCUSSION
8. OTHER BOARD MATTERS
9. CODE ENFORCEMENT OFFICER UPDATE
10. NEXT MEETING DATE
11. ADJOURNMENT

NOTICE: The next Zoning Board of Appeals Meeting, if needed, will be held on Monday, June 24, 2019 in the Farmington Town Hall, 1000 County Road 8, commencing at 7:00 p.m., Eastern Daylight Saving Time. **Please take further notice that this location may change depending upon a Planning Board determination of significance upon the four pending Delaware River Solar Applications. If it is determined that the June Zoning Board of Appeals meeting will require a larger meeting room then the meeting will be moved to the Town Highway Facility, 985 Hook Road, Farmington, New York 14425.**

TOWN OF
FARMINGTON



**Zoning Board of Appeals Meeting Agenda
June 24, 2019**

1. Open Meeting, Identify Rules of Procedure, Introductions and Emergency Evacuation Procedures—Chairperson DeLucia.
2. Approval of Meeting Minutes—May 20, 2019 Meeting.
3. Attest to publishing legal notice – There are two (2) published legal notices for tonight’s agenda items: ZB 0601-19, Donald Johnson; and ZB 0602-2019 Karen Brake on behalf of the Farmington Chamber of Commerce—Chairperson DeLucia.
4. CONTINUED BOARD BUSINESS—There are the following continued public hearings from the September 24, 2018 and November 26, 2018 and December 17, 2018 and January 28, 2019 and April 22, 2019 and May 20, 2019 meetings:

ZB #0902-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE, NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet from along the south property line on proposed Lot 2 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0903-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the south property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0904-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the north property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

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ZB #0905-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback 20 feet along the north property line of proposed Lot 4 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0501-19, LUCAS MARSH, 6059 HOLLY LANE, FARMINGTON, NEW YORK 14425:

Request an area variance to Chapter 165, Article V, Section 58. B. of the Town of Farmington Codes. The applicant wishes to erect an accessory structure, a wooden storage building, having a total of 384 square feet in area. The Town Code restricts the size of an accessory structure to a maximum of 200 square feet in area. The property is located at 6059 Holly Lane and is zoned both RS-25 Residential Suburban and A-80 Agricultural District.

- 5. PUBLIC HEARINGS (2): The following applications have public hearings scheduled for this meeting.

ZB #0601-19, Donald Johnson, 355 Hook Road Farmington, New York 14425:

Request to renew a Temporary Use Permit in accordance with Chapter 165, Article VII, Section 91 of the Town of Farmington Codes. The applicant wishes to operate a food cart within the west portion of the Country Max Store, located at the southwest corner of the intersection of County Road 41 and Beaver Creek Road at 5930 County Road 41. The property is zoned GB General Business.

ZB #0602-19, Karen Brake, on behalf of the Farmington Chamber of Commerce, Farmington, new York 14425:

Request a Temporary Use Permit in accordance with Chapter 165, Article VII, Section 91 of the Farmington Town Code. The applicant wishes to operate a farmers market, one day a week, commencing in early July and ending on September 27, 2019, on a portion of the property known as the Farmington Country Plaza Site. The property is zoned GB General Business.

- 6. BOARD DELIBERATIONS AND DECISIONS:

ZB #0902-18	Area Variance	Delaware River Solar LLC
ZB #0903-18	Area Variance	Delaware River Solar LLC
ZB #0904-18	Area Variance	Delaware River Solar LLC
ZB #0905-18	Area Variance	Delaware River Solar LLC

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ZB #0501-19	Area Variance	Lucas Marsh
ZB #0601-19	Temporary Use Permit	Donald Johnson
ZB #0602-19	Temporary Use Permit	Karen Brake

7. PUBLIC COMMENTS—OPEN FORUM DISCUSSION
8. PUBLIC COMMENTS—OPEN FORUM DISCUSSION
9. OTHER BOARD MATTERS
10. CODE ENFORCEMENT OFFICER UPDATE
11. NEXT MEETING DATE* - The next Zoning Board of Appeals Meeting, will be held on Monday, July 22, 2019 in the Farmington Town Hall, 1000 County Road 8, commencing at 7:00 p.m., Eastern Daylight Saving Time.
12. ADJOURNMENT

***NOTICE: Please take further notice that the location for the July 22, 2019 Zoning Board of Appeals meeting may change depending upon a Planning Board determination of significance, at their July 17, 2019 meeting, upon the environmental record for the four pending area variances for the Delaware River Solar Application. If it is determined that the July Zoning Board of Appeals meeting will require a larger meeting room then the meeting will be moved to the Town Highway Facility, 985 Hook Road, Farmington, New York 14425. Public notices of any change in meeting location will be published in the Town's Official Newspaper, posted upon the Town Hall Bulletin Board and posted upon the town's official website www.townoffarmingtonny.org .**

TOWN OF
FARMINGTON



Zoning Board of Appeals Meeting Agenda
July 22, 2019

1. Open Meeting, Identify Rules of Procedure, Introductions and Emergency Evacuation Procedures—Chairperson DeLucia.
2. Approval of Meeting Minutes—June 24, 2019 Meeting.
3. Attest to publishing legal notices – There are three (3) published legal notices published on July 14, 2019 for tonight’s agenda: ZB 0701-19 Matthew Guche, Ontario Mall Antiques, ZB 0702-19 Michael Best, Ponds Edge Venue, and ZB 0703-19 Thomas Kime, Lyons National Bank — Chairperson DeLucia.
4. CONTINUED BOARD BUSINESS—There are the following continued public hearings from the September 24, 2018 and November 26, 2018 and December 17, 2018 and January 28, 2019 and April 22, 2019 and May 20, 2019 and June 24, 2019 meetings:

ZB #0902-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE, NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet from along the south property line on proposed Lot 2 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0903-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the south property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0904-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the north property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

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ZB #0905-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback 20 feet along the north property line of proposed Lot 4 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

5. PUBLIC HEARINGS (3): The following applications have a public hearing scheduled for this meeting.

ZB #0703-19, LYONS NATIONAL BANK, 399 EXCHANGE STREET, GENEVA, NEW YORK 14456:

Requests two (2) area variances to: Chapter 165, Article IV, Section 34. G. (3) of the Town of Farmington Codes. The applicant wishes to construct a branch bank addition to the original Hathaway's Farm House, located at the northwest corner of the intersection of New York State Route 332 and County Road #41, by adding a new building containing a total of 4,339 square feet that is proposed to be set back forty-four (44) feet from the right-of-way line with New York State Route 332. The Town Code requires a minimum front yard setback of one hundred (100) feet from New York State Route 332; and Chapter 165, Article X, Schedule I, Lot Area, Bulk and Coverage Requirement. The applicant wishes to construct a branch bank addition to the original Hathaway's Farm House by adding a new building containing a total of 4,339 square feet that is proposed to be set back fifty-five (55) feet from the right-of-way line with Ontario County Road #41. The Town Code requires a minimum front yard setback of seventy-five (75) feet from the highway right-of-way line. The property is located at 1423 Hathaway Drive and is zoned both GB General Business and MTOD Major Thoroughfare Overlay District.

ZB #0701-19, ONTARIO MALL ANTIQUES, 1740 ROUTE 332, FARMINGTON, NEW YORK 14425:

Request a Temporary Use Permit in accordance with Chapter 165, Article VII, Section 91 of the Farmington Town Code. The applicant wishes to operate a farmers market on Saturday's and Sunday's in the Spring, Summer and Fall months to be located on a portion of their parking lot. The property is zoned GB General Business.

ZB #0702-19, MICHAEL BEST, PONDS EDGE VENUE, 6165 BROWNSVILLE ROAD, FARMINGTON, NEW YORK 14425:

Request a Temporary Use Permit in accordance with Chapter 165, Article VII, Section 91 of the Farmington Town Code. The applicant wishes to operate an outdoor special events venue for wedding ceremonies and small events such as corporate events, bridal showers and baby showers. Seasonal operation beginning March 1st through November 1st. The property is zoned RR-80 Rural Residential.

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6. BOARD DELIBERATIONS AND DECISIONS:

ZB #0902-18	Area Variance	Delaware River Solar LLC
ZB #0903-18	Area Variance	Delaware River Solar LLC
ZB #0904-18	Area Variance	Delaware River Solar LLC
ZB #0905-18	Area Variance	Delaware River Solar LLC
ZB #0703-19	Area Variance	Lyons National Bank
ZB #0701-19	Temporary Use Permit	Ontario Mall Antiques
ZB #0702-19	Temporary Use Permit	Michael Best

7. PUBLIC COMMENTS—OPEN FORUM DISCUSSION

8. DIRECTOR OF DEVELOPMENT UPDATE

9. CODE ENFORCEMENT/ ZONING OFFICER UPDATE

10. NEXT MEETING DATE August 26, 2019, if needed

11. ADJOURNMENT

TOWN OF
FARMINGTON



Zoning Board of Appeals Meeting Agenda
August 26, 2019

1. Open Meeting, Identify Rules of Procedure, Introductions and Emergency Evacuation Procedures—Chairperson DeLucia.
2. Approval of Meeting Minutes—July 22, 2019 Meeting.
3. Attest to publishing legal notices – There are three (3) legal notices published on August 18, 2019 for tonight’s agenda: ZB 0801-19 Farmington United Methodist Church and ZB 0802-19 & ZB 0803-19 Finger Lakes Wildlife Center — Chairperson DeLucia.
4. CONTINUED BOARD BUSINESS—There are the following continued public hearings from the September 24, 2018 and November 26, 2018 and December 17, 2018 and January 28, 2019 and April 22, 2019 and May 20, 2019 and June 24, 2019 and July 22, 2019 meetings:

ZB #0902-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE, NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet from along the south property line on proposed Lot 2 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0903-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the south property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum rear setback of 160 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

ZB #0904-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback of 20 feet along the north property line on proposed Lot 3 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

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ZB #0905-18, DELAWARE RIVER SOLAR, LLC, 33 IRVING PLACE NEW YORK, NEW YORK 10003:

Request an area variance to Chapter 165, Article V, Section 65.3. F. of the Town of Farmington Codes. The applicant wishes to erect solar panels having a setback 20 feet along the north property line of proposed Lot 4 of Delaware River Solar, LLC Solar Energy Facility Site Plan, dated July 3, 2018. The Town Code requires a minimum front setback of 180 feet. The property is located at 466 Yellow Mills Road and is zoned A-80 Agricultural District.

5. PUBLIC HEARINGS (2): The following applications have a public hearing scheduled for this meeting.

ZB #0801-19, FARMINGTON UNITED METHODIST CHURCH, 5925 COUNTY ROAD 41, FARMINGTON, NEW YORK 14425:

Request an Area Variance in accordance with Chapter 165, Article V, Section 45 of the Farmington Town Code. The applicant wishes to erect a thirty two (32) square foot freestanding commercial speech sign with moving/motion signage to be located along the southeast corner of the intersection of New York State Route 332 and County Road 41. The property is located at 5925 County Road 41 and is zoned RB Restricted Business.

ZB #0802-19, FINGER LAKES WILDLIFE CENTER INC., 4949 FOX ROAD, PALMYRA, NEW YORK 14522:

Request a Temporary Use Permit in accordance with Chapter 165, Article VII, Section 91 of the Farmington Town Code. The applicant wishes to operate an Ecological Visitor's Center with environmental education programs and exhibition of native New York State flora and fauna. Days and hours of operation would be Monday, Wednesday, Saturday and Sunday from 11am to 4pm. The property is zoned A-80 Agricultural.

ZB #0803-19, FINGER LAKES WILDLIFE CENTER INC., 4949 FOX ROAD, PALMYRA, NEW YORK 14522:

Request an Area Variance in accordance with Chapter 165, Article V, Section 45 of the Farmington Town Code. The applicant wishes to erect a 1280 square foot accessory structure in the front yard portion of their lot located at the southwest corner of County Road 28 and Fox Road. The property is zoned A-80 Agricultural.

6. BOARD DELIBERATIONS AND DECISIONS:

ZB #0902-18	Area Variance	Delaware River Solar LLC
ZB #0903-18	Area Variance	Delaware River Solar LLC
ZB #0904-18	Area Variance	Delaware River Solar LLC
ZB #0905-18	Area Variance	Delaware River Solar LLC

ZB #0801-19	Area Variance	Farmington United Methodist Church
ZB #0802-19	Temporary Use Permit	Finger Lakes Wildlife Center
ZB #0803-19	Area Variance	Finger Lakes Wildlife Center

7. PUBLIC COMMENTS—OPEN FORUM DISCUSSION
8. DIRECTOR OF DEVELOPMENT UPDATE
9. CODE ENFORCEMENT/ ZONING OFFICER UPDATE
10. NEXT MEETING DATE September 23, 2019, if needed
11. ADJOURNMENT

TOWN OF
FARMINGTON



**Zoning Board of Appeals Meeting Agenda
October 28, 2019**

1. Open Meeting, Identify Rules of Procedure, Introductions and Emergency Evacuation Procedures—Chairperson DeLucia.
2. Approval of Meeting Minutes—August 26, 2019 Meeting.
3. Attest to publishing legal notices – There was one (1) legal notice published on October 20, 2019 for tonight’s agenda: ZB 1001-19 Jason & Kian Bowerman— Chairperson DeLucia.
4. PUBLIC HEARING (1): The following application has a public hearing scheduled for this meeting.

ZB #1001-19, JASON AND KIAN BOWERMAN, 5756 ALLEN PADGHAM ROAD, FARMINGTON, NEW YORK 14425:

Request an Area Variance in accordance with Chapter 165A, Schedule 1, Attachment 1 of the Farmington Town Code. The applicant wishes to erect a 624 square foot attached two (2) car garage with master bedroom, located on the second floor, with a proposed side setback of 16.3 feet and Town code requires a minimum side setback of thirty (30) feet in the district. The property is located at 5756 Allen Padgham Road and is zoned NB Neighborhood Business.

5. BOARD DELIBERATIONS AND DECISIONS:

ZB #1001-19

Area Variance

Jason and Kian Bowerman

6. PUBLIC COMMENTS—OPEN FORUM DISCUSSION
7. DIRECTOR OF DEVELOPMENT UPDATE
8. CODE ENFORCEMENT/ ZONING OFFICER UPDATE
9. NEXT MEETING DATE November 25, 2019
10. ADJOURNMENT

TOWN OF
FARMINGTON



**Zoning Board of Appeals Meeting Agenda
November 25, 2019**

1. Open Meeting, Identify Rules of Procedure, Introductions and Emergency Evacuation Procedures—Chairperson DeLucia.
2. Approval of Meeting Minutes—October 28, 2019 Meeting.
3. Attest to publishing legal notices – There were two (2) legal notices published on November 17, 2019 for tonight’s agenda: ZB 1101-19 Robert Young and ZB 1102-19 Steven Nardozzi — Chairperson DeLucia.
4. PUBLIC HEARINGS (2): The following applications have a public hearing scheduled for this meeting.

ZB #1101-19, ROBERT YOUNG, 1795 ESTATE DRIVE, FARMINGTON, NEW YORK 14425:

Request an Area Variance in accordance with Chapter 165, Article V, Section 58 of the Farmington Town Code. The applicant wishes to erect a 192 square foot accessory structure, a shed, in the side yard portion of his lot. The Town Code requires all accessory structures, in any district, be located in the rear yard portion of the lot. The property is located at 1795 Estate Drive and is zoned T.L. Sect. 278 Cluster Development.

ZB #1102-19, STEVEN NARDOZZI, 620 PARK AVENUE SUITE 135, ROCHESTER, NEW YORK 14607:

Request a Temporary Use Permit in accordance with Chapter 165, Article IV, Section 18 of the Farmington Town Code. The applicant wishes to operate a residential construction, excavation, and demolition company as well as use the property as storage of the equipment used for their day to day operations. The Town Code prohibits this use in the A-80 Agricultural District. The property is located at 5409 State Route 96 and is zoned A-80 Agricultural.

5. BOARD DELIBERATIONS AND DECISIONS:

ZB #1101-19

Area Variance

Robert Young

ZB #1102-19

Temporary Use Permit

Steven Nardozzi

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6. PUBLIC COMMENTS—OPEN FORUM DISCUSSION
7. DIRECTOR OF DEVELOPMENT UPDATE
8. CODE ENFORCEMENT/ ZONING OFFICER UPDATE
9. NEXT MEETING DATE December 23, 2019 (if needed)
10. ADJOURNMENT

TOWN OF
FARMINGTON



**Zoning Board of Appeals Meeting Agenda
December 23, 2019**

1. Open Meeting, Identify Rules of Procedure, Introductions and Emergency Evacuation Procedures—Chairperson DeLucia.
2. Approval of Meeting Minutes—November 25, 2019 Meeting.
3. Attest to publishing legal notice – There was (1) legal notice published on December 15, 2019 for tonight’s agenda: ZB 1201-19 RAMSS LLC — Chairperson DeLucia.
4. CONTINUED PUBLIC HEARING:

ZB #1102-19, STEVEN NARDOZZI, 620 PARK AVENUE SUITE 135, ROCHESTER, NEW YORK 14607:

Request a Temporary Use Permit in accordance with Chapter 165, Article IV, Section 18 of the Farmington Town Code. The applicant wishes to operate a residential construction, excavation, and demolition company as well as use the property as storage of the equipment used for their day to day operations. The Town Code prohibits this use in the A-80 Agricultural District. The property is located at 5409 State Route 96 and is zoned A-80 Agricultural.

5. PUBLIC HEARING (1): The following application has a public hearing scheduled for this meeting.

ZB #1201-19, RAMSS LLC, 728 EAST AVENUE, BROCKPORT, NEW YORK 14420:

Request an Area Variance in accordance with Chapter 165A, Schedule 1, Attachment 1 of the Farmington Town Code. The applicant wishes to erect three (3) self-storage buildings totaling 13,200 square feet with two (2) of the 4,000 square foot buildings having a proposed rear setback of ten (10) feet and Town code requires a minimum rear setback of thirty (30) feet in the district. The property is located on Loomis Road and is zoned GI General Industrial.

6. BOARD DELIBERATIONS AND DECISIONS:

**ZB #1102-19
ZB #1201-19**

**Temporary Use Permit
Area Variance**

**Steven Nardozzi
RAMSS LLC**

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7. PUBLIC COMMENTS—OPEN FORUM DISCUSSION
8. DIRECTOR OF DEVELOPMENT UPDATE
9. CODE ENFORCEMENT/ ZONING OFFICER UPDATE
10. NEXT MEETING DATE January 27, 2020 (if needed)
11. ADJOURNMENT