

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, January 17, 2024 • 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. Video recordings of the meetings are posted on the Town of Farmington’s YouTube channel (subscribe at youtube.com; enter Town of Farmington NY in the search box).

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

R = *Attended via remote video conference.*

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

Staff Present:
Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group D.P.C.
Ronald L. Brand, Town of Farmington Director of Development and Planning
Dan Delpriore, Town of Farmington Code Enforcement Officer
Tim Ford, Town of Farmington Highway Superintendent

Attending:
Robert Brenner, Partner, Canandaigua Development Company LLC, 28 South Main Street,
Canandaigua, N.Y. 14424
Ryan T. Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, N.Y. 14450
Frank DiFelice, 91 Victor Heights Parkway, Victor, N.Y. 14564
Patrick Laber, P.E., Schultz Associates, 129 South Union Street, P.O. Box 89,
Spencerport, N.Y. 14459
Jason LaPlant, 353 Lyndon Road, Fairport, N.Y. 14450
Cole Papasergi, Marathon Engineering, 39 Cascade Drive, Rochester, N.Y. 14614
Eloise Stevens, 6031 Redfield Drive, Farmington, N.Y. 14425
Jeff Stevens, 6031 Redfield Drive, Farmington, N.Y. 14425

Bill Schell, 5976 Redfield Drive, Farmington, N.Y. 14425
 Les & Gail Raymond, 6010 Redfield Drive, Farmington, N.Y. 14425
 Lorraine McConnell, 6012 Redfield Drive, Farmington, N.Y. 14425
 Nicole Vanderwall, 71 S. Main Street, Manchester, N.Y. 14504
 Fran Vanderwall, 71 S. Main Street, Manchester, N.Y. 14504
 Chuck Howard, 47 Gannett Road, Farmington, N.Y. 14425
 Mindy Doro, 6004 Redfield Drive, Farmington, N.Y. 14425
 Joe Doro, 6004 Redfield Drive, Farmington, N.Y. 14425
 Patricia Rioch, 4942 Route 96, Shortsville, N.Y. 14548
 Rich Rioch, 4942 Route 96, Shortsville, N.Y. 14548
 Jessica Giller, Evans Fox, 100 Meridian Centre Blvd, Rochester, N.Y.
 Tam Spitzer, 5999 Redfield Drive, Farmington, N.Y. 14425
 MJ deforest, 6028 Redfield Drive, Farmington, N.Y. 14425
 Lance Sprung, 5975 Redfield Drive, Farmington, N.Y. 14425
 Jim Fowler, 6176 Hunters Drive, Farmington, N.Y. 14425
 Bill Schell, 5976 Redfield Drive, Farmington, N.Y. 14425

Town Board Appointments to the Planning Board:

The following appointments to the Planning Board were approved by the Town Board on January 9, 2024:

DOUGLAS VIETS was reappointed to the Planning Board for a five-year term expiring on December 31, 2028 (Town Law § 267-271).

EDWARD HEMMINGER was reappointed as Chairperson of the Planning Board for a one-term term expiring December 31, 2024 (Town Law § 267-271).

Mr. Hemminger and Mr. Viets took their places upon the Planning Board.

Planning Board Members and Terms of Office:

Adrian Bellis	Appointed 2020	Term expires December 31, 2024
Aaron Sweeney*	Appointed 8/10/2021*	Term expires December 31, 2025
Edward Hemminger	Appointed 2022	Term expires December 31, 2026
Timothy DeLucia	Appointed 2023	Term expires December 31, 2027
Douglas Viets	Appointed 2024	Term expires December 31, 2028

*Filling the unexpired term of Shauncy Maloy, per Town Board Resolution #286-2021; term effective 9/1/2021.

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 3, 2024.

2. APPROVAL OF MINUTES

Minutes of January 3, 2024:

■ A motion was made by MR. BELLIS, seconded by MR. SWEENEY, that the minutes of the January 3, 2024, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on January 10, 2024:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Planning Board of the Town of Farmington will conduct Public Hearings on the 17th day of January 2024 commencing at 7:00 p.m. in the Farmington Town Hall, Main Meeting Room, 1000 County Road 8, Farmington, N.Y. 14425 for the purpose of receiving testimony upon and giving consideration to the applications of:

PB 0101-24: JASON LAPLANT, 353 LYNDON ROAD, FAIRPORT, N.Y. 14450: Preliminary Two Lot Re-Subdivision Plat approval of Land, identified as Tax Map Account 43.00-1-4.300, containing approximately a total of 9.538 acres of land; and as further to be identified as Preliminary Re-Subdivision of Lot C of the Charles LaPlant Subdivision. The proposed action involves creating Lot R-C consisting of approximately 6.518 acres with existing barn and Lot R-D consisting of approximately 3.020 acres. Both lots are to remain as non-approved building lots requiring site plan approval before any Building Permits may be issued. The property is on the south side of NYS Route 96 west of County Road 28 and is zoned A-80 Agricultural District.

PB 0102-24: FRANK DIFELICE, 91 VICTOR HEIGHTS PKWY, VICTOR N.Y. 14564: Preliminary Five Lot Re-Subdivision Plat approval of Land, identified as Tax Map Account 29.11-3-15.000, containing approximately a total of 4.6 acres of land; and as further to be identified as Preliminary Re-Subdivision for Redfield Grove Commercial Development. The proposed action involves creating Lot R-1 consisting of approximately .226 acres with existing house, Lot R-2 consisting of approximately 1.135 acres, Lot R-3 consisting of approximately 1.017 acres, Lot R-4 consisting of approximately 1.077 acres and Lot R-5 consisting of approximately 1.118 acres. All lots are to remain as non-ap-

proved building lots requiring site plan approval before any Building Permits may be issued. The property is located at 5998 NYS Route 96 and is zoned IZ Incentive Zoning.

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

Ed Hemminger, Chairman, Planning Board

**4. CONTINUED PUBLIC HEARING:
OVERALL PRELIMINARY 186-LOT SUBDIVISION**

PB #1201-23 Overall Preliminary 186-Lot Subdivision Application

Name: Canandaigua Development Company LLC, 83 South Main Street, Canandaigua, N.Y. 14424

Location: North side of State Route 96, south side of Collett Road, east of Fairdale Glen

Zoning District: IZ Incentive Zoning

Request: Overall Preliminary Subdivision Plat approval involving a total of 186 single-family residential lots and three commercial lots, all of which are located on a total of 147.7 acres of land, identified as Tax Map Accounts 29.00-2-14.000 and 29.00-2-13.100; and as further identified as the Paddock Landing Subdivision, owned by Canandaigua Development Company LLC. The proposed Action involves creating a total of 186 residential lots with related site improvements on approximately 136.11 acres of land; and creating three commercial lots, containing a total of approximately 11.59 acres of land involving a total of 50,000 square feet of commercial buildings and related site improvements. The properties are generally located along the north side of New York State Route 96, east of Fairdale Glenn, south of Collett Road and west of County Road 8. The sites are zoned IZ Incentive Zoning.

See also the accompanying PB #1202-23 Site Plan application, below.

**5. CONTINUED PUBLIC HEARING:
OVERALL PRELIMINARY 186-LOT SITE PLAN**

PB #1202-23 Overall Preliminary 186-Lot Site Plan Application

Name: Canandaigua Development Company LLC, 83 South Main Street, Canandaigua, N.Y. 14424

Location: North side of State Route 96, south side of Collett Road, east of Fairdale Glen

Zoning District: IZ Incentive Zoning

Request: Overall Preliminary Site Plan approval to erect a total of 186 single-family residences with related site improvements and erecting three commercial buildings involving a total of 50,000 square feet of building space with related site improvements.

See also the accompanying PB #1201-23 Subdivision application, above.

On June 2, 2022, the original application for this subdivision and site plan was discussed by the Project Review Committee. The applicant proposed 216 single-family for-sale residential lots, and General Business and Limited Industrial uses along State Route 96.

On May 4, 2023, the current revised application for 186 single-family for-sale residential lots, and General Business and Limited Industrial uses along State Route 96, was discussed by the Project Review Committee.

On May 9, 2023, the Town Board established a new State Environmental Quality Review (SEQR) 30-day coordinated review period from May 9, 2023, to June 9, 2023.

On May 17, 2023, the Planning Board determined that the revised application contained substantial changes in the design of the concept plan.

On December 6, 2023, the Public Hearings on the Overall Preliminary Subdivision Plat and the Overall Preliminary Site Plan were opened, the Planning Board declared its intent to be State Environmental Quality Review (SEQR) Lead Agency for making the determination of significance, and the 30-day Coordinated Review Period was established from December 7, 2023, to January 12, 2024.

Also on December 6, 2023, the Public Hearings were continued to the meeting this evening (January 17, 2024).

Mr. Hemminger concurrently reconvened the Public Hearings on PB #1201-23 and PB #1202-23.

Mr. Destro of BME Associates and Mr. Brenner of the Canandaigua Development Company, attended the meeting this evening.

Mr. Destro said just to recap from our appearance before this board on December 6th, obviously the SEQR 30-day coordinated review period has ended. We have also discussed this project with Town staff at the December 7th PRC meeting as well as the January 4th PRC meeting. On December 13th we presented this project to the Ontario County Planning Board and at that meeting they did vote unanimously in favor of the project. We have also received comments from both Town Staff and MRB Group on January 10th. Subsequently today we responded in writing to all of the comments received from the Town Staff and MRB and we will continue to work with both to address their comments as we move forward.

Mr. Hemminger said give the audience, since they are new here, just a little overview of the project.

Mr. Destro said this project was recently rezoned by the Town Board to allow 186 single family for sale residential units representing the northern three quarters of the property. During the rezoning process we were also approved for up to 50,000 square feet of commercial/general business use along the NYS Route 96. To get back to the comments, at this point, we do not see any issues addressing any of the comments received. A couple points I would like to recap again from our last Planning Board meeting. If you recall, we touched on traffic. Passero Associates completed a traffic impact study for this project dated January 2023. The traffic impact study was submitted to NYSDOT for review last year and on March 20, 2023, NYSDOT issued a letter based on their review of the traffic impact study. In that letter there were two important points I'd like to mention. The first one being, they state, we agree with the proposed driveway quantity and locations for the project and most importantly the second statement that they said we agree the residential portion of this development will not create a significant impact to the NYS Highway System and no mitigation will be required for the residential portion of this project. The second thing I'd like to recap again, following our last appearance, is stormwater management. As mentioned, this development has been designed to meet the NYSDEC Stormwater Management Design Manual Guidelines for both water quality and water quantity. The project is proposed to be served by public storm sewer system which are designed to convey stormwater runoff to an onsite bioretention area and two stormwater management facilities. It is important to note that the drainage design does allow for lower peak drainage rate when developed per the DEC requirements. MRB is currently reviewing the drainage report to confirm that our design does meet the Town standards as well as the NYSDEC standards. Finally in summary it is important to note again that with this project the overall preliminary site plan and subdivision plan submitted are in conformance with the conditions of the Town Board's incentive zoning resolution for Paddock Landing. We look forward to working the Planning Board as well as the Town Staff to complete this project. With that being said I'm happy to answer any of your questions or comments on the project.

Mr. Hemminger said thank you. Next up is Ron Brand, Director of Development.

Mr. Brand said you received this application on December 6th and at that time you classified it as a Type I action under SEQR subject to a coordinated review with involved and interested agencies. That had ended on Friday, January 12th of last week. There were no objections to the Planning Board being designated to lead agency and there were very few comments. The

30-day public period for comments resulted in no public comments being submitted to the Town Clerk. So, you are in a position tonight to designate yourself lead agency. The next step is to prepare the parts 2 and 3 of the full environmental assessment form and then they can make a determination of significance on the action under SEQR.

Mr. Hemminger said once those have been completed, correct.

Mr. Brand said once those have been completed and accepted. The resolution that was prepared and posted on the Town website, since last week, identifies that you intend to make that review and determination at your first meeting in February, February 7th.

Mr. Hemminger then asks for comments from Dan, Building Department Manager.

Mr. Delpriore said we have forwarded this on to staff and staff has reviewed it for both subdivision and preliminary site plan. The comments have been drafted together for that. As Ryan mentioned, they have sent us a response to that today and that is just as far as we have gotten. So, we will have more information on those at your next meeting.

Mr. Hemminger said perfect. Highway, Tim.

Mr. Ford said looking forward to this getting going. We have been through the design of the roads and all that. We will just bring up our concerns with the phasing portion of it.

Mr. Hemminger said, and these will be, if I remember, dedicated roads, correct?

Mr. Ford said yes.

Mr. Hemminger said okay. Lance, MRB, our Town Engineer.

Mr. Brabant said we did issue a letter dated January 10th as Ryan mentioned. We did get a response later today. We did have a conference call with the design engineer to kind of go over our comments as well. Obviously being a preliminary overall and as the Town is aware MRB generally generates preliminary and final comments, so we have the whole picture based on the information received. So, we are working with the design engineer to address those preliminary comments at this time.

Mr. Hemminger asked if anyone in the meeting room wished to comment or ask questions on this application. This application, by the way, is just past the racetrack. You will see the signs out just over the hill north on Route 96. There were no comments or questions from those in the meeting room.

Mr. Hemminger then asked if anyone on the remote video conference wished to comment or ask questions on this application. There were no comments or questions from those on the remote video conference.

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

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

**Town of Farmington Planning Board Resolution
Paddock Landing Incentive Zoning Project
Designation of SEQR Lead Agency**

PB #1201-23 Overall Preliminary 186-Lot Subdivision
PB #1202-23 Overall Preliminary Site Plan

Applicant: Canandaigua Development Company LLC, 83 South Main Street, Canandaigua, N.Y. 14424

Action, PB #1201-23:

Overall Preliminary Subdivision Plat approval involving a total of 186 single-family residential lots and three commercial lots, all of which are located on a total of 147.7 acres of land, identified as Tax Map Accounts 29.00-2-14.000 and 29.00-2-13.100; and as further identified as the Paddock Landing Subdivision, owned by Canandaigua Development Company LLC. The proposed Action involves creating a total of 186 residential lots with related site improvements on approximately 136.11 acres of land; and creating three commercial lots, containing a total of approximately 11.59 acres of land involving a total of 50,000 square feet of commercial buildings and related site improvements. The properties are generally located along the north side of New York State Route 96, east of Fairdale Glenn, south of Collett Road and west of County Road 8. The sites are zoned IZ Incentive Zoning.

Action, PB #1202-23:

Overall Preliminary Site Plan approval to erect a total of 186 single-family residences with related site improvements and erecting three commercial buildings involving a total of 50,000 square feet of building space with related site improvements.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has received applications for Overall Preliminary Subdivision Plat and Overall Preliminary Site Plan approvals for development of approximately 148 acres of land, originally known as the Power Incentive Rezoning Project and now known as the Paddock Landing Incentive Zoning Project, located along the north side of State Route 96, generally east of the intersection of State Route 96 and Hook Road and west of the intersection of State Route 96 and County Road 8, and extending north to a small portion of access to Collett Road near the Ontario Central Railroad crossing; and

WHEREAS, said applications were introduced at the Board's December 6, 2023, meeting, at which time the Actions were Classified as Type I Actions, under the provisions within 6 NYCRR, Part 617, subject to a coordinated review under the provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Board, at said December 6th meeting, also established a coordinated review with Involved and Interested Agencies, a 30-day public review and comment period, and declared their intent to be designated Lead Agency at the January 17, 2024, meeting; and

WHEREAS, said review period began on Thursday, December 7, 2023, and ended at noon on Friday, January 12, 2024; and

WHEREAS, the Board has been informed by the Town Director of Planning and Development, that there are no objections received to the Board’s declared intent to be designated Lead Agency and that there are no public comments received upon the proposed Actions.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby designate themselves as the Lead Agency, under the provisions of SEQRA for the above referenced Actions.

BE IT FURTHER RESOLVED that the Board instructs the Clerk of the Board to provide certified copies of this resolution to the Involved and Interested agencies listed in the December 7, 2023, Project Notification Review Letter (PNRL).

BE IT FINALLY RESOLVED that the Board does hereby direct that copies of this resolution are to be provided to the Farmington Town Clerk; the Farmington Town Highway and Parks Superintendent; the Working Supervisor of the Farmington Town Water and Sewer Department; the Town Code Enforcement Officer; the Town Engineers, MRB Group, D.P.C., Attn: Lance S. Brabant, Director of Planning Services; the Town Director of Planning and Development; the Applicant; and the Applicant’s Engineers.

The following vote on 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. DELUCIA, seconded by MR. VIETS, that the reading of the following resolution be waived and that the resolution be approved:

**Town of Farmington Planning Board Resolution
Paddock Landing Incentive Zoning Project
Directing the Preparation of Parts 2 and 3
of the Full Environmental Assessment Form (FEAF)**

PB #1201-23 Overall Preliminary 186-Lot Subdivision
PB #1202-23 Overall Preliminary Site Plan

Applicant: Canandaigua Development Company LLC, 83 South Main Street, Canandaigua, N.Y. 14424

Action, PB #1201-23:

Overall Preliminary Subdivision Plat approval involving a total of 186 single-family residential lots and three commercial lots, all of which are located on a total of 147.7 acres of land, identified as Tax Map Accounts 29.00-2-14.000 and 29.00-2-13.100; and as further identified as the Paddock Landing Subdivision, owned by Canandaigua Development Company LLC. The proposed Action involves creating a total of 186 residential lots with related site improvements on approximately 136.11 acres of land; and creating three commercial lots, containing a total of approximately 11.59 acres of land involving a total of 50,000 square feet of commercial buildings and related site improvements. The properties are generally located along the north side of New York State Route 96, east of Fairdale Glenn, south of Collett Road and west of County Road 8. The sites are zoned IZ Incentive Zoning.

Action, PB #1202-23:

Overall Preliminary Site Plan approval to erect a total of 186 single-family residences with related site improvements and erecting three commercial buildings involving a total of 50,000 square feet of building space with related site improvements.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board), as the designated Lead Agency under the provisions within 6 NYCRR, Part 617, of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Board, being the designated lead agency is now obligated to complete the SEQRA process for making a Determination of Significance upon the above referenced Actions.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby instruct the Town Director of Planning and Development to complete drafts of the Parts 2 and 3 of the FEF for the above referenced Actions and to submit them to the Board, for its review and acceptance at their meeting on Wednesday, February 7, 2024.

BE IT FURTHER RESOLVED that the Board instructs the Town Director of Planning and Development to also draft a resolution for making a Determination of Significance for the Board's review and acceptance at the Wednesday, February 7, 2024, meeting.

BE IT FINALLY RESOLVED that the Board does hereby direct that copies of this resolution are to be provided to the Farmington Town Clerk; the Farmington Town Highway and Parks Superintendent; the Working Supervisor of the Farmington Town Water and Sewer Department; the Town Code Enforcement Officer; the Town Engineers,

MRB Group, D.P.C., Attn: Lance S. Brabant, Director of Planning Services; the Town Director of Planning and Development; the Applicant; and the Applicant’s Engineers.

The following vote on 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. NEW PUBLIC HEARING: TWO-LOT PRELIMINARY RE-SUBDIVISION

PB #0101-24 Preliminary Two-Lot Re-subdivision Application

Name: Jason LaPlant, 353 Lyndon Road, Fairport, N.Y. 14450

Location: South side of State Rout 96, west of County Road 28

Zoning District: A-80 Agricultural District

Request: Preliminary Two Lot Re-Subdivision Plat approval of Land, identified as Tax Map Account 43.00-1-4.300, containing approximately a total of 9.538 acres of land; and as further to be identified as Preliminary Re-Subdivision of Lot C of the Charles LaPlant Subdivision. The proposed action involves creating Lot R-C consisting of approximately 6.518 acres with existing barn and Lot R-D consisting of approximately 3.020 acres. Both lots are to remain as non-approved building lots requiring site plan approval before any Building Permits may be issued.

Mr. Hemminger opened the Public Hearing on this application.

Ms. Vanderwall presented this application.

Ms. Vanderwall said, future owner of the proposed Lot #R-D. I'm here with the current owner of Lot C Jason LaPlant and also my husband Fran Vanderwall future co-owner of Lot #R-D. The application is approximately eight acres of vacant land. Looking to subdivide that into 2 areas. One being retained by Jason LaPlant, that would be the proposed Lot #R-C that is approximately five acres and then the remaining approximately three acres would be retained by my husband and myself as proposed Lot #R-D. Nothing has changed since we submitted the application. However, we do have some questions or potential objections to some of the resolutions that were proposed. With regards to the

proposed condition #7, it identifies the two lots map Zone C Area of a minimal flood zone hazard. It is our understanding from speaking with Jason LaPlant and also his father, who has owned this property for a long time, that had never been designated in a flood zone previously. I did look up the FEMA Federal Charts and I did see on the charts that this was not designated as a flood zone and nor were any of the properties surrounding the area. So, we are wondering where that came from?

Mr. Brand said it came from the federal insurance rate map and anything that is not shaded is Zone C minimal flood hazard. You need to put that on your subdivision plat to avoid the need for federal insurance when you take out a loan, or you go to sell the property. So, it's very simple. Just put down the Zone C map panel number, community number, and the effective date. Those maps will be subject to change this year. FEMA is updating those, so I encourage you to get that in as soon as you can.

Ms. Vanderwall said the second question or objection is with regards to the proposal in section 8 that these lots are not approved for the storage of any recreational vehicles. That is a sticking point for us. It's my understanding that there is nothing within the code that has this restriction, and we would ask for that to be removed.

Mr. Delpriore said I will address that one. These lots are not approved for that, it's just a vacant lot so storage of recreational vehicles would not be approved. You could apply for that under your site plan, but as it is right now, it is zoned as just farmland so that you cannot be storing anything out there.

Mr. Vanderwall said it's always been zoned to farmland. We have addressed this issue with the Town previously. We have spoken with the Code Officers, and we are told that the placing of stone or the storage of campers on the property are fine and no permits are needed for either. That was by John Weidenborner, and we do have that in writing.

Mr. Delpriore said that was our previous Zoning Officer, who is no longer with the Town.

Ms. Vanderwall said my understanding is the code hasn't changed since then. There is no provision. There is nowhere that I see in the reading of the code that would require a permit for the storage of any of those vehicles.

Mr. Delpriore said as long as it was just being used as just storage.

Ms. Vanderwall said correct. That is all that this is.

Mr. Delpriore said I would beg to differ because when we investigated it last time it did not appear they were just being stored.

Mr. Hemminger said Dan is the Code Officer, by the way.

Ms. Vanderwall said understandable but there is nothing more than storage here. I think what you just said, for the record, will reflect that you can store the vehicles in here you

just can't reside in them, but it looked like there was more than storage happening here. But the provision says the lots are not approved for the storage. I don't understand if you're saying that there's no objection to storage, why would there be a provision that says these lots are not approved for storage.

Mr. Delpriore said that would be up to the Board.

Mr. Hemminger said, and we take the Code Building Department and the Code Officers comments very seriously. They live this stuff inside and out. We will talk about it amongst ourselves and see if we decide we want to pull it, but I'm not sure we will.

Ms. Vanderwall said there is nothing in the code that has that language. I understand that if there's an existing code violation then that would be an issue but that wouldn't have to be written into the map. That would be something that would already exist. There wouldn't need to be a resolution in that regard and if there was a violation that would be something that would be addressed at a later date. But to say, now, that there is some violation that doesn't even occur that we're going to add language in that goes against what the code says would not be appropriate.

Mr. Hemminger said we have had problems in the past, correct Dan?

Mr. Delpriore said there has been concerns. It was investigated, as she mentioned, from our Zoning Officer. She is saying that it's there for storage. The Building Department cannot prove or disprove it's just being for storage but aerial photos it does look like there is more than just storage going on. So, we are recommending to the Board for your consideration tonight to add that verbiage in to the subdivision.

Mr. Hemminger said okay, the Board will review it.

Ms. Vanderwall said but the wording itself, I just want to be clear, the wording itself is the lots are not approved for storage of any vehicles. We are saying that storage is allowed, but now you are saying, that just for us, we don't allow storage. I understand you don't allow more than storage, but there's nothing in this petition that would change that or change the code we're not asking that. We are just asking that a special provision that doesn't apply to anybody else applied to us would not be appropriate.

Mr. Delpriore said this Board has put that provision in before for other lots, so it would not be just applying to yourself.

Mr. Hemminger said we will talk about it when it's our turn. Anything else? Okay, we will turn over to staff. Ron?

Mr. Brand said I have drafted your resolutions for SEQR and for conditional approval. They have been posted and you have them before you.

Mr. Hemminger said we have a SEQR resolution and a preliminary re-subdivision approval. Dan?

Mr. Delpriore said again, this was sent out to all Town staff and our comments have come back. Our comments were drafted in the resolutions.

Mr. Ford said I have no comments on this.

Mr. Brabant said I have no comments on this.

Mr. Hemminger asked if anyone in the meeting room wished to comment or ask questions on this application.

Richard Rioch from 4944 State Route 96 said I live across the road from the property. I have no problem with the subdivision of the property occurring across me. It will be great to have Jason and his friends across from me.

Mr. Hemminger said okay, thank you. Is there anyone else who would like to make a comment?

There were no comments or questions from those in the meeting room.

Mr. Hemminger then asked if anyone on the remote video conference wished to comment or ask questions on this application. There were no comments or questions from those on the remote video conference.

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

Mr. Viets then made a motion to close the public hearing, and that motion was seconded by Mr. Bellis. Motion passed with all voting aye.

Mr. Hemminger said alright, the public hearing is now closed.

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

**Town of Farmington Planning Board Resolution
Preliminary Re-Subdivision Plat
SEQR Classification**

PB #0101-24

Applicant: Jason LaPlant, 353 Lyndon Road, Fairport, N.Y. 14450

Action: SEQR classification for Preliminary Two- (2-) Lot Re-Subdivision Plat approval, proposing further subdivision of Lot C (Tax Map Account

No. 43.00-1-4.310) of the Charles D. LaPlant Subdivision Lots A, B and C, creating Lots R-C and R-D, both proposed Lots are classified unimproved Lots subject to site plan approvals. The proposed Lot R-C will contain 5.206 acres of land and proposed Lot D will contain 3.247 acres of land. Both proposed Lots are located along the south side of State Route 96, approximately 1,125 feet west of the County Road 28 intersection.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has reviewed the proposed application identified above herein under the provisions of Parts 617.4 and 617.5 of 6 NYCRR Part 617, the State’s Environmental Quality Review (SEQR) Regulations; and

WHEREAS the Planning Board has received and reviewed the Applicant’s Part 1, Short Environmental Assessment Form (SEAF) as part of the application process; and

WHEREAS, the Planning Board must classify the proposed Action under consideration.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby determine the proposed Action identified above herein involves the re-subdivision of a lot into two (2) lots for filing in the Ontario County Clerk’s Office and does not include any approval for development of either lot. Therefore, the proposed Action is classified under §617.5 (c) (23) the mapping of land ownership patterns and is a Type II Action under SEQR.

BE IT FURTHER RESOLVED that Type II Actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under the State’s Environmental Conservation Law, Article 8.

BE IT FINALLY RESOLVED that the Planning Board directs the filing of this classification with the project file and requests copies be provided to the Applicant and the Applicant’s Engineer.

The following vote on 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 said now we come to the resolution for the preliminary re-subdivision. That has the condition for the lots not being approved for storage of recreational vehicles. Adrian, you said you had some comments.

Mr. Bellis said I thought this property, at one time, got divided years ago and somebody was living in an RV up on the land or something at one point. That's what he brought to us that he was going to live on the land temporarily here and there. I thought at some point somebody was kind of living there seasonally or something, but I don't remember when that was. That's all I wanted to say on that. Then that one little garage up front by the road that's still staying I assume on the property?

Mr. Delpriore said from what we have been submitted, yes.

Mr. Bellis said and won't that need a variance or something because it's in front of the house or no.

Mr. Delpriore said it is now going to become pre-resisting nonconforming.

Mr. Hemminger said and remember today we are just doing, theoretically, the lines on the paper because it's a subdivision. Aaron, any other comments and what are your thoughts on the lots not approved for storage?

Mr. Sweeney said the only thing I have to say, and I was just looking it up, this lot an A-80 lot, is only approved for one accessory structure. So, if we were to go the route of having recreational vehicle storage, there would have to be some changes to the lot like what you are doing with the other buildings outside the house.

Ms. Vanderwall said there is no house. As far as the structures of the building that is a separate piece of property it is not the property that we are talking about. Property C is only vacant land there's no structures at all on the property.

Mr. Sweeney said where are you thinking of putting the storage for the RV.

Ms. Vanderwall said storage of the RV, there would be one on lot C and one on lot D and it's a couple of months in the summer.

Mr. Hemminger said but it is just storage, no one is living in it, nothing like that? No utilities?

Ms. Vanderwall said correct.

Mr. Hemminger said anything else?

Mr. DeLucia said the only statement I would make, is I support the recommendation by staff for item #8 on the resolution.

Mr. Hemminger said leaving item #8 in there, lots are not approved for the storage of any recreational vehicles or campers. What does the rest of you think about that? Leaving it in or taking it out, what's your thoughts?

Mr. Viets said if it is for a set amount of time that it would be out there. Why is it being stored for only that amount of time?

Mr. Delpriore: Said you have vacant lots. If they want to submit for a site plan and have areas for storage, you can absolutely approve it at that point.

Mr. Viets said that is what I thought this was just a subdivision.

Mr. Hemminger said it is only a subdivision.

Mr. Delpriore said if they want to move forward and have that condition changed at site plan they could do that.

Mr. Hemminger said when were you planning to do a site plan for building on those lots?

Mr. Vanderwall said we're not. This is vacant land we are not looking to do a site plan anytime soon. We're not looking to do anything other than for a few months in the summer to park these luxury RVs on this property. We are both homeowners. We own our own home. We are about five minutes away from the property. We do not live in our RV's; we use them recreationally. We have small driveways so when they are not in their winter storage they are parked out there out there for few months in the summer and then we leave from there to go camping when we do stay in them, but we don't do that there. We do not dry camp. We go to luxury campgrounds with our RVs. So, this is just a place where we can put a stone pad and park our RV's, so they are safe and secure.

Mr. Hemminger said can we change the wording in some way to say not approved for usage of RV's on there? Which is really what we are concerned with, we are not necessarily concerned with the storage. We are concerned to be used, right?

Mr. Bellis said today is the lot line stuff I think we would need to know is where a driveway is going to be for each lot and just the pad or whatever to know what is going.

Mr. Delpriore said this is preliminary right now.

Mr. Hemminger said its preliminary subdivision.

Mr. Delpriore said I can provide the Board more information of where the Building Department is coming from on these conditions. If you want to remove it for today, we can revisit it for final so I can provide more information to the Board.

Mr. Hemminger said and with that, I would say for you the applicant, to give us a little more detail of where the drive is, where you plan to park, where the pad is to park them, that type of thing with the final, so that maybe we can make a better determination. We will plan to remove this at this point, but we will reconsider it on final because typically we don't mix this type of thing in too much with the subdivision. We try to address those in the site plan but since we are not going to get a site plan for this one and we've had some

potential issues before that's why it was added in. So, we will take it out this time, but we will consider it for final.

Ms. Vanderwall said there has never been an issue. There's never been a violation. There has never been anything that was sited. There was a case that was open, and we were told that we're sorry it's closed we've misunderstood. We got an apology.

Mr. Hemminger said we will let them review it and get us some more information for final and we will take it out at this time. We have a resolution in front of us, we explained #7 for you because Zone C is the minimal flood area and that gives you so you don't have to pay flood insurance, but we will take #8 out and with that modified resolution. Do I have a motion to approve?

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

**Town of Farmington Planning Board Resolution
Preliminary Re-Subdivision Plat Approval with Conditions**

PB #0101-24

Applicant: Jason LaPlant, 353 Lyndon Road, Fairport, N.Y. 14450

Action: Preliminary Two- (2-) Lot Re-Subdivision Plat approval, proposing further subdivision of Lot C (Tax Map Account No. 43.00-1-4.310) of the Charles D. LaPlant Subdivision Lots A, B and C, creating Lots R-C and R-D, both proposed Lots are classified unimproved Lots subject to site plan approvals. The proposed Lot R-C will contain 5.206 acres of land and proposed Lot D will contain 3.247 acres of land. Both proposed Lots are located along the south side of State Route 96, approximately 1,125 feet west of the County Road 28 intersection.

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

WHEREAS, the Planning Board has, under separate resolution, classified the proposed Action as a Type II Action thereby satisfying the procedural requirements under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Board has, at tonight's Public Hearing, received testimony and reviewed the application.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to approve with conditions the Preliminary Re-Subdivision Plat drawing, prepared by David J. Hanley, Licensed Land Surveyor, dated November 27, 2023, and entitled "Final

Plat Re-Subdivision of Lot C of the Charles D. LaPlant Subdivision, Lots Of A, B and C,” as follows:

1. The title of the Plat Map is to be amended to read . . . “Preliminary Re-Subdivision Plat, Lot C of the Charles D. LaPlant Subdivision, Lots A, B and C, Creating Lots R-C and R-D.”
2. The dotted/dashed line shown on the drawing between Lots C and D is to be changed to a solid boundary line.
3. Lots C and D shown on the Preliminary Re-Subdivision Plat Map are to be identified as Lots R-C and R-D.
4. There is to be a note added to the drawing that reads . . . “No Building Permits shall be issued for development of Lots R-C or R-D until Final Site Plan Approvals have been granted by the Planning Board.”
5. The Revision Box shown in the upper right corner of the drawing is to either be completed or removed.
6. The Note shown on the drawing, relating to a Park and Recreation Fee, is to be changed to identify Lots R-C and R-D.
7. There is to be a Note added to the drawing that identifies these two lots lie within a Mapped Zone C Area of Minimal Flood Hazard and include the FIRM Panels Number, Community Number and Effective Date.

BE IT FURTHER RESOLVED that Type II Actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under the State’s Environmental Conservation Law, Article 8.

BE IT FINALLY RESOLVED that the Planning Board directs the filing of this classification with the project file and requests copies be provided to the Applicant and the Applicant’s Engineer.

The following vote on 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 PUBLIC HEARING: PRELIMINARY FIVE-LOT RE-SUBDIVISION

PB #0102-24 Preliminary Five-Lot Re-Subdivision Application

Name: Frank DiFelice, 91 Victor Heights Parkway, Victor, N.Y. 14564

Location: 5998 State Route 96

Zoning District: IZ Incentive Zoning

Request: Preliminary Five Lot Re-Subdivision Plat approval of Land, identified as Tax Map Account 29.11-3-15.000, containing approximately a total of 4.6 acres of land; and as further to be identified as Preliminary Re-Subdivision for Redfield Grove Commercial Development. The proposed action involves creating Lot R-1 consisting of approximately .226 acres with existing house, Lot R-2 consisting of approximately 1.135 acres, Lot R-3 consisting of approximately 1.017 acres, Lot R-4 consisting of approximately 1.077 acres and Lot R-5 consisting of approximately 1.118 acres. All lots are to remain as non-approved building lots requiring site plan approval before any Building Permits may be issued.

Prior to the meeting on December 7, 2023, Mr. Tomlinson (Marathon Engineering) submitted the following information:

On behalf of our client, DiFelice Development, we are pleased to submit the above-referenced project for your review. We request this application be placed on the Planning Review Committee agenda of January 4, 2024, and the Planning Board agenda of January 17, 2024, for Preliminary Overall Subdivision Approval. At this point, only Subdivision Approval is being requested. The applicant understands Site Plan Approval will be required in order to develop any/all of the lots.

Local Law No. 9 of 2023, approved by the Town Board on November 25, 2023, modified the Incentive Zoning requirements and approved amending the Overall Subdivision Plat, subject to the Planning Board's approval, for the Phase 3 portion of the Redfield Grove Incentive Zoning Project which is 5.42 ± acres.

There are now four lots fronting on Commercial Drive (Lots 2–5). These four lots encompass 4.347± acres on the east side of Commercial Drive, extending 1,345± feet northward from State Route 96. The fifth lot to be created is a small parcel (0.226± acres) with an existing structure now proposed to remain (Lot 1).

No variances are required.

The following information was provided to the Town Board and the Planning Board as part of the Incentive Zoning Modification process:

The use for each of the four proposed lots is Business Office/Specialty Retail Use, whereas the original use for the southeast corner of Commercial Drive and State Route 96 was Commercial. The lots on the east side of Commercial Drive have been designed with two rows of parking between the building and Commercial Drive, providing additional parking and interconnected access for safe and convenient access. The rear yards of these lots that abut residences will be landscaped, providing more green space behind the buildings than the original layout which had parking and a rear drive aisle located approximately 17 feet from the residential lots. In addition, a 6-foot fence will be installed along the rear lot lines.

The southernmost access from Commercial Drive is located 342 feet north of State Route 96, which complies with the Major Thoroughfare Overlay District (MTOD) Requirements. Lighting and pedestrian amenities will be installed along NYS Route 96 in accordance with the Main Street Overlay District (MSOD) guidelines.

—Matt Tomlinson, Marathon Engineering
December 7, 2023

Mr. Hemminger opened the Public Hearing on this application.

Cole Papasergi presented this application.

Mr. Papasergi said we are here today to discuss the re-subdivision Redfield Grove the commercial development land as you said at address 5998 State Route 96 which spans part of the of Commercial Drive. This was zoned incentive zoning, and we were in front of this board recently, as a referral from the Town Board, to get that revised and that has been approved. This application is for subdivision only, so just the lines. All the subdivided lots would require further site plan approval before a building permit would be issued. This is to separate existing building from the future lots.

Mr. Brand said originally when this was approved back in 2015, the eastside of Commercial Drive from Route 96 consisted of five proposed commercial lots. What we have now is five commercial proposed lots with the distinction being that four of the lots are along the eastside of Commercial Drive and the fifth lot is the residential dwelling on Route. 96. From the Town's perspective that's a much better impact on transportation because it doesn't have access to 96 from a much larger parcel of land that could have been developed. Although the NYSDOT didn't object to it, it still is an improvement. The action tonight before you is to draw lines on a plat map and to file final plat approval with the County Clerk so that there will be five building lots there that were approved by the Town Board.

Four on the eastside of Commercial Drive one on Route 96 next to what used to be Cassidy's restaurant and that's basically it.

Mr. Hemminger said right, and this is the preliminary drawing lines on a map and there will still be a final. Then at some point we hope that Frank will sell the lots or get a developer in there and we will then see a site plan on the actual lots on what will go in there. Dan?

Mr. Delpriore said it's pretty simple tonight. It has been reviewed by staff and the comments have been added for conditions and for your consideration.

Mr. Hemminger said before I go into the public hearing part here, let me just give you a couple pieces of information. On the Town website there is an operations report that gets put out every two weeks that lists every single project that's going on in this Town and the current status of it. So, if you go online, and if you can't find it, call the staff and find out. That will give you a list of all the applications in the Town and what's going on with them. You'll also know that you can attend any of these meetings via Zoom. So, if you ever just want to check in on what we're doing in our exciting meetings, you can always pop on Zoom and find out what's going on. All our resolutions and our agendas and our minutes and all that is filed on the website. If you ever have a problem finding it, you can reach out to staff and you can come in and see any of the applications, any of the drawings, any of the information on the incentive zoning. All that is available from the Town. So just giving you that information.

Mr. Hemminger then asked if anyone in the meeting room wished to comment or ask questions on this application.

Eloise Stevens of 6031 Redfield Drive said we have property that would be adjacent to one of the lots. We have always assumed it would be a building there at some point when we purchase the property. We would like to just say that we don't really want any kind of business that would bring in semi's business because we have the semi business that we have trucks going by every day. Sometimes the sit there idling and it's not very pleasant. I would just like to ask that the last building at least not have any big trucks.

Mr. Hemminger said we will certainly keep that in mind as we move forward, but it's really premature right now because we don't have any applications for those things. Thank you very much. Would anybody else like to speak about this application?

Les Raymond of 6010 Redfield Drive said we are curious about what kind of a commercial development would be on such small lots? They are just about an acre.

Mr. Hemminger said you can look at the incentive zoning, certainly, and it will tell you what different things would be allowed there. I can't tell you on top of my head what they would be. I would assume it would be something like light industrial or offices or those

types of things. But you can come into the Town at any time and look at the incentive zoning document. It will tell you everything that would be allowed on there. Even if it's allowed on there and we look at it through the environmental record, review it, say that doesn't fit, it's not a good fit for the neighborhood and because of the environmental record we can turn around and change it enough that it's something different. We will look at it very closely.

Mr. Raymond said will you consider the traffic that it might cause?

Mr. Hemminger said we always consider traffic. We have traffic studies on everything. We have traffic studies, well we just had traffic study, as you heard, on that 186 Lot development, there was a traffic study. So, yeah, we will definitely look at traffic. We look at noise. We look at everything if you look at the environmental record, we look at it all.

Mr. Raymond said so that we can count on you guys to take care of us.

Mr. Hemminger said of course, but I would definitely, make sure you have oversight of us to make sure you give your input. I live across the street, so I live down there and I have a friend who lives in your area. So certainly, I'll hear about it one way or the other, but don't be shy of keeping on top of it yourself. We could all be gone from here tomorrow and a new board come in so keep an eye on it for yourselves. But this Town in my opinion, and I've only been doing this for about 26 years, I have been very good at taking care of these type of things in the Town making sure that they fit, making sure that they're not a lot of issues with the neighboring properties. You also got all that property behind you, which is where he lives, behind the Commercial Drive lots there, the lot on the other side is where Adrian lives. We are very careful, and we are very cautious about all of the properties down through there. Anyone else?

Bill Schell of 5976 Redfield Drive said two maybe three concerns, sir. One is the as these lot lines get drawn, we are already experiencing erosion runoff from the last house on the street where the micro dirt is filling in lawns. It is costing Redfield Grove Homeowners Association the money to replace and reseed these lawns, so we are already dealing with that.

Mr. Hemminger said the Building Department will take a look at that and see what's going on.

Mr. Schell said we are already dealing with the concern that we have what we feel is an improperly designed water pit at the top of Redfield Drive. I took a bowling ball and put it in the sewer line out there and it goes toward 96. We were told that all the water that comes off of these lots when they were developed will go toward that pit, yet that road pitches towards 96. We are wondering if maybe we can get that whole of the ground fill in

at some point cause the overflow drainage is eight feet out of the bottom of that and we had never seen water in it.

Mr. Hemminger said okay, let's let the Building Department make a comment on that.

Mr. Delpriore said I've talked to the homeowners association that was designed and engineer, as the developer is well aware of, and the requirement of an MS4 community it has been through our engineering MRB, and I will let Lance speak upon that too on why that's there, but it was a requirement for storage of water.

Mr. Schell said I believe that the engineer that built that quit when he was challenged and now there is a new engineering firm involved.

Mr. Hemminger said we have a Town Engineer, who has already reviewed it, and this was part of the initial

[Mr. Schell cut off Mr. Hemminger prior to allowing him to finish he statement]

Mr. Schell said my third comment goes back to the traffic, which I know you guys take care of, we have already seen high-speed pick-up trucks traffic zipping through there now because Redfield Drive is now connected all the way through. We have a sidewalk that comes out and there's a point to it where there's a handicap off walk and now it's starting to break up because of the cut over. We had a stake out there that the highway marks for snow plowing and that was run over by somebody and now that stake is gone. It seems like Redfield Drive is in the back seat here, taking it on a chin from any developers that come along. Thank you for listening.

Mr. Hemminger said okay, we got it on record. I mean, all the roads in the Town, all the streets in the Town developments like that are 30 miles per hour, right?

Mr. Ford said yes, 30 miles per hour.

Ms. Stevens said there is no sign from 96 that does the speed limit. You can get the speed limit coming from Hook Road, but I don't believe there's any sign from 96 that gives you the speed limit.

Mr. Ford said I will look into that.

Mr. Hemminger then asked if anyone in the meeting room wished to comment or ask questions on this application. There were no comments or questions from those in the meeting room.

Mr. Hemminger then asked if anyone on the remote video conference wished to comment or ask questions on this application. There were no comments or questions from those on the remote video conference.

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

Mr. Bellis then made a motion to close the public hearing, and that motion was seconded by Mr. Sweeney. Motion passed with all voting aye.

Mr. Hemminger said alright, the public hearing is now closed.

■ 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:

**Town of Farmington Planning Board Resolution
Preliminary Re-Subdivision Plat Approval with Conditions
SEQR Classification**

PB #0102-24

Applicant: Frank DiFelice, 91 Victor Heights Parkway, Victor, N.Y. 14564

Action: Preliminary Five (5) Lot Re-Subdivision Plat approval of Tax Map Account No. 29.11-3-15.000 of the Redfield Grove Incentive Zoning Project Phase 3, with all five (5) proposed Lots classified unimproved Lots subject to site plan approvals. The proposed re-subdivision of land is located along the east side of Commercial Drive and north side of State Route 96.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has reviewed the proposed application identified above herein under the provisions of Parts 617.4 and 617.5 of 6 NYCRR Part 617, the State’s Environmental Quality Review (SEQR) Regulations; and

WHEREAS the Planning Board has received and reviewed the Applicant’s Part 1, Full Environmental Assessment Form (FEAF) as part of the application process; and

WHEREAS, the Planning Board must classify the proposed Action under consideration.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby determine the proposed Action identified above herein involves the re-subdivision of a parcel of land originally identified as Lot No. 70 of the Overall Preliminary Plat Redfield Grove Incentive Zoning Project, into five (5) lots for filing in the Ontario County Clerk’s Office and does not include any approval for development of any of the proposed lots. Therefore, the proposed Action is classified under §617.5 (c) (23) the mapping of land ownership patterns and is a Type II Action under SEQR.

BE IT FURTHER RESOLVED that Type II Actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under the State’s Environmental Conservation Law, Article 8.

BE IT FINALLY RESOLVED that the Planning Board directs the filing of this classification with the project file and requests copies be provided to the Applicant and the Applicant’s Engineer.

The following vote on 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:

**Town of Farmington Planning Board Resolution
Preliminary Re-Subdivision Plat Approval with Conditions**

PB #0102-24

Applicant: Frank DiFelice, 91 Victor Heights Parkway, Victor, N.Y. 14564

Action: Preliminary Five- (5-) Lot Re-Subdivision Plat approval of Tax Map Account No. 29.11-3-15.000 of the Redfield Grove Incentive Zoning Project Phase 3, with all five (5) proposed Lots classified unimproved Lots subject to site plan approvals. The proposed re-subdivision of land is located along the east side of Commercial Drive and north side of State Route 96.

Whereas, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has reviewed the proposed application identified above herein under the provisions of Parts 617.4 and 617.5 of 6 NYCRR, the State’s Environmental Quality Review (SEQR) Regulations and has, under separate resolution, determined the Action is classified under §617.5 (c) (23) as the mapping of land ownership patterns a Type II Action and thereby satisfying the procedural requirements under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Board has tonight received public testimony and reviewed the Applicant’s Part 1, Full Environmental Assessment Form (FEAF) as part of the application process; and

WHEREAS, the Planning Board has reviewed the Ontario County Planning Referral No. 01-2024 which recommends approval with comments.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby approve with conditions the above listed Action as follows:

1. The title of the plat map is to be changed to read . . . “Preliminary Re-Subdivision Plat Approval Lot No. 70 (Tax Map Account 29.11-3-15.000) creating Lots 1 through 5, Phase 3, Redfield Grove Incentive Zoning Project.”
2. Lots #71 (Tax Map Account 29.11-3-1) and #72 (Tax Map Account 29.11-3-5.112) located along the west side of Commercial Drive are to be identified on this Preliminary Plat Map.
3. Redfield Drive should be identified on the plat map at the intersection with Commercial Drive.
4. Note No. 2.3, under Note 2 on the Plat Map, Zoning Regulations, needs to be clarified that there are no requested area variances and that all zoning incentives have been established by Town Board, Local Law No. 9 of 2023.
5. Note No. 2.2, under Note 2, Zoning Regulations, is to remove all references to Lot #71, as this existing lot is not being re-subdivided as part of this application.
6. Note No. 2.2, under Note 2, Zoning Regulations, is to include a Min Lot area for Lot #R-1, the existing single-family structure located along the north side of State Route 96, east of Commercial Drive.
7. Note No. 3.3, Proposed Conditions, is to clarify that there are five re-subdivided lots and that Lot #71 is not being re-subdivided and, therefore, is not a part of this application.
8. Note No. 3.3, Proposed Conditions, is to eliminate Lot #71 as being used for General Commercial Use. Lot #71 is not a part of this re-subdivision plat application. This note needs to include Lots 1–5. There should be a separate note added here that specifies the incentives granted by the Town Board for Lot #1.
9. Note No. 3.4, Amenities, is to be changed to read as follows . . . “Lot 5 shall have a vest pocket park to be maintained by the owner of all lots being re-subdivided.”
10. Note No. 3.4, Amenities, is to have a second sentence that reads . . . “All requirements of the Town’s MTOD and MSOD Overlay Districts shall apply to Lots #1 through #5 across their frontages on both State Route 96 and Commercial Drive.”

- 11. The plat drawing is to be amended to locate all signature lines in the area shown on Appendix G-13.0 of the Town’s Site Design and Development Criteria.
- 12. The plat drawing is to be revised to depict the individual setbacks for each proposed lot.
- 13. The “20- (foot)-wide stormwater easements shown on the plat map are to be identified as either proposed or existing.

BE IT FURTHER RESOLVED that there is to be a note added to the plat map that reads as follows . . . “Lots 1 through 5 are classified as non-approved lots requiring Final Site Plan Approvals for each lot prior to the issuance of Building Permits.”

BE IT FURTHER RESOLVED that the Applicant’s Engineer is make these amendments to the plat drawing and then submit it to the Town Code Enforcement Officer for his review and acceptance for signing.

BE IT FURTHER RESOLVED that the Planning Board’s approval with conditions is valid for a period of 180 days from today and shall automatically expire if the plat drawing has not been signed by all.

BE IT FURTHER RESOLVED that once the preliminary plat map has been signed and a copy filed with the Town Development Office then the CEO may accept an application for Final Re-Subdivision Plat Approval to be scheduled for a future Planning Board meeting.

BE IT FINALLY RESOLVED that the Planning Board directs the filing of this resolution with the Farmington Town Clerk’s Office, the project file and further directs copies be provided to the Applicant and the Applicant’s Engineer.

The following vote on 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 71-LOT SITE PLAN

PB #0103-24 Preliminary 71-Lot Site Plan Application

Name: Canandaigua Development Company LLC, c/or Robert Brenner, 83 South Main Street, Canandaigua, N.Y. 14424

Location: 1532–1582 Alfalfa Crescent and 1561–1589 Meadowbrook Lane

Zoning District: R-7.2 Planned Subdivision

Request: Preliminary Site Plan approval for construction of 71 single-family homes with supporting infrastructure and a stormwater management facility.

Mr. Laber (Schultz Associates) presented this application.

Mr. Laber said not a whole lot of information that I'm sure is new to you all, but I can run through it if you'd like me to. This is Phase 7A and section 2 of Phase 7B basically the balance of Farmbrook. All the way on the eastside of the project it is about 18 acres total, including the HOA parcels. Currently it is brush covered out there. 71 residential lots. Just recently, I think last month it was, the re-sub was filed so the lots in 7A, 46 of them I believe, have been moved to the new locations in order to provide an area for the stormwater management facility. The extension of Meadowbrook Lane and Alfalfa Crescent both will be done to their limits. All utilities extended along them also. Utilities on Meadowbrook Lane will be taken to the far extends on the southside of the parcel. As I mentioned the stormwater management facility right between the two phases 7A and 7B. I don't know if anyone here is interested in the design of the public, but and run through that real quick. It's been designed to handle the balance of the project in Farmbrook and also the rear lots that back up to it in Section 1 of 7B.

Mr. Hemminger said because we had some drainage issues, I believe.

Mr. Laber said yes, the leftover because basically 7A was never developed the grade left high and it was impacting the rear yards of those existing homes so that the drainage couldn't get out. This pond will basically create a sink for all that and be positive drainage away from all those homes. It should solve a lot of problems that are back there. All the side slopes are being designed to Town and DEC requirements. The pond will reduce the runoff rate from the site significantly between 60 and 80% of what's out there existing. So, this should be a benefit to this area and this portion of the drainage shed in Farmbrook. We have gotten the review comments from all Town staff, I believe at this point we've responded to all of them, but the Town Engineer and we are working through those and don't see an issue in addressing those.

Mr. Brand said I have drafted two resolutions for you tonight, SEQR and preliminary site plan approval with conditions. The project is a classic example of something approved years ago, back in the late '60's, and without forethought of run off issues that have continued to plague this area. This proposal is consistent with the state guidelines and regulations of the Town. The only comment that I've heard, so far, is from the Canandaigua

City School District who wants to just make everybody aware that they still would like to be able to turn their buses around and not have to create new routes here while this is under construction. They are pretty much in favor of completing this because it's going to facilitate their route. With that, I think, we are ready to move forward here tonight and hopefully move forward with final in the near future.

Mr. Delpriore said this was sent for staff review. There was comments generated. We have heard back from the applicant on a lot of those. I know he is still working through engineering comments. We also have spent a tremendous amount of time looking at stormwater here because of the additional stormwater issues up there from the existing subdivision. As the applicant has mentioned this should resolve a lot of it and make it a lot better for our current residents out there and for future residents. A lot of good things here and I think we are in a good spot to move this one forward.

Mr. Ford said my comments, were just a complete build out of Alfalfa Crescent and Meadowbrook and from the existing house taking out that black top and putting in fresh and making sure the base is to Town spec. Also, the one house on the end, just flopping the driveway around so the snowplow can plow past the driveway.

Mr. Brabant said just to kind of go backwards a little bit, the original Farmbrook residential subdivision or development predates a lot of the stormwater criteria and requirements that are before us now. A lot of the drainage issues that are out there, we obviously tried to handle as much as we could with this development but with the understanding that we can't solve all the problems. Schultz Associates did as much as they could to address some of the existing issues out there while designing the system to handle all the new development. So, I commend Schultz Associates and them for going through that process. I know during the subdivision application we were reluctant to move forward with subdivision until we could address the stormwater issue. So most of our technical comments were issued as part of the subdivision process and addressed as part of the subdivision process. We have some lingering comments that we are just fine-tuning. I don't have anything substantial as relates to the site plan application that's before you tonight. Obviously, we will work through preliminary comments with Schultz Associates to address them, but I just want to kind of overstate a little bit on the stormwater.

Mr. Hemminger asked if anyone in the meeting room wished to comment or ask questions on this application. There were no comments or questions from those in the meeting room.

Mr. Hemminger then asked if anyone on the remote video conference wished to comment or ask questions on this application. There were no comments or questions from those on the remote video conference.

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

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

**Town of Farmington Planning Board Resolution
Section 7A & 7B Farmbrook Preliminary Site Plan
SEQR Classification**

PB #0103-24

Applicant: Robert Brenner for Canandaigua Development Company, LLC,
83 South Main Street, Canandaigua, N.Y. 14424

Action: Preliminary Site Plan approval, Section 7A, Alfalfa Crescent, Lots 1532 through 1582; and Section 7B, Meadowbrook Lane, Lots 1561 through 1589; for the construction of a total of seventy-one (71) single-family dwellings and stormwater facility on 18.34 +/- acres of land.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has tonight opened a public meeting upon the above referenced Action; and

WHEREAS, the Board, in May of 2022, previously classified the proposed Action (PB #0501-22, Preliminary Re-Subdivision Plat Approval) as a Type I Action involving the development of more than ten (10) acres of land; and

WHEREAS, the Board previously completed a coordinated review with Involved and Interested Agencies; and

WHEREAS, the Board was previously designated the Lead Agency for this Action on June 15, 2022, in accordance with the provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Board, as the designated Lead Agency, having made a Determination of Non-Significance upon said Action (PB #0501-22) has satisfied the procedural requirements provided within SEQRA for the above referenced related Action (PB #0103-24).

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby move to reaffirm this Determination of Non-Significance and that this Preliminary Site Plan Application does apply to the previously related Action (PB #0501-22) and that this Action avoids segmentation as defined under 6NYCRR, Part 617, a part of article 8, of the New York State Environmental Conservation Law.

BE IT FURTHER RESOLVED that the Board in making this determination has satisfied the procedural requirements under SEQRA and directs this resolution be placed in the Project Files and that certified copies be provided to the Applicant and the Applicant’s Engineers.

The following vote on 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. VIETS, seconded by MR. SWEENEY, that the reading of the following resolution be waived and that the resolution be approved:

**Town of Farmington Planning Board Resolution
Section 7A and 7B, Farmbrook Preliminary Site Plan
Approval with Conditions**

PB #0103-24

Applicant: Robert Brenner for Canandaigua Development Company, LLC,
83 South Main Street, Canandaigua, N.Y. 14424

Action: Preliminary Site Plan approval, Section 7A, Alfalfa Crescent, Lots 1532 through 1582; and Section 7B, Meadowbrook Lane, Lots 1561 through 1589; for the construction of a total of seventy-one (71) single-family dwellings and stormwater facility on 18.34 +/- acres of land.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has tonight opened a public meeting upon the above referenced Action; and

WHEREAS, the Board has received testimony at tonight’s meeting; and

WHEREAS, the Board has given consideration to the referral recommendations contained in the Ontario County Planning Board’s January 10, 2024, referral # 03–2024; and

WHEREAS, the Board tonight has, by separate resolution, reaffirmed its previous Determination of Non-Significance, in May of 2022, previously classified the proposed Action (PB #0501-22, Preliminary Re-Subdivision Plat Approval) as a Type I Action involving the development of more than ten (10) acres of land; and

WHEREAS, the Board, as the designated Lead Agency, having made a Determination of Non-Significance upon said Action (PB #0501-22) has satisfied the procedural requirements provided within SEQRA for the above referenced related Action (PB #0103-24).

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby move to approve, the above referenced Action with the following conditions:

1. The drawing C-1 identifies Sections 1 & 2 of Phase 7A of Farmbrook. Yet all of the other drawings identify only Phase 7A & Section 2 of Phase 7B of Farmbrook. Title of drawing C-1 needs to be amended to include Phase 7B.
2. There needs to be a Note added to drawing C-1 that identifies which lots, in both 7A & 7B, need final site plan approvals.
3. The boundary for Phase 7B, Section 2, needs to be identified on drawing C-1. It is felt that the boundary includes Lots R-587, and Lots 588 through 611.
4. Lots #R574 & #R575 are not shown on drawing C-1. These are identified in the title shown on drawing C-1. This needs to be resolved before acceptance. If these two re-subdivided lots involve the stormwater facility site and the remaining lands of the Farmbrook Neighborhood Association, then label them accordingly on drawing C-1.
5. The “Lot Information For Phase 7A,” as delineated on drawing C-1, does not list Lots #R574 or #R575.
6. Meadowbrook Lane and all utilities need to be constructed to the south property line according to the Town’s Site Design & Development Criteria. A temporary easement will be necessary from the property owner to the south for this to happen. Otherwise, there will be a gap in the pavement, gutters, water, and sewer connections in the future.
7. Lot line connecting the remaining lands of Farmbrook Neighborhood Association to the rear lot line of Lot 636 and Lot R552 is shown correctly on drawing C-1, but not on the other drawings. Please make this correction.
8. There needs to be a General Note (Number 11) added to drawing C-2 that reads... “A Park & Recreation Fee is to be paid to the Town Clerk’s Office as a pre-requisite to any Building Permit issued for the identified lots in Phase 7A & 7B of Farmbrook Subdivision.”
9. All of the design specification sheets are to be updated to the 2024 Town approved site design specification sheets.
10. There is to be a note added to the drawings that both Meadowbrook Lane and Alfalfa Crescent are to be dedicated to the Town before any Building Permits may be issued.
11. No lateral connections will be allowed if they are shown underneath any driveway.

12. There shall be no manholes located within any driveway.
13. Manhole SA-3 is to be labeled on the drawings.
14. The invert of the 8-inch stub from Manhole SA-3 is to be labeled on the drawings.
15. The slopes and lengths for Manhole SB-1 to SB-2 are to be verified and must match that shown on the profile page.
16. The existing blow-off of the 10-inch sized watermain is to be extended to the phase/property line (ST 58+00 +/- Meadowbrook Lane).
17. The slope between Manhole NG DA02 to DA02,2 is to be labeled correctly.
18. The storm sewer from Manhole DA-4 is to be extended to the phase/property line shown.
19. All fire hydrant separation distances are to be shown.
20. Road construction of Alfalfa Crescent is to include replacement of the existing portion of said road and gutter located at the intersection of Meadowbrook Lane.
21. The existing binder and topcoat asphalt starting at Lot #611 and extending to the south property line is to be replaced. In addition, portions of existing gutters also need to be replaced. These replacements are to be listed on the drawings.
22. The driveway location shown for Lot #597 is to be relocated to the north side of the proposed dwelling to enable Town Highway snowplows to properly clean the road in front of this lot.
23. All comments contained in the MRB Group's letter dated January 12, 2024, are to be addressed in writing and changes made to the drawings as necessary before signing of the Preliminary Site Plan drawings.

BE IT FURTHER RESOLVED that the Applicant's Engineer is to make these amendments to the plan drawings and then submit it to the Town Code Enforcement Officer for his review and acceptance for signing.

BE IT FURTHER RESOLVED that the Planning Board's approval with conditions is valid for a period of 180 days from today and shall automatically expire if the plan drawing has not been signed by all.

BE IT FURTHER RESOLVED that once the preliminary plan maps have been signed and a copy filed with the Town Development Office then the CEO may accept an application for Final Site Plan Approval to be scheduled for a future Planning Board meeting.

BE IT FINALLY RESOLVED that the Planning Board directs the filing of this resolution with the Farmington Town Clerk’s Office, the project file and further directs copies be provided to the Applicant and the Applicant’s Engineer.

The following vote on 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. FOWLER FAMILY TRUST APPLICATION:
DETERMINATION OF A COMPLETE APPLICATION**

**PB #0702-23 Fowler Family Trust Application:
Determination of a Complete Application**

Name: Christopher Kambar, P.E., 615 Fishers Run, Victor, N.Y. 14564, representing the Fowler Family Trust, 6240 Pheasants Crossing, Farmington, N.Y. 14425

Location: 6240 Pheasants Crossing and the adjacent parcel to the south

Zoning District: RS-25 Residential

Request: Preliminary Three-Lot Re-Subdivision Plat approval of land, identified as Tax Map Account 29.13-1-5.100 and 29.13-1-5.200, containing a total of 12.091 acres of land; and as further to be identified as Re-Subdivision Plat Approval Lot #5A and Lot #5B of the Pheasants Crossing Subdivision owned by Fowler Family Trust. The proposed Action involves creating Lot #R-5A consisting of 6.437 acres, Lot #R-5B consisting of 2.212 acres and Lot #R-5C consisting of 3.442 acres all of which are to remain vacant as non-approved building lots requiring site plan approvals before any Building Permits may be issued.

On August 19, 2020, the Planning Board conducted a Public Hearing on the applicant’s request for a three-lot re-subdivision of 12.0938 acres of land of Lot #5 of the Pheasants Crossing Subdivision to create Lot #R-5A of 1.541 acres, Lot #R-5B consisting of 4.181 acres and Lot #R-5C of 6.368 acres (PB #0802-20). The Public Hearing was closed. No action was taken. The applicant informed the Planning Board at that time that he would apply to the Zoning Board of Appeals for an area variance for lot width.

On September 16, 2020, the applicant received Preliminary Two-Lot Re-subdivision Plat approval (PB #0902-20).

On November 18, 2020, the applicant received Final Two-Lot Re-Subdivision Plat approval (PB #1103-20).

On July 24, 2023, the Farmington Zoning Board of Appeals (ZBA) opened its Public Hearing on the applicant's Area Variance application to have a minimum lot width of 30 feet (when the Town Code requires a minimum lot width of 125 feet) for proposed Lot #R-5C (ZB #0301-23).

The ZBA then approved the following actions on July 24, 2023:

- The ZBA agreed with the declared intent of the Planning Board that the Planning Board be designated as the State Environmental Quality Review (SEQR) Lead Agency for making the required determination of significance on the subdivision application.
- Following the Planning Board's SEQR determination and a determination of significance, the ZBA then requested that the Planning Board to provide a written recommendation to the ZBA concerning the Area Variance application.
- The ZBA continued the Area Variance application to August 28, 2023.

On August 28, 2023, the ZBA continued the Area Variance application to November 27, 2023, because the Planning Board has not yet determined that the application is complete.

On July 19, 2023, the Public Hearing on the applicant's subdivision application was opened by the Planning Board and was continued to August 2, 2023.

On August 2, 2023, the Planning Board designated itself as the Lead Agency under SEQR for making the determination of significance and requested that the applicant provide additional information which the Planning Board deemed necessary for their determining the application complete. The Planning Board then continued the Public Hearing on the subdivision application to the meeting on September 6, 2023.

On September 6, 2023, Mr. Fowler said that the additional information which had been requested by the Planning Board at their August 2nd meeting, had been submitted to the Town staff. Mr. Hemminger and Mr. Delpriore acknowledged receipt of the additional information but said that it had not been received in time for the September 6th meeting for the Town staff to review and for the Board to make a determination if the application was complete. The Planning Board then continued the Public Hearing on the re-subdivision application to the meeting on October 4, 2023.

On October 4, 2023, the Public Hearing was reconvened, testimony was taken from the applicant and from citizens, and the application was continued to the meeting on November 1,

2023). The applicant was requested to submit additional information to the Town Development Office by Wednesday, October 18, 2023, at 12:00 noon to be considered by the Planning Board on November 1, 2023.

On November 1, 2023, the Public Hearing was reconvened, testimony was taken from the applicant, and the application was continued to the meeting on December 6, 2023, at the request of Mr. Fowler. He was requested to submit additional information to the Town Development Office by Wednesday, November 15, 2023, for placement on the agenda on December 6, 2023).

On November 27, 2023, the Zoning Board of Appeals (ZBA) continued its Public Hearing (ZB #0301-23) to Monday, January 22, 2024, to again provide time for the applicant to submit a complete application to the Planning Board for its review and acceptance as being a complete application. Also on November 27, 2023, the ZBA declared its intent to close its Public Hearing upon this Action at its meeting on Monday, January 22, 2024, if the applicant by that did has not provided the Planning Board with the requested additional information, and to deny without prejudice the requested Area Variance on the grounds that the applicant has failed to provide required information for the ZBA to take action upon.

On December 6, 2023, a letter was received from Jared P. Hirt, Esq. (Evans Fox Attorneys LLP) requesting that the application be tabled until January 2024.

On December 27, 2023, a letter was received from Planning Board Chairperson Edward Hemminger to Mr. Hirt in response to Mr. Hirt's submittal package.

Mr. Hemminger resumed the discussion of the re-subdivision application.

Jessica Giller from Evans Fox presented this application.

Ms. Giller said I have for you guys today ten copies of the revised map.

Mr. Hemminger said to give them to Town staff and staff will take care of them.

Ms. Giller said so, my understanding is that you guys have a resolution in front of you today for the purpose of deeming the application complete and setting the public hearing for this.

Mr. Hemminger said continuing the public hearing because we have to determine that we have enough to make the SEQR Determination and then it has to go to the County and then we have to go back through. This also turns around and also makes sure that the applicant understands that they have to withdraw the application from the Zoning Board and then issue a new.

Ms. Giller said it is my understanding that a new variance application has to be received.

Mr. Hemminger said correct, the old one pulled and a new one put in. So we are good to go with all of that.

Ms. Giller said correct.

Mr. Hemminger said so this just tidies up a lot of stuff that has been going on for six months or more.

Mr. Brand said I would just like to compliment Jared because he's come in and moved this thing forward in a very short period of time. We appreciate that. It's been lingering out there in some state of form for a long time and we need to take action on it.

Mr. Delpriore said the resolution is pretty clear just stating that we have received the required information and you will be hearing it at your next meeting.

Mr. Hemminger asked if anyone in the meeting room wished to comment or ask questions on this application. There were no comments or questions from those in the meeting room.

Mr. Hemminger then asked if anyone on the remote video conference wished to comment or ask questions on this application.

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

■ 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:

Town of Farmington Planning Board Resolution

PB #0702-23

Applicant: Fowler Family Trust, 6176 Hunters Drive, Farmington, N.Y. 14425

Action: Review and Determination of a Complete Application for the proposed Three-Lot Preliminary Re-Subdivision Plat, Lots R5-A, R5-B and R5-C for the Fowler Family Trust

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has tonight received from the Applicant a packet of additional information for the proposed Three-Lot Preliminary Re-Subdivision Application for the Fowler Family Trust that was previously requested by the Board, to enable the Board, the designated Lead Agency under the State Environmental Quality Review Act (SEQRA), to make a determination that it now has a complete application for making a determination of significance under the State Environmental Conservation Law, Article 8; and

WHEREAS, the above referenced packet, is intended to enable the Board to allow: for a referral to the Ontario County Planning Board for its review at their February 14, 2024, meeting; for a referral by the Town Clerk of Farmington to the Town Clerk of Victor, under the provisions of Section 239-nn of the New York State General Municipal Law; and for continuation of the Public Hearing upon this application which has been continued from the Board’s meetings held on Wednesday, July 19, 2023,; Wednesday, August 2, 2023; Wednesday, September 6, 2023; Wednesday, October 4, 2023; Wednesday, November 1, 2023; and Wednesday, December 6, 2023, to be continued on Wednesday, February 7, 2024; and

WHEREAS, Board’s continuation on December 6, 2023, was to allow the Applicant’s new attorney time to meet with Town Staff to understand what has been requested and to provide the information requested from the Board; and

WHEREAS, the requested information is contained in the Board’s adopted August 2, 2023, meeting minutes, page 6; and

WHEREAS, the Applicant’s new attorney, Jared Hirt, Esq. did meet with the Town Director of Planning and Development, the Town Code Enforcement Officer, the Applicant and the Applicant’s Engineer, on Wednesday, January 3, 2024; and

WHEREAS, on January 5, 2024, the Town Director of Planning and Development and the Town Code Enforcement Officer received an email from Jared P. Hirt, Esq., of Evans Fox LLP of Rochester, New York, informing that following his meeting with Town Staff on January 3, 2024, he had spoken with Jeffrey Graff, Town Attorney, on this application reporting that . . . “we are all on the same page,” and requesting Town Staff to review the attached packet of information specified above herein; and

WHEREAS, the Town Director of Planning and Development and the Town Code Enforcement Officer on Wednesday, January 10, 2024, notified Mr. Hirt and the Board’s Chairperson, that the Applicant’s Engineer had provided an acceptable reply to the information previously requested, along with a revised Preliminary Three Lot Re-Subdivision Plat Map, prepared by Venezia Associates; a revised Concept Drawing, prepared by APD Engineering, identifying the Buildable Portions of Proposed Lots R5-A, R5-B and R5-C; and a request for the Board to make a determination of a complete application; and

WHEREAS, the Town Code Enforcement Officer, had identified that this information was to be received for the Planning Board’s review and for making a determination of a complete application at the Board’s January 17, 2024, meeting, thereby enabling the continuing of the Board’s Public Hearing on Wednesday, February 7, 2024; and

WHEREAS, Town Staff also did identify in the January 10, 2024, email response referenced above herein, that the revised plat drawing will necessitate a new application to the Town Zoning Board of Appeals, for the area variance for Lot Frontage along Pheasants Crossing.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the above referenced information makes the following determinations:

1. That Applicant’s previously submitted proposed three-lot preliminary re-subdivision plat, proposing Lots R5-A, R5-B and R5-C on the Fowler Family Trust property, has been modified, as per the revised plat submitted today with the packet of additional information, to change the dimensions of proposed Lots R5-A, R5-B and R5-C and the Board’s review and determination will be on the modified plat only.
2. The Venezia Plat Map is to be further amended to identify the existing dwelling located on the Lot adjacent to proposed Lots R5-A and R5-C, prior to January 26, 2024, to enable a corrected plat map to be introduced at the February 7, 2024, public hearing.
3. The Part 1 of the Full Environmental Assessment Form (FEAF) is to be amended to include identifying the need for an area variance to allow proposed Lot R5-C to have a Front Lot Width of twenty-two (22) feet instead of the thirty (30) feet as was shown on the initial plat map prepared by Venezia Associates. The amended FEAF is to be submitted to the Town prior to January 26, 2024 to be introduced at the February 7, 2024, public hearing.
4. The Applicant is hereby directed to prepare and submit a new application for a variance to the Front Lot Width because of this amended preliminary re-subdivision plat map.

BE IT FURTHER RESOLVED that a certified copy of this resolution is to be provided to the Town of Farmington Zoning Board of Appeals, the Applicant, the Applicant’s Attorney, the Applicant’s Engineer, the Town Director of Planning and Development, the Town Code Enforcement Officer and the Town Zoning Enforcement Officer.

The following vote on 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 said okay, we will see you on February 7th and the goal there is to officially declare we've got all the information we need, look at the new thing and then send it to County. County can do their stuff and then it can come back and then we can theoretically if everything goes well do the SEQR Determination which will then give the Zoning Board what they need to move forward.

9. OTHER BOARD ACTIONS

A. Letter of Credit Release: Hathaway’s Corners, Phase 1 (The Villas at Hathaway’s Corners), Partial Letter of Credit Release #2

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PARTIAL LETTER OF CREDIT RELEASE #2
HATHAWAY’S CORNERS, PHASE 1, THE VILLAS AT HATHAWAY’S CORNERS**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated January 9, 2024, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, to approve the partial release of funds (Release No. 2) from the established Letter of Credit for site improvements completed as part of the above referenced project; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit release letter, Engineer’s Estimate of Values, dated January 4, 2024, prepared by Thomas Danks, Project Manager, BME Associates, along with the completed Town Surety Release Forms G-1.1 and G-2.0 dated January 9, 2024; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request for a partial release of funds (Release #2) from the established Letter of Credit in the total amount of \$76,788.49.

BE IT FURTHER RESOLVED that the Planning Board Chairperson is hereby directed to provide notice and a copy of this resolution to the Farmington Town Board for their consideration and action at their January 23, 2024, meeting.

BE IT FINALLY RESOLVED that a certified copy of this resolution is to be provided to the Applicant, the Applicant’s Engineers and Town Staff.

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:

Mr. Brand provided the following information:

- You will be getting the draft PRC minutes next week. Those minutes identify that we are going to have an amendment to the lots in the Blackwood Industrial Park. They have a tenant that want to purchase or lease one of the buildings. He wants that building to have the 216,000 square feet that it was originally approved for but have the option to add on to it another 84,000 for a total of 300,000 square feet. That is an amendment to the final plan and then there is a part of that, another phase, where they would have a much smaller than the 216,000 square foot. So, in theory, the overall impact stays the same as far as for square foot coverage.
- On the thirtieth of January, the Town Board will be having a workshop with the applicants for Whitestone. It's here in this room at 4 o'clock and you are more than welcome to attend.
- We are going out to bid for the sidewalk project.
- The final draft of the County's Hazard Mitigation Plan has been submitted to the consultants.

Code Enforcement Officer:

Mr. Delpriore provided the following information:

- As you just heard, you are going to have Fowler back on the seventh for the continuation of the public hearing.
- You are also going to have some other applications come to you guys to deem complete and set up the public hearings per your new Rules of Procedures.

Highway/Parks Superintendent:

Mr. Ford provided the following information:

- With the recent winds we have been spending a lot of time picking up some weak Ash Trees around. Overall, I think we did pretty well. We didn't have any big, large trees come down.

Mr. Hemminger said don't forget to look into that speed limit sign on Redfield Grove.

Town Engineer:

Mr. Brabant provided the following information:

- The Town has updated their Site Design Criteria Manual and copies have been provided to the Town. A pdf was also forwarded to the Town to hopefully be available on the website.
- Owes the Town the SWMP plan the Town recently adopted as well. NYS has passed a new general permit for MS4 communities to follow. These communities have a period of time to get into full compliance.

Board Member Comments:

Mr. Bellis said with the big winds there was a lot of garbage going across 332 from the apartment project at Hathaway's Corners.

Mr. Delpriore said I will reach out to them.

Mr. Bellis also said why are there so many trucks parked at Always Locked?

Mr. Delpriore said they have one more day and then they have to be removed. I granted them 30-days to allow those trucks to be parked there.

11. PUBLIC COMMENTS

None.

13. TRAINING OPPORTUNITIES

■ 2024 Municipal Bootcamp Trainings:

A free annual program to provide certification credits to newly elected officials, planning and zoning boards, and municipal officials presented by Hancock Estabrook and MRB Group.

Thursday, January 25, 2024, 6:00 p.m.–7:00 p.m.

Session 1: Getting It Together: The Basics of Running a Meeting

Thursday, February 22, 2024, 6:00 p.m.–7:00 p.m.

Session 2: Planning Board Basics: Roles of the Planning Board in Community Development

Thursday, March 28, 2024, 6:00 p.m.–7:00 p.m.

Session 3: Zoning Board Basics: Roles of the Zoning Board in Community Development

Thursday, April 25, 2024, 6:00 p.m.–7:00 p.m.

Session 4: Environmentally Speaking: The Nuts and Bolts of SEQR

Thursday, May 23, 2024, 6:00 p.m.–7:00 p.m.

Session 5: A History Lesson: Challenges and Opportunities with Historic Properties

Thursday, June 27, 2024, 6:00 p.m.–7:00 p.m.

Session 6: Putting the Home in Hometown: Strategies for Attracting Housing Investment to Your Community

Thursday, July 25, 2024, 6:00 p.m.–7:00 p.m.

Session 7: From Big to Small: Translating Comprehensive Plans into Land Use Regulations

Thursday, September 26, 2024, 6:00 p.m.–7:00 p.m.

Session 8: Under the Tent: Open Meetings, Record Keeping, and Engaging the Public in Community Development

Thursday, October 24, 2024, 6:00 p.m.–7:00 p.m.

Session 9: Short, But Not Too Short: How Short-Term Rentals Are Changing the Development and Regulatory Landscape

Thursday, December 19, 2024, 6:00 p.m.–7:00 p.m.

Session 10: Santa’s Nice and Naughty List: The Best and Worst of 2024

Questions and registration:

<https://www.hancocklaw.com/events/2024-municipal-bootcamp-trainings/>

■ **New York Planning Federation Recorded Webinars:**

For information: (518) 512-5270 or nypf@nypf.org

■ **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>

14. 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 8:12 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, February 7, 2024, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, and this meeting will also be available via remote video conference.

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

Respectfully submitted,

Sarah Mitchell, Clerk *Pro Tem* of the Board L.S.