

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD

The first meeting of the Farmington Planning Board was held on January 21, 1959.

Wednesday, December 4, 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. Unless otherwise noted, 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
Regina Sousa
Douglas Viets

Board Member Excused: Timothy DeLucia

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—**R**
Dan Delpriore, Town of Farmington Code Enforcement Officer
Tim Ford, Town of Farmington Highway and Parks Superintendent
Paula Ruthven, Town of Farmington Zoning Officer

Attending:
Scott Blazey, 5075 Rushmore Road, Palmyra, N.Y. 14522—**R**
Scott DeHollander, P.E., DeHollander Design, Inc., 7346 Dryer Road, Victor, N.Y. 14564
Kyle T. Reinson, 7267 Highview Terrace, Victor, N.Y. 14564

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 November 20, 2024:

Mr. Hemminger submitted several minor changes to the draft minutes of the Planning Board meeting of November 20, 2024. He said that these changes had no effect upon the meaning of the few sections of the minutes in which they appear.

■ A motion was made by MR. VIETS, seconded by MS. SOUSA, that the minutes of the November 20, 2024, meeting be approved as amended.

Motion carried by voice vote. Mr. Bellis abstained due to his absence from the meeting of November 20, 2024.

3. LEGAL NOTICE

None.

4. CONTINUED FINAL SITE PLAN AMENDMENT

PB #0502-24 Final Site Plan Amendment Application

Name: Graham Marcus, 196 Ellis Hill Road, Arkport, N.Y. 14807

Location: Maddie’s Motor Sports, 6226 State Route 96, Farmington, N.Y. 14425; north side of State Route 96 between Mertensia Road and Elizabeth Way, Tax Map #29.00-1-56.100.

Zoning District: GB General Business

Request: Final Site Plan Amendment for the extension of the outdoor display area to store and display new and used inventory, and related site lighting and security improvements.

On February 20, 2019, the Planning Board approved the Final Site Plan for this project (PB #0207-19).

On April 17, 2024, the Planning Board determined that the Final Site Plan Amendment was incomplete (PB #0502-24).

On September 18, 2024, the Planning Board determined that the Final Site Plan Amendment was complete and directed the Town staff to schedule the public meeting on this application to be held on October 2, 2024.

On October 2, 2024, the Planning Board requested that additional information be submitted to the Town staff on or before November 6, 2024, to allow time for staff review and for the Planning Board's consideration of the additional information at the meeting on November 20, 2024.

On November 15, 2024, Mr. Delpriore sent a letter to the applicant and to his surveyor to inform them that the requested additional information had not been received by November 6, 2024, and that neither the applicant or his surveyor have contacted the Town staff to arrange a meeting to discuss the application. In the letter, Mr. Delpriore requested that the applicant attend the meeting on November 20, 2024.

The applicant and/or his surveyor did not attend the Planning Board meeting on November 20, 2024. They have not responded to Mr. Delpriore's letter of November 15, 2024, and have not submitted the additional information which was requested on October 2, 2024.

The applicant and/or his engineer did not attend the meeting this evening.

Mr. Delpriore said that at the previous meeting the Planning Board set requirements for the Town staff to reach out to the applicant and to his engineer [regarding the submission of the additional material as noted above]. Mr. Delpriore said that these notifications have been made and that there still has been no response from the applicant or his engineer. He said that Mr. Brand has drafted a resolution for the board's consideration this evening which provides the timeline of the Town's communications with the applicant, which indicates that there has been no response, and that the Final Site Plan Amendment would be denied without prejudice.

Mr. Delpriore said that, if approved, this evening's resolution would require the applicant to return the site to the condition of the originally approved site plan.

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

Mr. Hemminger asked if any board members wished to comment or ask questions.

Mr. Bellis asked about the Town's efforts to reach the applicant and if he or his engineer have responded. Mr. Delpriore said that the Building Department staff has also reached out to the applicant and that he [Mr. Marcus] has not responded to anyone from the Town at this point.

Mr. Delpriore said that he knows that things have been busy for Mr. Marcus with the holiday season. Mr. Bellis said that everything [referring to the Town's requests] have been straight-forward when requests were made [for the additional information]. Mr. Hemminger said that the correspondence to Mr. Marcus made sure to inform him that if the board were to deny the Final Site Plan Amendment without prejudice, then he would have to wait 12 months before submitting a revised application, and he would have to revert any changes back to the original conditions of the Final Site Plan.

Mr. Delpriore said that the Final Site Plan Amendment application started when the Town issued violations to the applicant because he was not meeting the conditions of the originally approved Site Plan. Mr. Delpriore said that Mr. Marcus had the option of correcting the site or submitting a Final Site Plan Amendment. Mr. Delpriore said that the applicant took the option of submitting a Final Site Plan Amendment application. Mr. Hemminger said that he [the applicant] did not follow through. Mr. Delpriore said that the application would revert back to the original site plan if the board this evening approves the resolution [to deny the Final Site Plan Amendment application] without prejudice.

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
MADDIE'S MOTOR SPORTS
FINAL SITE PLAN AMENDMENT**

PB #0502-24

APPLICANT: Venezia Associates, on behalf of Graham Marcus,
Marcus Development, 196 Ellis Hill Road, Arkport, N.Y. 14807

ACTION: Denial without prejudice of the above referenced proposed
Amendment of the Final Site Plan previously approved for the
6,000-square-foot building addition and related site improve-
ments to land located at 6226 State Route 96.

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has considered the public record upon the previous Actions that have been approved with conditions for the site development of Maddie's Motor Sports; and

WHEREAS the public record include the Project Review Committee Meeting minutes of February 1, 2019; the conditions of approval for the most recent site plan (PB #0207-19, dated February 20, 2019); an area variance granted with conditions by the Town of Farmington Zoning Board of Appeals (ZB #0902.1-20, October 26, 2020); and now the

drawing prepared by Venezia Associates, entitled “Site Plan Maddie’s Power Sports, 6226 N.Y.S. Route 96,” dated 03/04/24, identified as File No. 24030. Sheet C-1; and

WHEREAS the Planning Board determined on October 2, 2024, that several of the above referenced conditions of approval have not been shown on the final site plan drawing provided by your land surveyor for your property at 6226 State Route 96; and

WHEREAS the Planning Board record identifies that you were aware of the Planning Board’s October 2, 2024, direction to you that you were to submit revised final site plan drawings showing all of the previous conditions of approvals to the Planning Board for its consideration at their meeting this past Wednesday, November 20, 2024, or evidence that these revisions were underway; and

WHEREAS the Town Code Enforcement Officer notified you, both via email and U.S. Mail, reminding you of your failure to provide some form of documentation in compliance with the Planning Board’s October 2, 2024, resolution could result in the Board taking action to deny without prejudice this application; and requesting you to attend the November 20, 2024, Planning Board meeting; and

WHEREAS you failed to have your land surveyor provide any revised drawing or for you to arrange a meeting with your land surveyor, town staff and yourself, as you previously agreed to do; and

WHEREAS the Planning Board tonight has received testimony from Town Staff confirming the Planning Board’s understanding of your lack of interest to attempt to meet either of the two options offered previously by the Board.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to deny without prejudice this proposed Final Site Plan Amendment.

BE IT FURTHER RESOLVED that a copy of this resolution is to be provided to the Applicant; the Applicant’s Surveyor; Town Staff and a copy placed in the Project File in the Town Development Office.

BE IT FINALLY RESOLVED that the Planning Board does hereby request the Town Code Enforcement Officer to take any and all necessary actions to return this site’s development in accordance with the previously approved conditions of approval.

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

Adrian Bellis	Vote
Timothy DeLucia	Excused
Edward Hemminger	Vote
Regina Sousa	Vote
Douglas Viets	Vote

Motion carried.

5. CONTINUED PRELIMINARY SITE PLAN

PB #0903-24 **Continued Preliminary Site Plan Application**

Name: Scott Blazey, 5075 Rushmore Road, Palmyra, N.Y. 14522

Location: South side of Rushmore Road between County Road 28 and Sheldon Road, Tax Map #18.00-2-10.230

Request: Preliminary Site Plan approval for Lot #2 of the Brian L. and Elizabeth S. Blazey Three-Lot Subdivision Plat

On November 20, 2024, the Planning Board determined that this application was complete and scheduled consideration of this application for the meeting this evening (December 4, 2024).

Also on November 20, 2024, the Planning Board requested that the Short Environmental Assessment Form Part 2 be revised, re-dated and signed prior to November 22, 2024.

Mr. Blazey presented this application via remote video conference. He had no comments or questions this evening.

Mr. Delpriore said that a draft resolution has been prepared for the board's consideration this evening to approve the Preliminary Site Plan with conditions for construction of a house on the previously approved Lot #2 of the Brian L. and Elizabeth S. Blazey Three-Lot Subdivision.

He said that one of the Town staff concerns was the steep slope of the proposed location of the driveway. He said that the staff has had concerns with steep slopes on other projects and has requested that a Soil Report be provided as part of the Final Site Plan application which will identify the site's soils for those portions of the site to be excavated for construction of the driveway, the soil's susceptibility to erosion, and a specific erosion control plan as specified in the New York State Building Code (*see* Draft Condition #2).

Mr. Delpriore said that the Town staff reached out to the applicant's engineer regarding the Soil Report and that the engineer responded that there would be no problem complying with this request.

Mr. Delpriore said that other draft conditions of Preliminary Site Plan approval are standard in nature and that the soils would be the biggest item to be addressed.

Mr. Hemminger also said that a detailed landscaping plan and detail of plantings are to be provided.

Mr. Ford said that everything looks good from the Highway Department. He said that the sight distance of the driveway is to [Town] specifications.

Mr. Brabant said that MRB Group issued a comment letter dated November 27, 2024, and that most of the engineering comments are straightforward. He confirmed Mr. Delpriore's comments regarding the submission of a Soil Report. Mr. Brabant also said that notes are to be added to the site plan drawing that a New York State Notice of Intent (NOI) for stormwater discharges is required because the site disturbance will exceed one acre, but that water quality and quantity measures are not required because the residential site disturbance will not exceed five acres or more.

Mr. Hemminger asked if anyone in the meeting room, on the remote video conference, or on the board had any comments or questions on this application. There were no comments or questions.

Mr. Hemminger asked Mr. Blazey if he was okay with the conditions of Preliminary Site Plan approval. Mr. Blazey said that he had no concerns with the conditions and that his engineering team is working to address them. Mr. Hemminger said that when the revised plan is submitted, the Town staff will review it, and that the plan then will be signed to enable Mr. Blazey to move ahead with the Final Site Plan application.

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

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

**TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION**

PB #0903-24

APPLICANT: Scott Blazey, 5075 Rushmore Road, Palmyra, N.Y. 14522

ACTION: Preliminary Site Plan approval with conditions for proposed development of Lot #2 of the Brian L. & Elizabeth S. Blazey Three-Lot Subdivision Plat.

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) tonight has received and reviewed a revised application, for preliminary site plan approval for Lot #2 of the above referenced Subdivision Plat; and

WHEREAS the Planning Board has received public testimony at tonight's meeting; and

WHEREAS the Planning Board, on Wednesday, November 20, 2024, classified the above referenced Action as being a Type II Action, under 6NYCRR, Part 617.5, of the State’s Environmental Conservation Law; and

WHEREAS the Planning Board has reviewed the draft resolution prepared by Town Staff and has discuss said draft.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board determines the application is now complete for public review and approves this application for Preliminary Site Plan approval for Lot #2 of the Brian L. & Elizabeth S. Blazey Subdivision Tract, Tax Map Account # 18.00-2-10.13, containing a total of 5.0 acres of land; and includes site grading, drainage, utilities (water service, on-site wastewater treatment, driveway, erosion control and construction of a proposed single-family dwelling with attached garage and a detached “Agricultural Building,” with the following conditions:

1. Preliminary Site Plan Approval with Conditions is based upon the drawings prepared by Marks Engineering, P.C., identified as Job #24-408, having revision date 11/12/24, entitled “Preliminary Site Plans for: Lot #2 of the Brian L. & Elizabeth S. Blazey Subdivision,” drawings: EX100 Existing Conditions; C100 Site Plan; C500 General Details; and C501 Details.
2. There is to be a detailed Soil Report prepared as part of final site plan application which identifies the site’s soils for those portions of the site being excavated for construction of the driveway, their susceptibility to erosion and a specific erosion control plan with the details as specified in the 2020 Building Code of New York State, Chapter 17 Special Inspections and Test, Section 1705.06, Required Special Inspections and Tests for Soils. At that time, said report is to be reviewed and accepted by the Town’s Engineers, MRB Group, D.P.C., with their review comments on a Final Site Plan prior to any action being taken by this Board.
3. There is to be a detailed landscaping plan prepared identifying the areas of the site where landscaping is to be provided, including a landscaping detail of plantings.
4. Sight distances as measured in both directions from the driveway intersection with Rushmore Road and including the minimum distance for the posted speed limit are to be added to the drawing C100.
5. The Preliminary Site Plan drawing C501 is to be amended to include the 2024 Site Design and Development Criteria, Appendices H-4.0 Typical Driveway Apron Detail and H-5.0 Typical Driveway Culvert Detail.
6. The preliminary site plan drawings C100, C500 and C501 are to be amended showing signature blocks in the approved locations as shown on Appendix G-13.0 of the 2024 Site Design and Development Criteria.

- 7. The signature blocks are to include Town Highway Superintendent, Town Engineer and Town Planning Board Chairperson.
- 8. There is to be a Public Safety Sign Detail (Appendix G-9.0) added to drawing C501 and the location of said Public Safety Sign is to be shown on drawing C100.
- 9. The proposed well is to be tested prior to the issuing of a Certificate of Occupancy may be issued. A General Note to this effect is to be added to drawing C100.
- 10. There is to be a General Note added to drawing C100 that a separate building permit is required for the proposed agricultural building shown.
- 11. The following Appendices from the Town Site Design & Development Criteria are to also to be added to drawing C501: G-8.0, Utility Notifications; and H-17.0 Stabilized Construction Entrance.

BE IT FURTHER RESOLVED that all comments contained in the November 27, 2024, letter to Edward Hemminger, the Planning Board Chair, on this application are to be addressed in writing and all necessary amendments to the drawings submitted are to be made prior to the Town Engineer’s signing.

BE IT FURTHER RESOLVED that once all revisions have been made to the drawings then an electronic copy and one paper copy are to be submitted to the Town Code Enforcement Officer for his review and acceptance. Once accepted, Town signatures will be made and an electronic copy returned to the Applicant’s Engineers.

BE IT FURTHER RESOLVED that an application for Final Site Plan Approval will be permitted for determining completeness and then scheduling at a future Planning Board meeting.

BE IT FURTHER RESOLVED that Preliminary Site Plan Approval with Conditions contained above herein shall automatically expire 180 days from today’s date unless revised the preliminary drawings have been signed, or the Applicant has been granted an extension of time by the Planning Board at a future meeting prior to the expiration date.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicant, the Applicant’s Engineer, Town Staff, the Town Engineer and filed with the Town Development Office.

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

Adrian Bellis	Vote
Timothy DeLucia	Excused
Edward Hemminger	Vote
Regina Sousa	Vote
Douglas Viets	Vote

Motion carried.

6. CONTINUED FINAL SITE PLAN

PB #1101-24 Continued Final Site Plan Application

Applicant: DeHollander Design, Inc., c/o Scott DeHollander, P.E.,
7346 Dryer Road, Victor, N.Y. 14564

Location: East side of County Road 8, north of the intersection of Holtz Road

Zoning District:

Request: Final Site Plan approval for Lot #R-1 of the Scout Plains
Subdivision Tract.

On September 18, 2024, the Planning Board determined that the Preliminary Site Plan for Lot #R-1 of the Scout Plains Subdivision Tract was a Type II Action under the State Environmental Quality Review Act (SEQRA).

On October 2, 2024, the Preliminary Site Plan was approved with conditions.

On November 20, 2024, the Planning Board determined that the Final Site Plan application was complete and scheduled consideration of this application for the meeting this evening (December 4, 2024).

Mr. DeHollander presented this application.

He said that this is Lot #R-1 of the previously approved Scout Plains Subdivision Tract and will be the second lot to be built in the subdivision. He said that he received the draft approval resolution prior to the meeting this evening, that he has no issues with the draft conditions, and that he is ready for the board to move on this application.

Mr. Delpriore said that Mr. Brand has prepared a draft resolution for the board’s consideration this evening to approve the Final Site Plan with conditions. Mr. Delpriore said that the conditions are technical in nature and are similar to the conditions of approval of the site plan for the first lot in this subdivision.

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 as submitted by the Town staff:

**TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION**

PB #1101-24

APPLICANT: DeHollander Design, Inc., 7346 Dryer Road, Victor, N.Y. 14564

ACTION: Final Site Plan Application approval with conditions for Lot #R-1, Scout Plains Subdivision Tract

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

WHEREAS the Planning Board has received testimony on said Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to grant final site plan approval for the above referenced Action with the following conditions:

1. Final Site Plan Approval is granted for the maps prepared by Scott DeHollander, P.E., DeHollander Design, identified as Project No. 000124, dated 8/2024 and revised date 10/01/24, with the title . . . “Final Site Plan, Lot #R-1, Scout Plains Subdivision Tract,” which include Sheet No. 1 and Sheet No. 2 and Sheet No. 3 as further to be amended by the conditions below in this resolution.
2. The on-site wastewater treatment system is to be signed and dated prior to town staff signing the drawings.
3. The water service detail and trench detail shown on Sheet No. 2 needs to show the Town header information and appendix identifiers (Appendices W-4.0 and W-13.0, dated 2024).
4. One of the two General Notes shown on Sheet No. 1 that identify the need for payment of a Park and Recreation Fee prior to issuance of a Building Permit may be removed.
5. All conditions of approval and restrictions imposed by the Ontario County Department of Public Works in their County Highway Work Permit No. 10-5-24, is to be dated on Sheet No. 1 and all requirements shall be complied with prior to issuance of a Certificate of Occupancy for the proposed dwelling unit and related site improvements.
6. Paving of the approved portion for the driveway access point to/from County Road 8 is to be completed prior to the issuance of a Certificate of Occupancy.

BE IT FURTHER RESOLVED that this Final Site Plan approval with conditions shall automatically expire within 180 days from today unless all referenced conditions have been made and the revised drawings have been signed and filed in the Town Development Office.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicant, Town Staff, the Town Engineer, the Ontario County Department of Public Works, and a copy filed with the Town Development Office.

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

Adrian Bellis	Aye
Timothy DeLucia	Excused
Edward Hemminger	Aye
Regina Sousa	Aye
Douglas Viets	Aye

Motion carried.

7. OTHER BOARD ACTIONS

A. PB #1002-24 Continued Public Hearing:

Preliminary Six-Lot Preliminary Subdivision Application:

Applicant: Jeff Shear, 229 Gallant Fox Lane, Webster, N.Y. 14580

Location: Tax Map #029.000-2-12.100, located along the south side of Collett Road and the west side of County Road #8, north of the Ontario Railroad land.

Zoning District: RS-25

Request: Recall the continuation, as of November 20, 2024, of the designation of Lead Agency Status under the provisions of the State Environmental Quality Review (SEQR) Regulations for the proposed Alexander–Shear Six-Lot Subdivision of land, Tax Map Account Number 29.00-2-12.100, located along the south side of West Collett Road and the west side of County Road 8 between the intersection of West Collett Road and the Ontario County Railroad property; and designate SEQR Lead Agency status as of December 4, 2024.

On September 4, 2024, the applicant provided a concept presentation of this proposed subdivision to the Planning Board,

On September 5, 2024, the Project Review Committee also received the concept presentation.

On October 16, 2024, the Planning Board determined that the Six-Lot Preliminary Subdivision application was complete and scheduled the Public Hearing to begin at the meeting on November 20, 2024.

Also on October 16, 2024, the State Environmental Quality Review 30-day coordinated review period was scheduled from October 18, 2024, through November 18, 2024.

On November 20, 2024, the Planning Board approved the designation of the SEQR Lead Agency, and concurrently adjourned and continued the consideration of the SEQR Lead Agency designation and this application to the meeting this evening (December 4, 2024).

Mr. Hemminger reconvened the Public Hearing on this application.

Mr. Delpriore said that the draft resolution this evening is an administrative action regarding the designation of the Planning Board as the State Environmental Quality Review (SEQR) Lead Agency for this application. He said that he spoke with the applicant about this administrative action and that the applicant had no issues with the draft resolution. Mr. Delpriore said that the applicant was not required to be in attendance this evening.

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

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

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

**TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION**

PB #1002-24

APPLICANT: Jeff Shear, 229 Gallant Fox Lane, Webster, N.Y. 14580

ACTION: Recall Continuation of the Designation of Lead Agency Status under the provisions of the State Environmental Quality Review (SEQR) Regulations for the proposed Alexander–Shear Six-Lot Subdivision of land, Tax Map Account Number 29.00-2-12.100, located along the south side of West Collett Road and the west side of

County Road 8 between the intersection of West Collett Road and the Ontario County Railroad property.

WHEREAS, the Town of Farmington Town Planning Board (hereinafter referred to as Board) has determined the proposed Action referenced above to be classified as an Unlisted Action (hereinafter referred to as Action) under 6NYCRR, Part 617 of the State Environmental Conservation Law (ECL), the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Board on Wednesday, October 16, 2024, declared its intent to be designated as the Lead Agency at their public hearing on Wednesday, November 20, 2024; and

WHEREAS, the Board has completed a coordinated review for said Action with Involved and Interested Agencies, which ended at noon on Monday, November 18, 2024; and,

WHEREAS, the Board received no objection from any Involved Agency to it being designated the Lead Agency; and

WHEREAS, the Board on Wednesday, November 20, 2024, did not designate itself as the Lead Agency under the SEQR Regulations and instead continued the draft resolution to Wednesday, December 18, 2024, along with other draft SEQR resolutions.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby recall the draft resolution dated Wednesday, November 20, 2024, designating the Board as the Lead Agency for the coordinated review upon the above referenced action; and does designate itself as the Lead Agency under the SEQR Regulations for the above referenced Action.

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

Adrian Bellis	Aye
Timothy DeLucia	Excused
Edward Hemminger	Aye
Regina Sousa	Aye
Douglas Viets	Aye

Motion carried.

**B. Planning Board Report and Recommendation to the Town Board:
Rezoning of 1191 Mertensia Road:**

Applicant: Alexander H. Amering, P.E., Costich Engineering, D.P.C., 217 Lake Avenue, Rochester, N.Y. 14608; on behalf of Mark D. Meyer, MDM MAC Properties Farmington, LLC, 6200 State Route 96, Farmington, N.Y. 14425

Request: Proposed rezoning of 2.612 acres of land from RMF Residential Multi-Family to GB General Business along the east side of Mertensia Road

On November 26, 2024, the Town Board, by resolution, requested a report and recommendation from the Planning Board regarding the proposed rezoning of 2.612 acres of land located along the east side of Mertensia Road, north of State Route 96 and adjacent to the Meyer's RV Superstore of the Finger Lakes at 6100 State Route 96 from RMF Residential Multi-Family to GB General Business.

Prior to the meeting this evening, Mr. Meyer of Meyer's RV, and Mr. Amering of Costich Engineering, provided the following information:

- Mr. Meyer recently acquired from Rochester MHP Portfolio LLC a portion of 1191 Mertensia Road consisting of 2.612 acres of vacant land located on the east side of Mertensia Road and north of the current Meyer's RV Superstore of the Finger Lakes.
- A lot line adjustment was prepared and filed in the Ontario County Clerk's Office on August 2, 2024 (MF File 039255).
- Mr. Meyer's desired plans for the acquired parcel include expanding the existing RV dealership. The proposed zoning change would align the zoning of the recently acquired parcel with the overall zoning classification of the existing Meyer's RV store.
- Upon successful rezoning, it is the intent of Mr. Meyer to make improvements to the 2.6 acres of land to expand display vehicle parking for the sales facility. The proposed use would be allowed in the proposed General Business District. All bulk area requirements will be reviewed and documented relative to setbacks, buffering, lot coverage, etc.
- The applicant acknowledges the requirement for Preliminary Site Plan and Final Site Plan applications for review and approval by the Planning Board. Complete engineering drawings and details will be provided at that time.
- Access will be limited to internal connections to the existing parking areas (no new curb cuts on Mertensia Road). Fencing will be provided for security

purposes and will be consistent with the existing facility and all local codes. Stormwater treatment will be evaluated and expanded (if necessary) as required by the New York State Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit and Town of Farmington development standards.

Mr. Amering presented this application.

He reviewed the status of the rezoning application now under consideration by the Town Board (*see* above). Mr. Amering also said that the additional property would be used for the parking and display of recreational vehicles and that no new curb cuts [from the roads] and no new buildings are proposed.

Mr. Delpriore said that the merging of the property has occurred and that Mr. Meyer now has one property with two different zoning districts, which required him to apply to the Town Board for a rezoning. Mr. Delpriore also said that Mr. Meyer has every intent to return to the Planning Board for approval of a site plan amendment for the use of the new area.

Mr. Delpriore said that Mr. Meyer took ownership of the new area during the recent installation of sidewalks on the east side of Mertensia Road and that Mr. Meyer funded the installation of an additional sidewalk segment along his newly-acquired property. Mr. Delpriore said that he spoke with Mr. Meyer who said that the property transfer took a great deal of legal time and that now that it is moving along he [Mr. Meyer] hopes to complete the project in the spring to have room for the additional recreational vehicles on the site.

Mr. Brand said that a draft recommendation and report to the Town Board has been prepared for the board's consideration this evening and that a draft Local Law regarding the rezoning has been submitted to Ontario County for consideration next week. He said that this is moving in the right direction.

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

Mr. Hemminger said that the additional property was originally part of the adjacent mobile home park [which is north of the Meyer property] and that he is very on-board with this, rather than trying to shoehorn something else onto this property.

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

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

**TOWN OF FARMINGTON
PLANNING BOARD REPORT AND RECOMMENDATION TO THE TOWN BOARD
MDM MAC PROPERTIES FARMINGTON LLC**

APPLICANT: Alexander H. Amering, P.E., Costich Engineering, D.P.C., 217 Lake Avenue, Rochester, N.Y. 14608, on behalf of Mark D. Meyer, MDM MAC Properties Farmington LLC, 6200 State Route 96, Farmington, N.Y. 14425

RECOMMENDATION AND REPORT TO THE TOWN BOARD:

Proposed rezoning of 2.612 acres of land from RMF Residential Multi-Family to GB General Business (hereinafter referred to as Action), located along the east side of Mertensia Road and now part of the Meyer’s RV Superstore of the Finger Lakes, 6200 State Route 96 property (hereinafter referred to as Site).

WHEREAS the Farmington Town Board (hereinafter referred to as Town Board) has, on Tuesday, November 26, 2024, requested a Report and Recommendation from the Town Planning Board (hereinafter referred to as Planning Board) upon the above referenced Action; and

WHEREAS the land involved was recently acquired by Mark D. Meyer (hereinafter referred to as the Applicant), from Rochester MHP Portfolio LLC (hereinafter referred to as MHP Portfolio, LLC) via an approved Lot Line Adjustment map dated February 12, 2023, prepared by Land Tech Surveying & Planning, P.L.L.C. and recorded in the Ontario County Clerk’s Office on August 2, 2024; and

WHEREAS Alex Amering, P.E., Costich Engineering, Land Surveying & Landscape Architecture, D.P.C., (hereinafter referred to as the Applicant’s Engineer) has tonight made a presentation to the Planning Board on the Applicant’s intention to use this recently acquired area as part of the Site for on-site storage of recreational vehicles for sale as part of the Applicant’s continued use of the Site; and

WHEREAS said Action is further subject to Preliminary and Final Site Plan approvals by the Planning Board.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby recommend the Town Board agrees to formally consider the rezoning of this piece of land that was part of the MHP Portfolio, LLC, site.

BE IT FURTHER RESOLVED that the Planning Board believes that as part of the subsequent site plan approvals the Planning Board can determine the proposed use of this vacant land as currently proposed will complement the overall use of the Site.

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

Adrian Bellis	Aye
Timothy DeLucia	Excused
Edward Hemminger	Aye
Regina Sousa	Aye
Douglas Viets	Aye

Motion carried.

**C. The Villas at Hathaway’s Corners, Phase 1C-B:
Letter of Credit Establishment for Site Improvements:**

Mr. Delpriore said that the applicant plans the development of Phase B and Phase C of The Villas at Hathaway’s Corners in separate sections but that the Letter of Credit for site improvements will be established for both sections.

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

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

The Villas at Hathaway’s Corners, Phase 1C-B

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request from Lance S. Brabant, CPESC, MRB Group, P.C., the Town Engineers, dated November 22, 2024, to recommend approval of a Letter of Credit for site improvements within the above referenced Project; and

WHEREAS, the Planning Board has reviewed the above referenced letter and the attached Applicant’s Engineer’s Estimate of Value, prepared by BME Associates, for certain site improvements to be dedicated to the Town of Farmington; and

WHEREAS, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether to honor the requested establishment of a Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineer, does hereby recommend that the Town Board take formal action to accept and direct the filing of a letter of credit, in the

Town Clerk’s Office, in the total amount of \$514,805.15 for this phase of the above referenced Project.

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

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

Adrian Bellis	Aye
Timothy DeLucia	Excused
Edward Hemminger	Aye
Regina Sousa	Aye
Douglas Viets	Aye

Motion result.

D. 2025 Meeting Dates and Application Submittal Deadlines:

Mr. Delpriore presented the 2025 schedule of project application submittal dates, Letter of Credit release submittal dates, Ontario County Planning Board submittal dates, Town Project Review Committee meeting dates, and Planning Board meeting dates.

He said that the only meeting which will be affected by a holiday is the scheduling of the first meeting of the Planning Board in January 2025 which will be held on Thursday, January 2nd.

Mr. Hemminger said that he has no problems with the suggested dates.

Mr. Bellis asked about the various submittal dates and associated dates of the meetings of the Ontario County Planning Board, Project Review Committee and the Planning Board. Mr. Delpriore reviewed the scheduled dates and procedures.

■ **CONSENSUS:** It was the consensus of the Planning Board members present that the 2025 Planning Board Submittal Dates and Meeting Dates be accepted as presented by Mr. Delpriore.

See p. 24 of the minutes for the complete schedule.

8. OPEN DISCUSSION

Director of Planning and Development:

Mr. Brand said that work continues on updates to Town Code Chapter 144 including several amendments to chapters of the Town Code which have been adopted since that set of regulations and since the Site Design and Criteria Manual have been put in place. The amendments will also reflect compliance with recent changes in State law. Mr. Brand said that he will complete the updates and forward them to Mr. Delpriore and to Mr. Gordner in the Building Department for review.

Code Enforcement Officer:

Mr. Delpriore said that Building Department staff are working on zoning updates to Town Code Chapter 165. He said that the staff is pushing ahead to have the updates ready for review next year.

Mr. Delpriore also said that the remodeling of the lower floor of the Town Hall is in full swing.

Highway Superintendent:

Mr. Ford said that the Town Highway Department has prepared the snow-removal equipment for the season.

Town Engineer:

Mr. Brabant said that the Site Design and Criteria Manual updates have been completed and forwarded to the Town for the final review prior to submission to the Town Board in January 2025 for adoption.

He also said that updates to the New York State Municipal Separate Storm Sewer System (MS4 Program) materials will be provided in full this month for Town review, and will follow a similar approval process as the Site Design and Criteria Manual. Mr. Brabant said that the goal is to have the updated MS4 regulations adopted by the Town Board prior to the New York State April 2025 timeframe, and will show that Farmington is proactive in working through the MS4 updates.

9. PUBLIC COMMENTS

Mr. Reinson (7267 Highview Terrace, Victor, N.Y.) expressed concern about the safety of the State Route 332/State Route 96 intersection. He said that many others are also concerned about the safety of the intersection. He asked if or when the recommendations or the design ideas included in the review of the Route 332/Route 96 corridor made by Bergmann Associates, which he viewed on the Town website, have been implemented.

Mr. Hemminger said that State Route 332 and State Route 96 are State roads and that there is nothing that Town can or will do with those or intersections because we [the Town of Farmington] are not authorized to do that. On the other hand, Mr. Hemminger said that the Town leadership has pushed the State as much as they can over many years to do something about the intersection, and that he understands that something is in the works.

Mr. Delpriore referred to the Bergmann Associates study which was done for the State Route 332/State Route 96 corridor. He said that some of the study points have been implemented in the Farmington site design criteria and in the Town's Major Throughfare Overlay District (MTOD) regulations. He said that the Town Board has reached out to the State and has been trying to seek improvements to the intersection.

Mr. Delpriore said that he is aware of a new signal light project coming, but that the Town's hands are tied at the Town level, but that the Town Board is pushing as much as it can [for intersection improvements].

Mr. Brand said that tomorrow (December 5, 2024) the Genesee Transportation Council is to announce the awarding of a contract for the Local Safety Plan for Ontario County to include a plan to address intersection situations in the County. Mr. Brand said that the Town has already sent letters to the Regional Director of the State Department of Transportation and to the Ontario County Sheriff requesting that the State Route 332/State Route 96 intersection is given priority. He said that there are many traffic engineers who have many proposed solutions to be looked at. Mr. Brand said that the intersection is very dark, that it needs illumination, and that it is an intersection at which the State has not agreed to reducing the speed limit because that may not do anything except for the installation of additional signage.

Mr. Brand said that they are aware of the three deaths which have occurred at that intersection and hopefully the Local Safety Plan for Ontario County will include measures to address safety improvements at this intersection.

Mr. Brand also said that when he worked on the highway's design project for the towns of Canandaigua and Farmington in 1995, they recognized the concerns of this intersection and that over the years a number of traffic calming measures have been suggested. He said that we will have to see where all this unfolds and then what implementation measures will be implemented.

Mr. Hemminger said that he would like to emphasize two points: first, that the Town has been working on this issue for many years, and second that the Planning Board has no authority over the intersection specifically. He said that the Town Board has more influence over the New York State Department of Transportation (DOT). He encouraged Mr. Reinson and other residents to speak with the Town Board, Supervisor Ingalsbe and Town Board members with their concerns. Mr. Hemminger said that the Town is aware that the level of concern has been raised since the most recent fatality at the intersection.

Mr. Ford said that the DOT did come through and is working on a design for the new traffic signals on the State Route 332/State Route 96 corridor all the way. Mr. Ford said that the DOT will be changing the signals, and one of the big changes will be that motorists will only be able to make a left-hand turn on a green arrow and will not be able to turn on a yellow arrow. He said that this is supposed to begin in the spring.

Mr. Ford also said that for some reason the State will not reduce the speed limit [in the vicinity of the intersection] but that the traffic signal changes will be a big improvement.

Mr. Hemminger also asked about several new traffic signals which have been proposed on State Route 332. Mr. Brand said that these proposed signals are part of the Town's official highway corridor plan to which the State DOT has agreed, and that one of them would be installed at State Route 332 and Mercier Boulevard, eventually connecting to Finger Lakes Gaming and Race Track. He said that this would also serve as a traffic calming measure to slow the vehicle speeds along the open length of State Route 332 from County Road 41 to State Route 96.

Board Members' Comments:

Mr. Bellis asked about the sign at the recently-opened Slippery When Waxed beauty salon at 5998 State Route 96. He said that the light on the sign shines upward. Mr. Delpriore said that the size and the location of the sign are in compliance with the Town Code and with the site plan which was approved by the Planning Board, and that landscaping will be installed in the spring, also per the Planning Board approval. But he said that he will check on the positioning of the light per the Town regulations.

10. 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, 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 State Department of State 2024–2025 Winter Webinar Series:

Monday evenings in December 2024 and January 2025

Attend on WebEx from wherever you are. You will need a computer with speakers or a mobile device.

To register: <https://dos.ny.gov/loca-government-training-schedule>

December 9, 2024

Farmland Protection and Agricultural Viability

6:00 p.m.–8:00 p.m.

2 hours training credit

December 16, 2024

Floodplain Regulation for Local Review Boards
6:00 p.m.–8:00 p.m.
2 hours training credit

January 6, 2025

Planning Board Overview
6:00 p.m.–8:00 p.m.
2 hours training credit

January 13, 2025

Zoning Board of Appeals Overview
6:00 p.m.–8:00 p.m.
2 hours training credit

■ **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>

11. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 7:35 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, December 18, 2024, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425. This meeting will also be available via remote video conference.

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

Respectfully submitted,

John M. Robortella L.S.
Farmington Planning Board Clerk

2025 Planning Board Submission and Meeting Schedule

	A	B	C	D	E
1	Project Application Submittal	LOC Release Submittal	County Meeting Submittal	PRC Date	Planning Board
2	Deadline 12:00 pm	Deadline 12:00 pm	Deadline 12:00 pm		Meeting 7:00 p.m.
3	December 12, 2024	December 27, 2024	December 24, 2024	January 9, 2025	THURSDAY 1/2/2025
4		January 10, 2025			January 15, 2025
5	January 9, 2025	January 31, 2025	January 29, 2025	February 6, 2025	February 5, 2025
6		February 14, 2025			February 19, 2025
7	February 13, 2025	February 28, 2025	February 26, 2025	March 6, 2025	March 5, 2025
8		March 14, 2028			March 19, 2025
9	March 13, 2025	March 28, 2025	March 26, 2025	April 3, 2025	April 2, 2025
10		April 11, 2025			April 16, 2025
11	April 10, 2025	May 2, 2025	April 30, 2025	May 1, 2025	May 7, 2025
12		May 16, 2025			May 21, 2025
13	May 15, 2025	May 30, 2025	May 28, 2025	June 5, 2025	June 4, 2025
14		June 13, 2025			June 18, 2025
15	June 12, 2025	June 27, 2025	June 25, 2025	July 10, 2025	July 2, 2025
16		July 11, 2025			July 16, 2025
17	July 10, 2025	August 1, 2025	July 30, 2025	August 7, 2025	August 6, 2025
18		August 15, 2025			August 20, 2025
19	August 7, 2025	August 29, 2025	August 27, 2025	September 4, 2025	September 3, 2025
20		September 12, 2025			September 17, 2025
21	September 11, 2025	September 26, 2025	September 24, 2025	October 2, 2025	October 1, 2025
22		October 10, 2025			October 15, 2025
23	October 9, 2025	October 31, 2025	October 29, 2025	November 6, 2025	November 5, 2025
24		November 14, 2025			November 19, 2025
25	November 13, 2025	November 28, 2025	November 26, 2025	December 4, 2025	December 3, 2025
26		December 12, 2025			December 17, 2025
27	December 11, 2025	January 2, 2026	December 31, 2025	January 8, 2026	January 7, 2026
28		January 16, 2026			January 21, 2026