

# *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, January 21, 2026 • 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  
Timothy DeLucia  
Regina Sousa  
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  
Paula Ruthven, Town of Farmington Zoning Officer

**Attending:**  
Robert Brenner, Canandaigua Development Company, LLC, P.O. Box 70, Victor, N.Y. 14564  
Ed Martin, Passero Associates, 242 West Main Street, Suite 100, Rochester, N.Y. 14614  
William “Pat” and Barbara Murphy, 4995 Rushmore Road, Palmyra, N.Y. 14522  
Michael Philips—**R**  
Kenneth Walton, Farmington Volunteer Fire Association, 257 Rausler Road,  
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 13, 2026:

REGINA SOUSA was reappointed to the Planning Board for a five-year term expiring on December 31, 2030 (Town Law § 267-271).

EDWARD HEMMINGER was reappointed as Chairperson of the Planning Board for a one-year term expiring on December 31, 2026 (Town Law § 267-271).

Ms. Sousa and Mr. Hemminger took their places upon the Planning Board.

**Planning Board Members and Terms of Office:**

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
Adrian Bellis	Appointed 2025	Term expires December 31, 2029
Regina Sousa	Appointed 2026	Term expires December 31, 2020

**1. APPROVAL OF MINUTES**

**Minutes of January 7, 2026:**

■ A motion was made by MR. BELLIS, seconded by MS. SOUSA, that the minutes of the Planning Board Meeting of January 7, 2026, be approved.

Motion carried by voice vote.

**2. LEGAL NOTICE**

The following Legal Notice was published in the *Canandaigua Daily Messenger* newspaper on January 13, 2026:

**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that the Planning Board of the Town of Farmington, will conduct a Public Hearing on the 21st day of January 2026, 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 considering the application of:

**PB 2025-1201: WILLIAM (PAT) MURPHY, 4995 RUSHMORE ROAD, PALMYRA, N.Y. 14522:** Requests a preliminary Two Lot subdivision plat approval. The project proposes to subdivide Tax Map Account 19.00-1-1.000, creating Lot #1 to be comprised of 87.438 acres, with an existing single-family dwelling and accessory buildings; and Lot #2 to be comprised of 28.562 acres, to remain in agricultural production; both lots to be located along the south side of Rushmore Road, between Sheldon Road and County Road 28. The property is zoned A-80-Agricultural.

**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.

By order of: Ed Hemminger,  
Chairman, Town of Farmington Planning Board

**3. CONTINUED PUBLIC HEARING:**

**PB #2025-1101 Preliminary 41-Lot Subdivision and Preliminary Site Plan Applications**

**Name:** Canandaigua Development Company, LLC, 83 South Main Street, Canandaigua, N.Y. 14424 (Mailing Address: P.O. Box 70, Victor, N.Y. 14564)

**Location:** North side of State Route 96 at 5980 State Route 96. Tax Account #29.11-2-72.000, #29.11-2-73.000, #29.11-2-74.000 and #29.11-2-75.000

**Zoning District:** R-7.2 Planned Subdivision District and Major Thoroughfare Overlay District (MTOD)

**Request:** Fairdale Meadows Subdivision: Preliminary Subdivision Plat approval and Preliminary Site Plan approval for property to be subdivided into a 41-lot subdivision with 40 lots consisting of single-family homes and one lot to be owned by a Homeowners' Association.

The Public Hearing on this application was opened on January 7, 2026.

On January 7, 2026, the Planning Board approved the State Environmental Quality Review (SEQR) designation of itself as the Lead Agency for making the SEQR determination, approved the SEQR determination of non-significance, and approved the Preliminary Subdivision and Preliminary Site Plan with conditions.

On January 15, 2026, the Planning Board's draft resolution for this evening's consideration was sent via email to the applicants Robert Brenner and Brian Mahoney of the Canandaigua

Development Company, LLC; and to their engineer Sean Condon, P.E., Project Manager, The DDS Companies.

Mr. Hemminger reconvened the Public Hearing on this application.

Mr. Brenner attended in the meeting room.

Mr. Hemminger said that the inclusion of this resolution on this evening’s agenda is to formally close the Public Hearing on this application which was opened on January 7, 2026.

He asked if anyone in the meeting room or on the remote video conference wished to speak for or against this application, or to ask questions.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION**

**PB #2025-1101**

**APPLICANT: Robert Brenner, c/o Canandaigua Development Company, LLC  
P.O. Box 70, Victor, N.Y. 14564**

**ACTION: Public Hearing Continued from January 7, 2026:  
  
Preliminary Subdivision Plat and Preliminary Site Plan  
Application, to document compliance with the State’s SEQR  
Regulations allowing for the construction of the Fairdale  
Meadows Subdivision Tract and related site improvements  
located on land located along the north side of State Route 96,  
between Glen Carlyn Drive and Fairdale Glen.**

**WHEREAS** the Town of Farmington Town Planning Board (hereinafter referred to as Board) on Wednesday January 7, 2026, conducted a Public Hearing upon the above referenced Action; and

**WHEREAS,** the Board on January 7, 2026, did not close the Public Hearing; and

**WHEREAS**, the Board tonight has reconvened the Public Hearing and sought additional comments; and

**WHEREAS** the Board did not receive any additional public comments.

**NOW, THEREFORE, BE IT RESOLVED** that the Board, not having received additional public comments, does hereby close this Public Hearing on the preliminary subdivision plat and preliminary site plan application.

**BE IT FINALLY RESOLVED** that the Clerk of the Board is to file certified copies of this resolution with the Applicant, the Applicant’s Engineer, the Town Engineer and Town Development Staff, and to place of copy of this resolution in the project files upon the above referenced Action.

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

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

Motion carried

**4. NEW PUBLIC HEARING**

**PB #2025-1201** Preliminary Two-Lot Subdivision Application

**Name:** William “Pat” and Barbara Murphy, 4995 Rushmore Road, Palmyra, N.Y. 14522

**Location:** 4995 Rushmore Road; Tax Account #19.00-1-1.000

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

**Request:** Preliminary Two-Lot Subdivision Plat approval of Tax Map Account 19.00-1-1.000, consisting of 116.01 acres, creating Lot #1 to be comprised of 87.438 acres, with an existing single-family dwelling and accessory buildings; and Lot #2 to be comprised of 28.562 acres, to remain in agricultural production; both lots to be located along the south side of Rushmore Road, between Sheldon Road and County Road 28. The property is zoned A-80-Agricultural.

On January 7, 2026, the Planning Board determined that this application was complete and scheduled the Public Hearing for this evening (January 21, 2026).

On January 14, 2026, the Planning Board's draft resolution for this evening's consideration was sent via email to the applicants William and Barbara Murphy; and via U.S. Mail to their surveyor Gary L. Dutton, 6115 Route 15A, Springwater, N.Y. 14560.

Mr. Hemminger opened the Public Hearing on this application.

This application was presented by Barbara Murphy and William "Pat" Murphy.

Mr. Hemminger said that the purpose of this application is to subdivide a portion of the property for a family member.

Mr. Brand said that the subdivision will create Lot #2 which will be a non-buildable lot. He said that currently the subdivision plat is not showing anything, i.e., structures, on the lot and that the applicants would have to return to the Planning Board for a site plan approval if they would like to build on Lot #2 in the future.

Mr. Brand then referred to Condition #7 in the draft approval resolution which requires that the applicant's land surveyor is to complete an agricultural data statement form to identify whether the site lies within an area which is further regulated under the provisions of § 283-a of New York State Town Law. Mr. Hemminger said that this statement is a form which can be provided to the applicants by the Building Department staff. Ms. Murphy said that she will contact Ms. Ruthven in the office for the form.

Ms. Murphy said that their land surveyor Gary Dutton of Springwater, N.Y., has retired. She asked about the preparation of the agricultural data statement. Mr. Brabant said that the Town staff can provide her with the form and that she or a surveyor can fill it out. He said that the Town staff would be able to assist her in the preparation of the form.

Ms. Murphy asked about the procedure following submission of the revised Preliminary Subdivision Plat. Mr. Hemminger said that the revised plat would be checked by the Town staff to be sure that the conditions of approval have been addressed and are shown on the plat, following which the plat will be signed. He said that the staff will notify Ms. Murphy when the plat is signed and when the Final Subdivision Plat application can be submitted. Mr. Hemminger said that upon approval of the subsequent Final Subdivision Plat, either she or her surveyor would then file it in the Ontario County Clerk's Office.

Mr. Hemminger asked if anyone in the meeting room or on the remote video conference wished to speak for or against this application, or to ask questions.

There were no comments or questions from those in the meeting or on the remote video conference.

Mr. Bellis asked if the State Environmental Quality Review (SEQR) determination has been completed for this application. Ms. Ruthven said that this was classified as a Type II SEQR Action in the Planning Board’s approved resolution of January 7, 2026, at which time the application was determined to be complete in preparation for this evening’s Public Hearing. Mr. Brand said that the application was determined to be an Exempt Action, within the County Planning Board Bylaws. However, it was given a file number by the Ontario County Planning Board (#3–2026, dated January 14, 2026).

Mr. Hemminger asked Ms. Murphy if she received the draft resolution prior to the meeting and if she agreed with the conditions. Ms. Murphy said yes.

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

The Public Hearing on this application was closed by action in the following approval resolution.

■ A motion was made by MS. SOUSA, 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 #2025-1201**

**APPLICANTS: William and Barbara Murphy, 4995 Rushmore Road,  
Palmyra, N.Y. 14522**

**ACTION: Preliminary Two-Lot Subdivision Plat Application, Lots #A  
and #B, William P. and Barbara B. Murphy Subdivision of  
Tax Map Account 19.00-1-1.000.**

**Preliminary Subdivision Plat approval with conditions of the  
above referenced application.**

**WHEREAS** the Town of Farmington Planning Board (hereinafter referred to as Planning Board) tonight has conducted a Public Hearing on the above referenced Action; and

**WHEREAS** the Planning Board has received public testimony on the above referenced Action; and

**WHEREAS** the Planning Board has considered the Ontario County Planning Board Referral #3-2026, dated January 14, 2026, classified as an Exempt Action; and

**WHEREAS** the Planning Board, at their meeting on Wednesday January 7, 2026, classified the Action as a Type II Action under the provisions of 6NYCRR, Part 617.5 (23)

of Article 8 of the New York State Environmental Conservation Law, thereby satisfying the requirements of the State Environmental Quality Review Act (SEQRA); and

**WHEREAS** the Applicants have reviewed and accepted the conditions of approval contained in this draft resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby move to close the Public Hearing upon this Action.

**BE IT FURTHER RESOLVED** that the Planning Board does hereby approve the above referenced Action based upon the drawing prepared by Gary L. Dutton, Licensed Land Surveyor, identified as JOB No. 97-12, dated November 8, 2017, entitled “Map of A Survey of Lands and Lands to be Conveyed by William P. and Barbara B. Murphy,” with the following conditions:

1. The title of this plat map is to be amended to read... “Preliminary Two-Lot Subdivision Plat, Lots A & B, of the William P. and Barbara B. Murphy Subdivision Tract;” and
2. There is to be a General Note added to the preliminary plat that reads . . . “Lot B is Not-An Approved Building Lot, and is subject to Final Site Plan Approval by the Planning Board prior to the issuance of any Building Permit;” and
3. The plat map is to be amended to identify the names and Tax Map Accounts for the three (3) properties adjacent to the south of the above referenced Tax Map Account 19.00-1-1.000.
4. Signature lines are to be added to the preliminary plat for the Town Highway Superintendent and the Town Planning Board Chairperson; and
5. A Regional Location Sketch is to be added to the plat identifying the sites location along Rushmore Road as being between Sheldon Road on the west on Ontario County Road 28 on the east; and
6. The current A-80 Agricultural District designation and all setback dimensions for these two lots is to be added as a General Note to the plat map as required by §144-12, A . (24); and
7. The Applicant’s Land Surveyor is to complete an agricultural data statement form identifying whether the site lies within an area which is further regulated under the provisions of §283-a of New York State Town Law. If it is determined that such is the case then the agricultural data statement notices will need to be prepared and sent to farmland owners located within 500 feet from the boundary of the site and who are located within the established State Agricultural District, Ontario County Consolidated Agricultural District #1. In that case said notices are to be sent

identifying the date of the Planning Board public meeting to consider the final plat approval; and

- 7. There is to be a General Note added to the plat map that reads as follows . . . “The entire site lies within a mapped Zone C Area of Minimal Flooding, Flood Insurance Rate Map, Town of Farmington, Community #361299, Panel #0010B, Effective Date: September 30, 1983.”

**BE IT FURTHER RESOLVED** that the Planning Board does hereby waive the requirement in §144-12. A. (2) of the Town of Farmington Town Code that requires a scale of no more than 100 feet to the inch for a preliminary plat map. This waiver is based upon a finding, by the Planning Board, that the proposed Action does not permit any further site development for either Lot A or Lot B, and, therefore, approves of the proposed scale of 200 feet to the inch.

**BE IT FURTHER RESOLVED** that once these conditions of approval have been made to the drawing submitted then an electronic copy of the revised drawing is to be submitted to Cadin Lloyd, Farmington Code Enforcement Officer at [clloyd@farmingtonny.org](mailto:clloyd@farmingtonny.org) or by U.S. Mail to the CEO’s attention at the Farmington Town Hall address, for his review and acceptance. Once accepted by the CEO, then the Town Highway Superintendent and the Town Planning Board Chairperson will be notified to sign the revised Preliminary Two-Lot Subdivision Plat drawing.

**BE IT FURTHER RESOLVED** that once the preliminary plat map has been signed and returned, then the Applicant’s Land Surveyor, may prepare a Final Subdivision Plat for the Planning Board’s approval, Town Officials signing and filing in the office of the Ontario County Clerk within 62 days of the Planning Board Chairperson’s date of signing shown on the plat map.

**BE IT FINALLY RESOLVED** that certified copies of this resolution are to be sent to the Applicants, the Applicants’ Land Surveyor, Gary L. Dutton, Land Surveyors, 6115 Route 15 A, Springwater, N.Y. 14560, 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	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Regina Sousa	Aye
Douglas Viets	Aye

Motion carried.

Following the voting, Mr. Hemminger reviewed the procedure for the next steps of this application which include submission of a revised Preliminary Subdivision Plat which

address the conditions of approval. Mr. Brabant said that the revised plat must be prepared by a surveyor.

Ms. Murphy asked if she could submit the revised plat herself. Mr. Hemminger then said that a New York State surveyor with a valid license must sign and seal the revised plat, following which the drawing will be checked by the Town staff and signed. He said that Ms. Murphy's best bet is to stop in and discuss the next steps with the Town staff. Mr. Brand said that Ms. Murphy's surveyor Gary Dutton may still have his license and may be able to make the revisions even if he is retired. Mr. Hemminger said that either Mr. Dutton could complete this work, or he may be able to refer Ms. Murphy to another surveyor.

Mr. Hemminger suggested that Ms. Murphy speak with the Town staff on the requirements, and to begin with completion of the agricultural data statement which must appear on the plan as part of the official record of the subdivision.

Ms. Ruthven said that she will call Ms. Murphy tomorrow (January 22, 2026).

## 5. **NEW OVERALL PRELIMINARY SUBDIVISION PLAT AND NEW OVERALL PRELIMINARY SITE PLAN**

**PB #2026-0101**      New Overall Preliminary Subdivision Plat

**PB #2026-0102**      New Overall Preliminary Site Plan Application

**Name:**                      County Road 41, LLC (Farmington Meadows Incentive Zoning Project), c/o Cook Properties, c/o Jeff Cook, 90 Airpark Drive, Suite 400, Rochester, N.Y. 14624

**Location:**                County Road 41 and State Route 332, Tax Map #41.07-1-28.300 and Tax Map #41.07-1-28.210

**Request:**                      Applications for Preliminary Subdivision Plat (PB #2026-0101) and Preliminary Site Plan (PB#2026-0102) approvals to allow development of a 65.1-acre site (Tax Map Accounts 41.07-1-28.300 and 41.07-1-28.210) known as Farmington Meadows Incentive Zoning Project located along the east side of State Route 332 and the south side of County Road 41, between Farmbrook Drive and County Road 41.

Determination whether to accept the application as being complete for formal review, classifying the action under 6NYCRR Part 617, Article 8 of the State Environmental Conservation Law as a Type I Action, declaring intent to be designated Lead Agency under SEQR, initiating a coordinated review under SEQR with Involved and Interested Agencies, directing submission of a referral to the

Ontario County Planning Board for review under the provisions of Sections 239-1 -m and -n of the New York State General Municipal Law, and scheduling a Public Hearing upon this application.

On August 6, 2025, Jeff Cook of Cook Properties; and Shauncy Maloy, P.E., of Passero Associates presented the concept plan of this application to the Planning Board.

This application was reviewed by the Project Review Committee on August 7, 2025; September 4, 2025; October 2, 2025; November 6, 2025; and December 4, 2025.

On December 23, 2025, the Town Board approved the applicant's Full Environmental Assessment Forms and the State Environmental Quality Review (SEQR) determination of non-significance for this project (Town Board Resolution #423 of 2025).

Also on December 23, 2025, the Town Board approved the Farmington Meadows Incentive Zoning Project (Town Board Resolution #424 of 2025).

On January 15, 2026, Project Manager Shauncy Maloy, P.E., of Passero Associates, provided the following information to the Planning Board:

**Project Overview**

Farmington Meadows is designed as a cohesive, multi-generational neighborhood that balances quality residential living with strategic commercial opportunities. The proposed development integrates a diverse range of housing types with commercial sites to meet the housing and development needs of the Town of Farmington.

The development program includes the following primary components:

Senior Living: One (1) four-story senior apartment building featuring 150 units.

Multi-Family Residential: Twenty-nine (29) two-story townhome-style apartment buildings totaling 230 units, supported by a central clubhouse and pool.

Single-Family Residential: Fifty (50) single-family home lots.

Commercial Development: An estimated five (5) commercial pad sites situated along State Route 332 (specific tenants TBD).

Self -Storage: A self-storage facility on County Road 41 to serve the community and local residents.

**Phasing and Infrastructure**

The project is intended to be constructed in two phases, with the majority of the residential and core infrastructure and half of the commercial development being completed during Phase I. To support this development, Cook Properties is committed to significant public and private infrastructure improvements, including:

Connectivity: Construction of new public and private roadways, integrated sidewalks, and dedicated bike paths to promote walkability.

Utilities: Comprehensive water and sewer expansion to serve the Farmington Meadows development .

Site Management: Advanced stormwater management systems (SWPPP) and extensive flatwork/parking facilities.

A complete list of amenities can be found in Resolution #423-2025 which was passed by the Town Board on 12/23/2025 and sealed by the Town Clerk on 12/24/2025 approving the conditions of incentive zoning known as the Farmington Meadows IZ Project.

**Highway Access**

The site will have direct access to State Route 332 through a new intersection. The new intersection will eventually be a four-way, signalized intersection. The site will also have indirect access to State Route 332 via County Road 41 and the new intersection on County Road 41.

**Homeowners' Association**

The site is intended to be set up with a Homeowners' Association that will cover the single-family homes and the multi-family homes.

**Required Permits**

This development will require permits for the following:

NYSDOT Perm 33 and Perm 32 for the connection to state Route 332 and utility work in the ROW.

OCDPW permit for the connection to County Road 41.

General Construction Permit coverage as part of the SWPPP.

Building permits

Potentially grading permits.

**Submission Materials**

In support of this preliminary submittal, we have enclosed a comprehensive package for the Board's review, including:

Full set of Preliminary Site Drawings and a Preliminary Plat Map.

Sample Building Floor Plans and Elevations.

Traffic Impact Study.

Engineers Report.

Stormwater Pollution Prevention Plan (SWPPP).

Turning templates to ensure adequate Emergency Vehicle Access.

Estimated Project Construction Schedule.

SEQR Part 1 Form

—*Shauncy Maloy, Project Manager, Passero Associates*  
*January 15, 2026*

On January 16, 2026, the Planning Board's draft resolution for this evening's consideration was sent via email to the applicant Jeff Cook of Cook Properties; and to Shauncy Maloy, P.E., Project Manager, of Passero Associates.

Mr. Martin of Passero Associates presented this application.

He reviewed the details of the project as included in Mr. Maloy's previous correspondence (above).

Mr. Brand explained that this evening's resolution is for the board to determinate whether to accept the application as complete, to classify the application as a State Environmental Quality Review Type I Action, to declare the board's intent to be designated as the Lead Agency for making the SEQR determination of significance, to initiate the 30-day SEQR coordinated review period with Involved and Interested Agencies, to direct a referral of this application to the Ontario County Planning Board, and to schedule a Public Hearing.

Mr. Martin said, that to date, the applicant has received feedback from the Town Board, the Planning Board and the public, and that they are now working on the details of the project and look for additional feedback.

Mr. Brand said that one of the Interested Agencies will be the Commander of New York State Police Troop E because a portion of the Incentive Zoning amenities which are being offered to the Town by the developer are the construction of sidewalks along the frontage of the Troop E property on the east side of State Route 332.

He said that the 30-day coordinated review period will begin tomorrow (January 22, 2026) and end on February 20, 2026, following which the Public Hearing will be held on March 4, 2026.

Mr. Brabant said that MRB Group is now reviewing the plans and will issue engineering comments shortly.

Mr. Hemminger requested that the fire department be provided with access to the plans to make sure that the fire department is comfortable with the design and emergency vehicle access to the site. Ms. Ruthven said that Code Enforcement Officer Cadin Lloyd has already begun discussions with the fire department.

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

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

**FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY SUBDIVISION AND PRELIMINARY SITE PLAN APPLICATION  
FARMINGTON MEADOWS INCENTIVE ZONING PROJECT  
DETERMINATION TO ACCEPT FOR FORMAL REVIEW**

**PB #2026-0101      Preliminary Subdivision Plat  
PB #2026-0102      Preliminary Site Plan**

**APPLICANT:            Jeffrey Cook, c/o Cook Properties, 90 Air Park Drive, Suite  
400, Rochester, N.Y. 14624**

**ACTION:                Applications for Preliminary Subdivision Plat (PB #2026-0101)  
and Preliminary Site Plan (PB#2026-0102) approvals to allow  
development of a 65.1 acre site (Tax Map Accounts 41.07-1-  
28.300 and 41.07-1-28.210) known as Farmington Meadows  
Incentive Zoning Project located along the east side of State  
Route 332 and the south side of County Road 41, between  
Farmbrook Drive and County Road 41.**

**Determination whether to accept the application as being  
complete for formal review, classifying the action under  
6NYCRR Part 617, Article 8 of the State Environmental  
Conservation Law as a Type I Action, declaring intent to be**

**designated Lead Agency under SEQR, initiating a coordinated review under SEQR with Involved and Interested Agencies, directing submission of a referral to the Ontario County Planning Board for review under the provisions of Sections 239-l -m and -n of the New York State General Municipal Law, and scheduling a Public Hearing upon this application.**

**WHEREAS** the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received an application for the above referenced Action which consists of a packet of information which includes:

- (1) A set of preliminary subdivision plat and preliminary site plan drawings prepared by Passero Associates, engineering architecture;
- (2) Example Building Floor Plans and Elevations;
- (3) A Traffic Impact Study prepared by Passero Associates;
- (4) An Engineers Report prepared by Passero Associates;
- (5) A draft Stormwater Pollution Prevention Plan (SWPPP) prepared by Passero Associates;
- (6) An Estimated Project Construction Schedule prepared by Passero Associates; and
- (7) The Full Environmental Assessment Form (FEAF) Part 1, prepared by Shauncy Maloy, P.E., Passero Associates; and

**WHEREAS** the Planning Board has reviewed the criteria under 6NYCRR, Parts 617.4 and 617.5 of the State Environmental Quality Review (SEQR) Regulations, for determining the Classification associated with the above referenced Action; and,

**WHEREAS** the Planning Board finds that the granting of Preliminary Subdivision Plat and Preliminary Site Plan Approval for a proposed 150 units senior apartment building, twenty-nine (29) two-story townhouse-style single-family buildings proposing a total of 230 rental units; a 50- lot single-family residential project; five (5) commercial pads proposing a total of 36,100 square feet of buildings; and 64 mini-storage spaces located in two buildings; and related site improvements is classified as a Type 1 Action under 6 NYCRR, Parts 617.4 of Article 8 of the New York State Environmental Conservation Law (ECL); and

**WHEREAS** the Planning Board finds the proposed Action is subject to approvals from other Involved Agencies under their permitting provisions and, therefore, is subject to a coordinated review under the ECL; and

**WHEREAS** a coordinated review under the ECL requires the establishment of a Lead Agency.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby accept the application as being complete for formal review and action.

**BE IT FURTHER RESOLVED** that the Planning Board does hereby classify the proposed Action as a Type 1 Action under Section 6 NYCRR, Parts 617.4 of the State's SEQR Regulations.

**BE IT FURTHER RESOLVED** that the Planning Board determines the Involved Agencies include: the New York State Department of Transportation; the New York State Department of Environmental Conservation; the New York State Department of Health; the Ontario County Department of Public Works; the Town of Farmington Highway Superintendent; and the Town of Farmington Water and Sewer Superintendent.

**BE IT FURTHER RESOLVED** that the Planning Board does hereby establish of Coordinated Review Process under SEQR for said Action to commence on Thursday, January 22, 2026, and to end at noon on Friday, February 20, 2026.

**BE IT FURTHER RESOLVED** that the Planning Board does hereby declare its intent to be designated, as the Lead Agency for making a determination of significance under SEQR upon this Action, at its meeting on Wednesday, March 4, 2026.

**BE IT FURTHER RESOLVED** that the Planning Board instructs the Town Director of Planning & Development to prepare and distribute, on Thursday, January 22, 2026, to the above identified Involved Agencies, a Town Project Notification Review Letter, a Town SEQR Response Form and electronic copies of the above described packet of information received for these two Actions under SEQR provisions of the State's ECL.

**BE IT FURTHER RESOLVED** that the Planning Board directs the filing of two (2) referrals to the Ontario County Planning Board, Preliminary Subdivision Plat and Preliminary Site Plan, for its review and recommendation, at their February 11, 2026, meeting, under the provisions of Sections 239-l, -m & -n of the New York State General Municipal Law.

**BE IT FURTHER RESOLVED** that the Planning Board does hereby schedule a Public Hearing be held on this Application to begin at 7:00 p.m. on Wednesday, March 4, 2026.

**BE IT FINALLY RESOLVED** that the Planning Board directs Town staff to prepare a Legal Notice for said public hearing, to publish it in the Town's Official Newspaper, to post notice of it on the Town Hall Bulletin Board and the Town's website, and to post the property in two locations in accordance with established Town Notification Procedures.

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

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

Motion carried

**6. ADOPTION OF 2026 PLANNING BOARD RULES OF PROCEDURE:**

The Planning Board and Town staff resumed the discussion of the 2026 Rules of Procedure which began at the meeting on January 7, 2026.

Mr. Hemminger referred to several revisions which were submitted to board members prior to the meeting by Mr. Viets. These revisions were in addition to the revisions which Mr. Brand had submitted several weeks ago.

Mr. Bellis asked about including references in the Rules of Procedure to the presentation of concept plans by applicants to the Planning Board earlier in the application process. Mr. Hemminger suggested that the board could work with the Town staff on this as a procedural step as applications are received.

There were no additional comments or questions on the 2026 Rules of Procedure this evening.

■ A motion was made by MR. BELLIS, 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  
2026 RULES OF PROCEDURE**

**WHEREAS** the Town of Farmington Planning Board (hereinafter referred to as the Board) has considered the need to adopt Rules of Procedure for conducting the business of the Board during the calendar year 2026; and

**WHEREAS** the Board has reviewed 6NYCRR Part 617.5 of Article 8 of the State Environmental Conservation Law (ECL) finding that the above referenced Action involves routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; and

**WHEREAS,** the Board has determined that such Rules of Procedure are in the best interests of the Town.

**NOW, THEREFORE, BE IT RESOLVED** that the Board determines the adoption of the 2026 Rules of Procedure are classified as a Type II action under Part 617.5 (c) (26).

**BE IT FURTHER RESOLVED** that Type II Actions are not subject to review under Part 617 as these actions have been determined not to have a significant impact on the environment or otherwise precluded from environmental review under the ECL.

**BE IT FURTHER RESOLVED** that the Board does hereby adopt the Rules of Procedure for the calendar year 2026, as revised per this document appended to the minutes of the Board meeting of January 21, 2026.

**BE IT FURTHER RESOLVED** that a copy of the adopted 2026 Rules of Procedure is to be filed with the Farmington Town Clerk.

**BE IT FINALLY RESOLVED** that a copy of the adopted 2026 Rules of Procedure is to be posted on the Town’s website.

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

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

Motion carried

*See Appendix #1 to the minutes for the text of the 2026 Rules of Procedure, pp. 24–44.*

**7. OPEN DISCUSSION**

***Director of Planning and Development:***

Mr. Brand provided the following information:

- Farmington is going to again submit an application for a New York State infrastructure grant for funding a sanitary sewer project on Beaver Creek Road. In 2025, the City of Geneva was selected to receive \$1 million to double the capacity of its Marsh Creek Wastewater Treatment Plant. Mr. Brand said that the Farmington application will include information on the need for this project with the new subdivision applications for Fairdale Meadows and Farmington Meadows Incentive Zoning Project which have now been submitted. He said that he will reach out to Robert Brenner of the Canandaigua Development Company (Fairdale Meadows project) for support of the grant application.

- Mr. Brand and Ms. Ruthven said that new materials have been submitted today for the Ontario CSG 1, LLC Solar Project (New Energy Equity, Lynn T. Fish Farm, 4494 Mt. Payne Road) solar project. On August 6, 2025, the Planning Board determined that the applications for Preliminary Site Plan (PB #2025-0501) and Special Use Permit (PB #2025-0502) were incomplete.
- Mr. Brand attended a two-hour New York State Planning Federation training program on solar Battery Energy Storage Systems (BESS), especially because a BESS system is planned for the Sky Solar Commercial Drive solar project in Farmington.

(A BESS energy storage system is a type of energy storage technology that uses a group of batteries in the grid to store electrical energy.)

Mr. Brand said that a BESS system must be reviewed by an independent third party who would make a report to the Planning Board on the adequacy of the applicant's design and the features involved. He said that the New York State Energy Research Development Authority (NYSERDA) has a list of qualified firms which would provide this service. Mr. Brand also said that he has discussed the BESS system with Code Enforcement Officer Cadin Lloyd who reported on the new fire code provisions regarding these systems. Mr. Brand said that in the event of a fire, the applicant will have 50 minutes to notify the Town that a crew will be responding to the scene, and then the crew will have four hours to respond. Once on the scene, the crew will take over the event and extinguish the fire. Mr. Brand said that he will provide the link to this online training session for board members and Town staff.

- Mr. Brand discussed the new traffic signals—which are now being installed at several intersections in Farmington and Canandaigua with Matthew Oravec of the New York State Department of Transportation. Mr. Brand expressed concern with the installation of pedestrian signals on the east side of State Route 332 at Collett Road where there is no sidewalk connection, and the lack of installation of pedestrian signals on the west side of State Route 332 at Collett Road where there is a sidewalk connection. Mr. Brand also said that he is also hearing from town residents who would like to see additional streetlighting at the State Route 332/State Route 96 intersection.

Mr. Hemminger asked if there was a fatality at a recent automobile accident on State Route 96 at the Taco Bell entrance driveway. He said that an accident at this site is exactly what had been predicted when the Indus commercial sites were proposed at this location. Mr. Walton of the Farmington Volunteer Association said that the fire department responded to a record number of 580 calls in 2025 and that a majority of them were automatic alarms and motor vehicle accidents. He said that the State Route 332/State Route 96 and State Route 332/County Road 41 intersections continue to be the worst for accidents.

- Preliminary Site Plan and Special Use Permit applications are expected to be submitted this Friday by the Farmington Volunteer Fire Association for the enlarge-

ment, renovation and redevelopment of the five-acre Fire Station #2 site at the corner of State Route 96 and Hook Road. Concept plans were originally presented to the Project Review Committee (PRC) in 2020 and 2021. The current plans have been since reviewed by the PRC in December 2025 and January 2026. Mr. Hemminger said that the fire department would have two timelines which could be followed, i.e., one if the department follows Town staff input throughout the process, and the other if the department does not. He said that projects can be completed in half the amount of time with regular communication with the Town staff. Mr. Brand said that a Request for Proposals for engineering services is required because a separate Town engineer is needed to sign the documents related to this project because the Town's engineering firm is administering this project.

- Supervisor Ingalsbe has requested that a grant application be prepared for the second phase of the New York State Transportation Alternatives Program (TAP) Sidewalk, Trail Connections and Bike Lanes program. Mr. Brand said that the sidewalks and pedestrian crossing at the State Route 96/Mertensia Road intersection will be included in this application. Mr. Brabant said that MRB Group will submit the update to the Town's Sidewalk/Trail Connections/Bike Lane Map for review tomorrow (January 22, 2026).
- Mr. Brand said that there is a question of flow charts for the types of projects which are referenced in the Town's Site Design & Development Criteria Manual. Mr. Brabant said that these revisions are in progress and will be part of the Site Design Criteria update.

***Zoning Officer:***

Ms. Ruthven said that additional materials for the Ontario CSG 1, LLC Solar Project (New Energy Equity, Lynn T. Fish Farm, 4494 Mt. Payne Road) were received in the Building Department today. She also reviewed several new applications which are expected to be submitted including an expansion at Ruston Paving (6228 Collett Road) and a Flex-Space Warehouse project on County Road 41.

Ms. Ruthven said that the final plans have been submitted and are ready for signatures for the Krossber Enterprises new retail and office building to be located at 5974 State Route 96. The Final Site Plan for this project was approved by the Planning Board on December 17, 2025 (PB #2025-1102).

She also said that an application for a Finger Lakes Federal Credit Union branch in the vicinity of Farmbrook Drive is expected to be submitted.

***Town Engineer:***

Mr. Brabant said that the Town has been awarded a mapping grant for the Municipal Separate Storm Sewer (MS4) Program which will provide funding for the delineation of outfalls, catch basins and critical infrastructure. Mr. Hemminger said that the Town must appoint an MS4 Officer. Mr. Brand said that it is expected that the Town Board will appoint a new fire marshal next week and that there is ongoing compliance with the MS4 regulations. Mr. Brabant confirmed this compliance.

***Planning Board Members:***

Mr. Hemminger asked about the Bridges for Brain Injury project which received Preliminary Site Plan approval with conditions from the Planning Board on October 15, 2025 (PB #2025-0704). Mr. Brand said that the Town staff met with the applicant's engineer to review the revisions to the Preliminary Site Plan on which not all the conditions of approval were addressed.

Mr. Bellis asked about MRB /Hancock Estabrook 2026 Municipal Bootcamp Trainings for 2026 (*see below*). Mr. Brabant said that the Hancock Estabrook organization has taken a step back this year and that MRB Group will offer additional training sessions other than the standard topics. The additional training will include sessions by a wetland and storm-water specialist, and by the New York State Department of Environmental Conservation.

**8. PUBLIC COMMENTS**

None.

**9. TRAINING OPPORTUNITIES****■ MRB Group/Hancock Estabrook 2026 Municipal Bootcamp Trainings:**

For information: [eric.hankin@mrbgroup.com](mailto:eric.hankin@mrbgroup.com)

To register: <https://mrbgroup.com/bootcamp>

**Session #1: January 22, 2026**

Environmentally Speaking: The Nuts and Bolts of SEQR

6:00 p.m.–7:00 p.m.

**Session #2: February 26, 2026**

From Big to Small—The Big Picture: Developing and Implementing Comprehensive Plans

6:00 p.m.–7:00 p.m.

**Session #3: March 26, 2026**

Getting It Together: The Basics of Running a Meeting and the Open Meetings Law

6:00 p.m.–7:00 p.m.

**Session #4: April 23, 2026**

Soaking Up the Sun: Solar and Battery Storage and the Local Review Process  
6:00 p.m.–7:00 p.m.

**Session #5: May 28, 2026**

Water, Water Everywhere: The Impact of Wetlands on Development  
6:00 p.m.–7:00 p.m.

**Session #6: June 25, 2026**

Zoning Board Basics: Roles of the Zoning Board in Community Development  
6:00 p.m. to 7:00 p.m.

**Session #7: July 23, 2026**

Growing Intentionally: The Role of Local Leadership in Attracting Investment and Economic Development  
6:00 p.m.–7:00 p.m.

**Session #8: September 24, 2026**

A Storm Is Brewing: How Development Review Addresses Stormwater Management and Water Quality  
6:00 p.m.–7:00 p.m.

**Session #9: October 22, 2026**

Funding Your Priorities: Developing and Managing Competitive Grant Applications  
6:00 p.m.–7:00 p.m.

**Session #10: December 17, 2026**

Santa's Naughty and Nice List: The Best and Worst of 2026  
6:00 p.m.–7:00 p.m.

**■ New York Planning Federation Professional Training Programs Recorded Webinars:**

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

**New York Planning Federation 2026 Annual Conference:**

The Otesaga Resort Hotel, 60 Lake Street, Cooperstown, N.Y. 13326-1042

April 19–21, 2026

For information: (518) 512-5270 or [nypf@nypf.org](mailto: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>

**10. 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 7:40 p.m.

The next regular meeting of the Planning Board will be held on February 4, 2026, 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 clerk locked the front doors of the Town Hall.

Respectfully submitted,

\_\_\_\_\_  
John M. Robortella  
Farmington Planning Board Clerk

L.S.

**Appendix 1**  
Farmington Planning Board 2026 Rules of Procedure

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**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
2026 RULES OF PROCEDURE**

**APPROVED JANUARY 21, 2026**

**WHEREAS** the Town of Farmington Planning Board (hereinafter referred to as the Board) has considered the need to adopt Rules of Procedure for conducting the business of the Board during the calendar year 2026; and

**WHEREAS** the Board has determined that such Rules of Procedure are in the best interests of the Town.

**NOW, THEREFORE, BE IT RESOLVED** that the Board does hereby adopt the Rules of Procedure for the calendar year 2026, as revised per this document appended to the minutes of the Board meeting of January 21, 2026.

**BE IT FURTHER RESOLVED** that a copy of the adopted 2026 Rules of Procedure is to be filed with the Farmington Town Clerk, posted on the Town’s website, and shall become effective upon filing in that office.

**1. Order of Business**

At each Board Meeting, the order of business shall be:

- a. Call to Order
- b. Pledge of Allegiance
- c. Information about emergency exits.
- d. Refer to the sign-in sheet (if one is used) and request that all in attendance to please sign in (or provide his or her name and address when speaking. Give notice that this meeting is being recorded on a YouTube video conference program and that the video will be posted on the Town website within five business days of the meeting and will remain on the Town YouTube channel for at least 12 months.
- e. Request that all cell phones, pagers and smart watches be silenced.
- f. Notice given that the Planning Board will be following these Rules of Procedure as adopted by the board on January 21, 2026, and the Town of Farmington Town Board Resolution

#326 of 2020, regarding remote attendance of members. Board members participating in the meeting via video conference will be identified at this time.

- g. Approval of previous Board Meeting Minutes. Announce that a draft copy (clearly marked) of the minutes of the meeting will be posted on the Town website within two weeks of the meeting. Also announce that draft minutes of an Executive Session shall be made available within one week of the meeting.
- h. Announce that the Legal Notices have been published in the *Canandaigua Daily Messenger* newspaper (the Town's Official Newspaper), posted on the Town Hall Bulletin Board, the Town website ([www.townoffarmingtonny.com](http://www.townoffarmingtonny.com)), and the subject property has been duly posted with public notification sign(s).
- i. Announce that draft resolutions have been previously posted on the Town website for tonight's meeting.
- j. Announce that all persons participating remotely in the meeting are asked to please mute their video conference audio connection until called upon by the Planning Board Chairperson. Also, remind everyone to again mute their video conference audio connection after speaking.
- k. Order of Board Business:
  - (1) Conduct Public Hearings (for Preliminary Subdivision Plats, Special Use Permits and certain Preliminary Site Plans when deemed necessary by the Board). Continued Public Hearings will be held first on the agenda. New Public Hearings will follow.
  - (2) Application Approvals and Other Board Business: Agenda items include Preliminary and Final Subdivision Plat approvals, Preliminary Site Plan approval, Final Site Plan approval, Sketch Plan review, and other Board Business (Action Items).
  - (3) Scheduling of Public Hearings for future Board meetings (for Preliminary Subdivision Plats, Special Use Permits and certain Preliminary Site Plans when deemed necessary by the Board) shall be in accordance with the Board determining an application is sufficient for public review. The date for scheduling a public hearing shall follow that set forth in Appendix A of these adopted Rules of Procedure. The board will follow the Submission Schedule published each year by the Town Development Office. Exceptions to this schedule shall be approved by the board on a case-by-case basis.
  - (4) Other Action Items:
    - (a) Letters of Credit and Sureties.
    - (b) Reports and Recommendations to the Town Board.

- (c) Other Board Business (e.g., adoption of Rules of Procedure, annual report to the Town Board on the *Comprehensive Plan*, available training programs, etc.).
- (5) Open Discussion
- (a) Director of Development and Planning Report
  - (b) Code Enforcement Officer Report
  - (c) Highway Superintendent Report
  - (d) Water and Sewer Superintendent Report
  - (e) Town Engineer Report
  - (f) Environmental Conservation Board Member Report
  - (g) Fire Chief Report
  - (h) Chairperson of the Planning Board
  - (i) Planning Board Members
- (6) Public Comments.
- l. Next Board Meeting Date.
- m. Adjournment: The Chairperson shall entertain a motion with a second from any Board member to adjourn the meeting and followed by a voice vote.

## **2. Public Hearing/Public Meeting Procedures**

At each Public Hearing or public meeting, the following procedures shall govern:

- a. The Chairperson shall open each Public Hearing/Public Meeting and ask the applicant (or his or her representative) to make a presentation to the Board and the public. Any Public Hearing/Public Meeting at which the applicant (or his or her representative) is not participating shall be recessed until the applicant (or his or her representative) is participating, or the Public Hearing/ Public Meeting will be adjourned and continued to a specific date and time.
- b. The applicant shall display on the monitors, or on easels, any drawings that are part of the Public Hearing/Public Meeting. The applicant shall address the Chairperson with his or her presentation.

- c. The Chairperson shall ask the applicant if he or she has completed their presentation before turning to Town staff for their reports. Town staff shall address the Chairperson with their report comments. All responses will be to the Chairperson. Only the Chairperson shall entertain dialogue between Town staff and the applicant.
- d. Once all Town staff have completed their reports, the Chairperson shall then open the floor for comments by persons in attendance in the meeting room, and then those attending via the video conference, or if there are any written comments to be received at the Public Hearing/Public Meeting.
- e. All persons desiring to speak at a Public Hearing/Public Meeting shall be recognized by the Chairperson.
- f. Before speaking, each person shall give his or her name and address for the record.
- g. Persons speaking shall address their comments, questions or concerns to the Chairperson. There shall be no direct dialogue between a public speaker, the applicant, his or her agent or Town staff. The Chairperson shall determine when a speaker has completed his or her comments. The Chairperson shall have the right to limit the time allotted to public speakers.

Special and/or lengthy presentations shall be approved by the Chairperson prior to the start of the meeting.

- h. The Chairperson shall determine whom (either the applicant, his or her agent, or Town staff) is to reply to the public concern(s). All responses shall be to the Chairperson.
- i. Once the Chairperson has determined that there are no additional public comments, he or she shall then ask the Board for a voice resolution whether to either close or to continue the Public Hearing. If a Public Hearing is to be continued, then it shall be part of a resolution to continue it to a specific date. If the Public Hearing is to be closed, then a voice resolution to close the public hearing shall be offered and seconded by Board members followed by a voice roll call vote.

Once closed, a Public Hearing may not be reopened. Once a Public Hearing is closed, the Board may not consider any additional information received that pertains to the subject of the Public Hearing. If additional information is provided to the Board following the close of the Public Hearing, the Board may choose to advertise a second Public Hearing to be held in accordance with the provisions of New York State Open Meetings Law. After the Board closes a Public Hearing, the Board may (or may not) take action on the subject matter at that meeting. For details concerning draft resolutions, please see Item #5 below in these Rules of Procedure. Once closed, there are time limits listed in the various sections of New York State Town Law and/or the Farmington Town Code for a decision to be made. In certain instances, if a decision is not made within this time period, then the application may be approved by default.

- j. The Chairperson shall then ask each Board member for his or her comments.
- k. Should a Public Hearing be continued to a specific date, said Public Hearing shall be heard first on the Board agenda of the subsequent date.
- l. Should an applicant (or a designated agent) not appear before the Board on the night of the Public Hearing meeting, then the Board may table the application and continue the Public Hearing to a specific date. In addition, the Chairperson shall direct the Clerk of the Board to provide written notification to the applicant of the date and time for the continued Public Hearing and request his or her attendance.
- m. Failure by the applicant (or his or her agent) to appear before the Board at the date of the continued Public Hearing may result in the Board taking action to deny without prejudice the requested application. In such an event, it will be necessary for the applicant to make a new application and pay a new fee for said application before being heard by the Board. *Note:* Only the Town Board may waive an application fee.
- n. A revised drawing or additional documentation, accepted by the Board at either a Public Hearing or a public meeting, may be grounds for continuing the Public Hearing or the public meeting to a specified date and time. The Board does not want to receive material the night of the meeting and be expected to act upon it. Furthermore, the Board wants the public to have an opportunity to review any new submitted documentation pertaining to an application.
- o. Any Board member who did not attend a Public Hearing/Meeting may still vote on the application at a subsequent meeting provided that no decision has been made by the Board following the close of the Public Hearing/Meeting. However, said Board member must enter into the public record that he or she has reviewed the Public Hearing/Meeting record and is prepared to make an informed decision on the application.
- p. The public can submit documents/articles for the Board to review. These documents/articles will only be accepted at a scheduled Public Hearing. It is expected that the documents/articles meet the following conditions:
  - 1. Submitter provides a short statement of why he or she feels this document/article relates to this application.
  - 2. The author should be clear, as well as how the author is an expert in the field.
  - 3. The document/article should be dated.
  - 4. Any factual data in the document/article should have a reference to where the fact was obtained (i.e., study, other document, etc.)

### 3. Agendas and Legal Notices

The Board requires all applicants to meet the scheduled dates of submission (*see* Appendix A) including all documents associated with a pending application. These dates have been established by the Town Code Enforcement Officer, adopted or accepted by this Board, and are hereby made a part of these Rules of Procedure (Appendix A). The schedule for application submittals will be posted on the Town website by the Town Code Enforcement Officer, the Town Zoning Enforcement Officer, or the Development Department Office Administrator.

**Agendas**—Copies of the draft meeting agenda and Legal Notices shall be available in the Town Development Office no later than 3:00 p.m. on the Wednesday (one week) prior to the scheduled meeting. A draft meeting agenda shall be prepared by the Development Office Administrator. Said draft agenda will then be reviewed by the Planning Board Chairperson, the Director of Planning and Development, the Town Code Enforcement Officer, the Town Zoning Enforcement Officer, the Town Engineer, and the Clerk of the Board. Following their input, all draft agendas will be made available to each Board member along with the packets of information on or before the Wednesday prior to the Board meeting. Any change to the draft agenda shall be approved by the Chairperson, communicated via email to the Development Office Administrator, the Town Code Enforcement Officer, and the Director of Planning and Development. The Clerk of the Board will send via email an updated agenda to each Board member, any involved applicant and their agent, and involved Town staff no later than 3:00 p.m. on the Friday prior to the scheduled meeting. Adequate copies of this updated agenda will also be placed in the meeting room for the public and for any staff or Board members not able to access their electronic copy by 6:45 p.m. on the night of the meeting. No additional matter shall be added to the Planning Board Agenda the week of the scheduled meeting unless approved by the Planning Board Chairperson. Revisions to the agenda will be posted on the Town website.

To ensure the Planning Board members have all the information they need to provide feedback to staff on resolution preparation, all Town staff, including the Town Engineer's report, shall be provided to the Development Office Administrator no later than noon on the Wednesday of the week prior to the scheduled Board meeting. This information shall be included in the packets of information for the Board members' review and comments. In the event a Town department or the Town Engineer does not have any comments on a pending application, that information shall be provided.

The Development Office Administrator shall provide paper copies of all Legal Notices to the Town Clerk's office for posting on the Town Hall Bulletin Board. In addition, the Development Office Administrator shall post the agenda to the Town website in accordance with the legally required timelines established by the Town Board pursuant to Article Seven, Section 103 of the Public Officers Law (*see* note above regarding posting).

**Legal Notices**—shall be mailed to all property owners located within 500 feet of the boundaries of the subject property, emailed by the Development Office Administrator to the Town's Official Newspaper within seven (7) days of a Public Hearing, with publication to be not less than five (5) days prior to the Public Hearing being held by the Board. Legal Notices will include references to the video conference information.

**Notification to adjacent Municipal Clerks**—When a pending action (e.g., Special Use Permit, Temporary Use Permit, Site Plan approval, and Preliminary Subdivision Plat approval) involves scheduling a Public Hearing for a pending action and is located on property within 500 feet of the municipal boundary, Section 239-nn of the New York State General Municipal Law requires the Farmington Town Clerk to notify the Town Clerk of an adjacent municipality of a scheduled Public Hearing upon a pending action. The Development Office Administrator shall provide the Town Clerk with a copy of all such application(s) and related documents not later than ten (10) business days before the date of the Board’s meeting. The Town Clerk shall provide the Development Office Administrator with a copy of the notification letter and any comments received under these provisions.

#### **4. Determining an application adequate for scheduling a Public Hearing or Public Meeting**

The Planning Board shall first determine when an application for preliminary subdivision plat, preliminary site plan or special use permit is adequate prior to scheduling a Public Hearing/public meeting upon the action. The Planning Board shall make a finding that the documents submitted are adequate for scheduling a Public Hearing/meeting, classify the proposed Action under the State’s Environmental Quality Review (SEQR) Regulations, determine whether the application is subject to a referral to the Ontario County Planning Board or the Clerk of an adjacent municipality (Section 239-nn of the State’s General Municipal Law). Once such a finding has been made, then the time period for decisions by the Planning Board shall apply. The time periods are set forth in Section 5 below of these Rules of Procedure.

#### **5. Time Period for Decisions by the Planning Board**

In accordance with the provisions contained in §274-a of New York State Town Law pertaining to site plan review, a decision is to be made within sixty-two days from the day the application is received by the Planning Board, when there is no public hearing required by the Board. When the Planning Board decides there is to be a Public Hearing required, then a decision is to be made within sixty-two days after such hearing. The time within which the authorized board must render its decision may be extended by mutual consent of the applicant and such board.

In accordance with the provisions contained in §274-b of New York State Town Law pertaining to special use permits, a Public Hearing shall be conducted within sixty-two days from the day an application is received and determined to be adequate by the Board. The Planning Board shall decide upon the application within sixty-two days after the hearing. The time within which the authorized board must render is decision may be extended by mutual consent of the applicant and such board.

In accordance with the provisions contained in §276.5. Pertaining to approval of preliminary plats, all plats shall be submitted to the Planning Board for consideration. A preliminary plat shall not be considered complete until a negative declaration has been filed or until a notice of completion of the draft environmental impact statement has been filed in accordance with the provisions of the state environmental quality review act (SEQRA). The time period for review of a preliminary

plat shall begin upon filing of such negative declaration or such notice of completion. The time periods for action vary depending upon the designated lead agency under SEQRA.

Default approval of preliminary or final plat. The time periods prescribed herein within which a planning board must take action on a preliminary plat or a final plat are specifically intended to provide the planning board and the public adequate time for review and to minimize delays in the processing of subdivision applications. Such periods may be extended only by mutual consent of the owner and the planning board. In the event a planning board fails to take action on a preliminary plat or a final plat within the time period prescribed therefor after completion of all requirements under the state environmental quality review act, or within such extended period as may have been established by the mutual consent of the owner and the planning board, such preliminary or final plat shall be deemed granted approval. The certificate of the town clerk as to the date of submission of the preliminary or final plat and the failure of the planning board to take action within the prescribed period of time shall be issued on demand and shall be sufficient in lieu of written endorsement or other evidence of approval herein required.

## **6. Duplicate Applications**

Should the Planning Board determine an application adequate, the Planning Board shall not accept a new or second application requesting an approval of the same type (site plan, subdivision or special use permit) on the same property unless the application deemed adequate shall be withdrawn.

## **7. Subdivision/Site Plan Simultaneous Reviews with Zoning Board of Appeals**

Should the Planning Board receive an application for preliminary subdivision plat or site plan approval that is found to contain one or more features which do not comply with the zoning regulations, application may be made to the zoning board of appeals for an area variance pursuant to section two hundred sixty-seven-b of article 16 of New York State Town Law, without the necessity of a decision or determination of an administrative official charged with the enforcement of the zoning regulations.

## **8. Public Hearings—Public Notice, County Planning Compliance, and SEQR Compliance**

Where there has been a referral to the County Planning Board, then the referral number and recommendation shall be entered into the Public Hearing or public meeting record. There shall be no action taken on an application that is first subject to a referral and recommendation from the County.

The Board shall identify the Classification of Action under review as is first classified by the State Environmental Quality Review (SEQR) Regulations, Article 8, of the New York State Environmental Conservation Law.

In no instance shall the Board vote on a Preliminary Subdivision Plat, Preliminary Site Plan or Special Use Permit until SEQR has been satisfied and the Public Hearing has been closed.

The Board may waive the requirement to read into the Public Hearing record the standard resolutions for all Type 2 Actions made under the SEQR Regulations. When so waived, the Board must still take action to make a Type 2 Classification and record the vote taken thereon.

The Board may also waive the requirement to read into the Public Hearing/Meeting record the standard resolutions for determinations of significance to be made on all Unlisted Actions under the SEQR Regulations. When so waived, the Board must still take action to accept the draft resolution for making an Unlisted Action Determination of Significance. In addition, when a determination of significance is made, the Chairperson of said Board shall sign and date Part 2 of the Short Environmental Assessment Form, or Part 3 of the Full Environmental Assessment Form.

The Board may waive the requirement to read into the Public Hearing/Meeting record a resolution for the determination of significance on a Type 1 Action that is to be made under the SEQR Regulations. In addition, when a determination of non-significance is made on a Type 1 Action, the Chairperson of said Board shall sign and date the SEQR Negative Declaration Form.

For all Unlisted Actions and Type 1 Actions, the Board shall comply with the procedural requirements set forth in Section 617 of article 8 of the New York State Environmental Conservation Law (ECL), prior to making any decision on a pending application. The SEQR Involved Agencies shall be notified of the Board's determination of significance.

The Town Engineer shall be responsible for filing with the New York State Department of Environmental Conservation all determinations of significance made on any Type I Action that are to be published in the State Environmental Notice Bulletin (ENB). The Clerk of the Board is to provide all related SEQR documents to the Town Engineer for this filing. (*Note: Unlisted Actions are not filed in the ENB.*)

## **9. Motions**

When a resolution is under debate/discussion, no motion shall be received except a motion to: 1) amend the question; 2) call the question; 3) adjourn it to a specific date; 4) table the question; 5) refer the question to Town staff and/or legal counsel; or 6) adjourn the Board meeting. Tabled motions shall be subject to the provisions in Section 11 of these Rules of Procedure set forth below.

## **10. Resolutions and Documents**

When draft resolutions have been prepared for the Board's review and consideration, said copies shall be sent electronically to the Board members by the Clerk of the Board on or before 3:00 p.m. on the Tuesday preceding the Board's meeting. Draft resolutions shall first be sent to the Board members and to Town staff. The Clerk of the Board shall send draft resolutions to the applicant and/or his or her agent by 4:30 p.m. on the Tuesday prior to the Board's meeting. In addition, the

Town Development Office Administrator shall post all draft resolutions on the Town's website by 4:30 p.m. on the Tuesday before the Board's meeting. Town staff shall not change any draft resolution submitted to the Board. Any such change or amendment thereto shall be made at the Board's direction at the Board meeting. The draft resolutions shall be removed from the Town's website, by the Development Office Administrator, ten (10) business days after the date the draft resolution is acted upon by the Board.

When—during the Board's open meeting deliberation upon a draft resolution—substantial new information is presented that has not been provided to the Board and posted on the Town's website, in accordance with the State's Open Meetings Law requirements, the Board may determine that said information is substantial to its pending decision and move to table their decision to the next Board meeting to allow for any changes to be made to the draft resolution, posted on the town's website and to allow for the public review of said changes prior to the meeting where action is to be taken. The Board, however, may add or change conditions of approval if it is not determined that such change(s) is/are not significant to the posted draft resolutions without holding the resolution over until the next Board Meeting.

## **11. Voting**

Planning Board members may participate either in person at the meeting or by remote video conference participation, in compliance with State and Local directives.

The members of the Board shall be eligible to vote on the Board Meeting Minutes when they were present for the meeting (or when they meet the requirements of Town Board Resolution #326 of 2020), or upon their proclaiming adequate knowledge of the pending Action as the result of their review of previous meeting minutes and any new information. As appropriate, Board members shall, at the outset of any application, give public notice of their financial or other private interests in any project that is pending before the Board. Where such disclosure is made, the Board Member shall be deemed to be in compliance with the provisions of Article 18 of the New York State General Municipal Law or any amendments thereto, relating to Conflicts of Interest, as well as compliance with the Code of Ethics contained in Chapter 17 of the Town of Farmington Code.

In all matters voted on by the Board, except for a vote to override a County Planning Board recommendation, there must be a majority of the entire membership voting the same way in order for an action to be approved, denied or modified. A majority-plus-one vote is required to override a recommendation of denial by the Ontario County Planning Board (*see #9, below*). A certified copy of all resolutions acted upon by the Board, which have been the subject of a County Planning Board referral and recommendation, shall be provided to said County Board within five (5) business days of the date of said action by the Clerk of the Board.

In the instance of a resolution to override a County Planning Board recommendation, there must be a majority plus one vote of all members. Otherwise, the vote fails to override and the Planning Board must comply with the recommendation contained in the County referral. When this occurs, the draft resolution is to be amended to include compliance with the County's recommendation. On other matters, a 2 to 2 vote taken by the Board on an application results in a no action being

taken and will need to be reconsidered by the Board at a future meeting. All Board members shall record their vote by roll call taken by the Clerk of the Board and duly recorded in the minutes. In no instance shall the Board vote to approve, modify, or deny a Sketch Plan. The Board shall only make comments or suggestions to the applicant.

Prior to taking a roll call vote on an application, the Chairperson shall ask the applicant or agent if he or she understands the resolution that is about to be acted on, and if the applicant/agent has any questions, concerns or objections to any part thereof.

A copy of all resolutions (decisions made) by the Board shall be filed with and date-stamped by the Town Clerk's Office prior to being mailed by the Clerk of the Board, within five (5) business days, to the applicant and the original resolution filed with the Town Clerk's Office, and a copy then made and filed with the Town Development Office. Any additional copies noted in the resolution shall be provided by the Clerk of the Board. For any application referred to the Ontario County Planning Board, a certified copy of the final action taken on the subject referral shall be filed by the Clerk of the Board with the County within five (5) business days after final action is taken.

## **12. State Environmental Quality Review (SEQR)**

A preliminary plat shall not be considered complete until a negative declaration has been filed or until a notice of completion of the draft environmental impact statement has been filed in accordance with the provisions of the state environmental quality review act (SEQRA). The Board's review and approval of all applications shall be subject to the requirements set forth in article 8 of the New York State Environmental Conservation Law, the SEQR Regulations.

## **13. County Planning Recommendations and Board Voting Requirements**

In the instance where the Ontario County Planning Board has rendered an advisory report, under the provisions of Sections 239-l, -m, and -n of the New York State General Municipal Law, and the County Planning Board recommends modification or denial of an application, the Board, in order to override the County's recommendation must first have a majority plus one vote (4 of the 5 Board Members) recorded on a separate resolution that sets forth the reasons for overriding the County's recommendation.

The Board must file a copy of said resolution with the County, along with a certified copy of the resolution taking action upon the application, within the time frame prescribed in the above referenced sections of the New York State General Municipal Law.

## **14. Votes, When Recorded**

Board members shall record their vote by stating either an "aye" or "nay" on a question. Votes shall be entered in the Minutes. All votes shall be taken in public, either by voice or by roll call by

the Clerk of the Board, for each Board member present. A member who is absent from the vote shall be noted as being either absent or excused in the roll call voting. A Board member may abstain from voting. When a Board member exercises this right, it is not necessary for the Board member to state his or her reason(s) for abstaining unless there is disclosure of a conflict of interest associated with an application.

### **15. Disapproval without Prejudice**

Should the Planning Board find that an application does not contain everything required by the applicable Town of Farmington Code, by any applicable Ontario County, New York State or Federal law or regulation or by any reasonable request of the Town Planning Board and further finds that it has given the applicant a reasonable and sufficient amount of time to provide a complete application, it may then find the application to be incomplete and return the application to the applicant without prejudice and without refund of any application fee, and the Planning Board shall take no further action thereon.

When such action is taken upon a preliminary or final site plan, the applicant is to be provided advanced notice of the Planning Board's declared intent and given notice that, in accordance with the provisions within §165-100 H. (6) Site development plan, of the Farmington Town Code, the Planning Board may not be resubmitted an application for preliminary or final site plan approval for a period of one year from the date of such decision, unless such plan has been changed or revised to reflect the concerns and recommendations of the Planning Board as indicated in its resolution of denial. A decision to this effect must be documented in a separate resolution by the Planning Board before a new application may be submitted.

### **16. Privilege of the Floor**

During Public Comment Time, any person (attending in person or via video conference), and upon request granted by the Chairperson, may address the Board on a matter of public concern. The time allotted for addressing the Board shall be limited by the Chairperson depending on specific circumstances. In no instance shall the Privilege of the Floor be used to make additional comments on an application pending before the Board when the Public Hearing has been closed or continued.

### **17. Public Notification**

Public meeting notice shall be given in the manner prescribed by New York State Town Law and the posting of property requirements set forth in the Farmington Town Code. In addition, copies of the Meeting Agenda and Legal Notices shall be available in the Town Development Office no later than 3:00 p.m. on the Wednesday one week prior to the scheduled meeting (*see* Section 3—“Agendas and Legal Notices”).

When an application has been continued by the Board, the Public Notification Sign posted on the property shall continue to be displayed.

Any property not properly posted before a public meeting is held shall not be heard by the Board and the matter shall be continued to the next Board Meeting to enable posting of the subject property. All Public Notification signs shall remain on the property until the Board has taken final action on the application. Once final action has been taken, all Public Notification signs are to be removed within five (5) business days by either the Town Code Enforcement Officer or Town Zoning Enforcement Officer.

## **18. Duties and Responsibilities**

The duties and responsibilities of the Board are set forth in Chapter 9, Article V of the Farmington Town Code, entitled “Planning Board (PB) Duties and Responsibilities,” New York State Town Law, New York State Public Officers Law, the State Environmental Quality Review (SEQR) Regulations and the provisions contained in Sections 239-1, -m, -n and -nn of the New York State General Municipal Law.

## **19. Draft Meeting Minutes**

The Board members shall be sent electronically draft meeting minutes within ten (10) business days of the date of the subject meeting. Draft meeting minutes shall be identified as being a draft.

## **20. Corrections to the Draft Meeting Minutes**

The Board members shall, whenever possible, notify the Clerk of the Board and the Board Chairperson by email of all corrections to the previous meeting minutes prior to the date of the next meeting. This email shall not be copied to all members of the board. Staff members shall provide any recommended changes to the Clerk of the Board and the Board Chairperson. Corrections to draft minutes from board members and staff members shall be reviewed at the next meeting of the board.

## **21. Approved Meeting Minutes**

At the Board meeting, the Board—having reviewed the Draft Meeting Minutes—will (as part of the public meeting record), take action to accept the Minutes either with or without corrections. Once the Minutes have been approved by a voice vote of at least three Board members present at the meeting, the vote shall be recorded in the meeting minutes. The Clerk of the Board shall then, within five (5) business days, file a certified copy with the Town Clerk’s Office to be date stamped, filed, and posted on the Town’s website, as well as providing electronic copies to the Town Board members, the Planning Board members, and to the Town’s Confidential Secretary.

## **22. Audio Recordings of Board Meetings**

Audio recordings of the proceedings of the Board meetings shall be maintained by the Clerk of the Board for a period of twelve (12) months after the date that the meeting minutes have been approved by the Board. When requested by the Chairperson, said audio recordings shall be maintained by the Clerk of the Board for an additional period of time as specified by said Chairperson.

## **23. YouTube Connections to and Recordings of Board Meetings**

YouTube recordings of Planning Board Meetings are provided for the public's remote participation in both Public Hearings and public meetings, and to view a meeting that they may not have been able to attend in person or remotely. The recordings may not be used to replace minutes that have been approved by Planning Board members and recorded in the office of the Farmington Town Clerk.

## **24. Layover**

A resolution, application or action before the Board may be laid over until the next regular session of the Board if so requested by any member of the Board, unless by doing so the application would otherwise be approved by default of the Board. No further action may be taken on the resolution or its amendments, but limited discussion may occur at the discretion of the Chairperson. However, whenever possible, Board members should first attempt to resolve the issue(s) leading to a layover. If a layover is imminent, the Chairperson should be notified of such action prior to the start of the regular Board meeting. When it becomes apparent to a member of the Board that a layover is being contemplated, said member shall bring this matter to the Chairperson's attention as soon as possible. The member laying over the action is expected to be present at the next scheduled meeting.

A laid over resolution shall be acted upon at the next scheduled meeting. No resolution shall be laid over a second time. No resolution shall be laid over if it is determined that such action would violate the time limits contained in various sections of the New York State Town Law.

No layover can occur at the last meeting of the year because the next meeting in the following year may not have the same members on the Board who originally laid the matter over. The Board may vote to table the matter in this case and the new Board, when constituted, can offer a resolution to bring up the tabled resolution off the table with a motion and a second followed by a voice vote of the entire Board.

## **25. Amendment of Procedures**

The Board, on a resolution to amend, may amend these Rules of Procedures from time to time. Once amended, copies of the amended Rules of Procedure shall be distributed to all having received the original adopted Rules of Procedure for the given year and posted upon the Town's website. Any action to amend the Rules of Procedure shall be placed upon a meeting agenda.

## **26. Board Discussion**

The Chairperson, at his or her discretion, may limit the discussion between any Board member and the applicant, staff and/or the general public.

## **27. Board Resolutions**

All resolutions for the Board, except for those identified elsewhere in these Rules of Procedures, or those to close a Public Hearing, are to be in drafted by the Town's Director of Planning and Development. The resolutions are to be read by the Chairperson or the Clerk of the Board unless the Board members agree by a motion, second and voice vote that the reading in this case is not necessary. The Chairperson can opt to have only the conditions of approval read if it is a standard resolution and not controversial. The contents of the resolutions are to be clear and understandable to the Board members as well as to the applicant.

The Board resolutions are to contain a clear and understandable listing of all Conditions of Approval that are to be incorporated within the "Approval of the Resolution" as read by the Chairperson or the Clerk of the Board, prior to voting on by the Board. Before voting on said resolution, the Chairperson shall ask the applicant if he or she understands the action and any conditions contained therein. The Clerk shall note this question and the applicant's response in the Minutes.

## **28. County Referrals**

The Director of Planning and Development and the Zoning Enforcement Officer will review all Board referrals for completeness before they may be transmitted to the Ontario County Planning Board. The Zoning Enforcement Officer or the Director of Planning and Development will sign the referral form. An electronic copy of the referred application packet shall be provided electronically to the Clerk of the Board, the Town's Director of Planning and Development and to the Town's representative on the Ontario County Planning Board. All referrals submitted to the County shall comply with the monthly deadline published by the County Planning Board for their monthly reviews and recommendations. Following the County Planning Board's meeting an electronic copy of the County's referral shall be placed in the project's file and a copy provided to the Clerk of the Board and the Town's Director of Planning and Development. Following action by the Planning Board, a certified copy of the Board's resolution shall be filed with the Ontario County Department of Planning.

## **29. Acting Chairperson**

With the adoption of this resolution, the Board determines that the Acting Chairperson for 2026 will be board member DOUGLAS VIETS. In the event that DOUGLAS VIETS is not available, then board member ADRIAN BELLIS shall serve as the Acting Chairperson. In the absence of the Chairperson, the Acting Chairperson shall perform all of the functions, which are normally the responsibility of the Chairperson. This is to include the signing of documents.

### **30. Training Requirements and Training Update Classes**

All Board members, and the Town's representative on the Ontario County Planning Board, shall be required to complete at least:

- a. Twelve (12) hours of suitable training during the first full calendar year of their first term in office; or
- b. Nine (9) hours of suitable training during the remaining nine months, of the first full calendar year of their first term in office; or
- c. Six (6) hours of suitable training during the remaining six months, of the first full calendar year of their first term in office; or
- d. Four (4) hours of suitable training during the remaining three months of the first full calendar year of their first term in office; and then
- e. Eight (8) hours of suitable training, each year for the remaining term in office.

This requirement may be satisfied by training sessions that are offered throughout the year by attending state conferences and seminars and/or at county or regional training classes for the purpose of receiving updates to the state's requirements pertaining to Board members. Also included are presentations by the Town Engineer or other individual or group, as approved by the Town Board.

In addition to the above training classes and seminars, a Board member may, with the Chairperson's approval, substitute up to two (2) hours of such training with one-on-one training with the Town's Director of Planning and Development. In such instance, the Director of Planning and Development shall certify to the Chairperson, the Town Supervisor, the Town Clerk and the Town's Confidential Secretary that such training has been received.

Requests to receive training by members of the Board are to be coordinated with, and approved by, the Chairperson and then the completed training registration form must be submitted by each Board Member directly to the Confidential Secretary to the Town Supervisor. The Confidential Secretary will prepare a voucher, if there is a fee for the training, and submit it for approval by the Town Board. If the training exceeds \$100.00 it must be approved via a Town Board resolution; training under \$100.00 requires approval of the voucher only.

As soon as possible following the Board member's attendance at a training session, it shall be the responsibility of the Board member to submit documentation received at the training session to the Chairperson, who, according to a Town Board resolution adopted October 23, 2007, is required to maintain copies of all certificates of attendance. The Board Member shall also provide certificates of attendance to the Confidential Secretary to the Town Supervisor and the Town Clerk, as outlined in the October 23, 2007, resolution. The Confidential Secretary to the Town Supervisor shall maintain her or his own annual training log for each Board and shall coordinate, in the fall of each year, with the Chairperson to identify the status for each Board Member. In the event the Town Board

amends the Town's Training Requirements, this Section of the 2023 Rules of Procedure shall also be amended as necessary.

### **31. Attendance at Public Meetings, and Committee Meetings**

Planning Board members may participate either in person at the meeting or by remote video conference participation, in compliance with State and Local directives.

Board members are also encouraged to attend any of the Town's standing committee meetings regarding issues pertinent to the Town's planning, (i.e., Agricultural Advisory Committee, Historical Preservation, Conservation Board, etc.) which are held monthly at the Farmington Town Hall.

Board Members at such meetings are also encouraged to speak on behalf of the Board providing only the general overview of the current applications that maybe pending before the Board. However, in no event shall Board members express their own personal thoughts on a matter that is currently pending before the Board. Also, no Board member shall speak in such a manner as to imply that what is being said is the official position of the Board. Only the Chairperson may speak on behalf of the Board when authorized to do so by a Board vote. Also, when speaking at such meetings, Board members shall identify themselves as residents of the Town and members of the Board.

It is the policy of this Board not to engage in social media discussions on projects that are or have been before the Board, or that could potentially be before the Board.

The Chairperson shall attend Town Board meetings, which are normally held on the second and fourth Tuesday of each month, to report on any important pending applications or matters pertaining to the growth and/or development of the Town of Farmington.

In the event a Planning Board member determines that he or she will not be able to attend a public meeting of the board, said member shall notify the Chairperson as soon as possible. When a Planning Board member intends to participate in a meeting via video conference, then the address from where the member will be participating must be announced and recorded in the minutes.

Should it become necessary to cancel a scheduled Board meeting, as much public notice as possible shall be given by the Town Development Office staff. Such public notice shall include the posting on the Town Hall Bulletin Board, posting on the entrance doors to the Town Hall and posting on the Town's Official Website.

The Board members may send via email questions and concerns about an application to the Chairperson only. Members must not conduct email discussions with more than one other Board member, as it would be in violation of the State's Public Meetings Law. When the Chairperson sends an e-mail to the Board on an application, all responses must be sent back to the Chairperson only. If the Chairperson determines that the information should be in the public record, he or she will enter it into the public record at the next scheduled public meeting on the application.

### **32. Override of Rules**

By a majority vote, the Board may override any of these rules except for the layover and training rules. The Board member requesting the override is encouraged to provide the reasoning for his or her override.

### **33. Support Personnel and Town Staff Attendance**

The Chairperson may request the presence of Town staff and/or members of Town boards and/or committees to attend Board meetings or the annual organizational meeting if pertinent information is needed by the Board that may be beyond the comments presented in the Board packets. Notice of such requests will be made following receipt of the Board packets and the meeting agenda and will be subject to the availability of the Town Staff or the requested support personnel for the Town.

### **34. Site Design Guidelines**

The Town Planning Board, as part of its annual meeting, is required to review and if necessary take action upon the *Town of Farmington Major Thoroughfare Overlay District (MTOD) Site Design Guidelines* which are an attachment to Local Law Number 7 of 2009; and the adopted *Main Street Overlay District (MSOD) Site Design Guidelines* (Reference: Town Board Resolution #208 of 2021). Should any amendments be determined necessary to these site design guidelines a certified copy of the Planning Board Resolution adopting said changes shall be filed with the Town Clerk, the Town Development Office, the Town Code Enforcement Officer, the Town Engineer, the Town Director of Planning and Development and the Clerk of the Board.

### **35. Comprehensive Plan Maintenance**

In accordance with the contents of Chapter 5, Implementation Chapter, *Town of Farmington Comprehensive Plan*, the Board is to prepare a report to the Town Operations Committee each year. Said report is then to be submitted to and reviewed by the Town Operations Committee. The Committee is then to notify the Town Board for their acceptance of the report at each year's organizational meeting. The report will summarize the implementation actions underway and identify those actions to be undertaken during the coming year. Each year's report, once accepted by the Town Board, will become an amendment to the current edition of the *Comprehensive Plan* and will be noted by Town Board resolution and entered into Appendix C, Public Participation, of said Plan.

### **36. Surety**

#### Letter of Credit or Form of Surety Estimate:

The Board shall receive from the Town Director of Planning and Development a packet of information pertaining to the establishment of a Letter of Credit, or some other form of surety, for

certain site improvements that ultimately will be dedicated to the Town. The packet will include information from the Town Engineer, Town Construction Inspector and the Director of Planning and Development stating that all requirements have been met by the applicant, reviewed by staff and are ready for submission to the Town Board. In addition, a draft Planning Board resolution shall accompany all documentation. The draft resolution is a recommendation to the Town Board on whether or not to take formal action at a subsequent Town Board meeting.

#### Partial or Final Release of Funds from the Letter of Credit or Form of Surety:

The process for a release of surety (either partial or final) shall only be entertained by the Board when the requirements set forth in Chapters 144 and 165 of the Town Code have been satisfied and has met submittal date listed on Appendix A. In particular, the Board receives from the Director of Planning and Development a packet of information pertaining to the release of funds from the Letter of Credit or Surety Form, a completed and signed Appendix G-1.1 Form entitled “Letter of Credit/Surety—Partial or Final Release” and a completed Letter of Credit Release Form G-2.0 (Town Site Design and Development Criteria) and a cover letter from the Town Engineer specifying the requested release. The packet shall also contain a draft Board resolution, a draft transmittal memo to the Town Board and a draft Town Board resolution requesting said resolution be acted upon by the Town Board. No resolution recommending the release of surety (either partial or final) shall be entertained the night of the scheduled Planning Board meeting unless approved by the Chairperson.

#### Establishment of a Maintenance Bond:

If the request is for the final release of funds in the Letter of Credit or Form of Surety, then the Board resolution shall recommend that the Town Board first require the applicant to establish a Maintenance Bond for a period of two (2) years from the date of formal dedication of the site improvements. The packet received shall include a cover memo from the Director of Planning and Development, a draft Board resolution, a transmittal memo to the Town Board from the Board Chairperson and a draft Town Board resolution to establish a Maintenance Bond prior to the final release.

#### Release of Maintenance Bond:

A request for the release of a Maintenance Bond shall be submitted by the Director of Planning and Development to the Board as part of a packet of materials for the Board’s consideration and action. Included in the packet will be a completed and signed Appendix G-4.0 Final Inspection Form for Expiring Surety (Town Site Design and Development Criteria), a cover memo, a draft Planning Board resolution, a transmittal memo to the Town Board from the Board Chairperson and a draft Town Board resolution. Once the Town Board has acted upon the request to release final monies, the Town Clerk shall then release the Bond being held. In the event funds have been provided in lieu of a Maintenance Bond by certified bank check payable to the Town of Farmington and placed in the Town’s Account Books, then a Town Board resolution directing the Town’s Accountant 1 to prepare an Abstract for the requested refund to the applicant shall be necessary, provided the above referenced forms have been completed.

*Note:* There shall be no partial release of funds contained in a Maintenance Bond or other form of surety being held in lieu of a Maintenance Bond.

**37. Filing**

All adopted Rules of Procedure, as may be amended from time to time, shall be filed with the Town Clerk's Office, placed on the Town's website and, otherwise, be made available for public inspection on demand.

**38. Effective Date**

All adopted Rules of Procedure shall become effective upon filing in the Office of the Farmington Town Clerk.

**39. Distribution**

Certified copies of the 2026 Board Rules of Procedure shall be filed with the Town Clerk. In addition, an electronic Portable Document Format (PDF) copy shall be sent to all Board members, the Code Enforcement Officer, the Director of Planning and Development, and posted upon the Town's website. A copy of the 2026 Planning Board Rules of Procedure shall also be kept on file in the Town Development Office.

**40. Conflict with New York State Town Law or Town Code**

If any of these rules conflict with any provisions of the New York State Town Law or any section of the Farmington Town Code, the New York State Town Law or the Farmington Town Code provisions shall take precedence and that portion of these rules shall be disregarded with the remainder of the rules retaining their effectiveness.

■ The above resolution was offered by MR. BELLIS and seconded by MS. SOUSA at the meeting of the Board held on January 21, 2026. Following discussion thereon, the following vote was taken and recorded in the Official Meeting Minutes of the Board.

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

Motion carried.

I, John M. Robortella Clerk of the Board, do hereby certify to the above resolution and to its being acted on by the Board at a Meeting held on January 21, 2026.

\_\_\_\_\_  
John M. Robortella L.S.  
Clerk of the Town of Farmington Planning Board