

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, May 17, 2023 • 7:00 p.m.

MINUTES—APPROVED

The following minutes are written as a summary of the main points that were made and are the official and permanent record of the actions taken by the Town of Farmington Planning Board. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions. An audio recording of the meeting is made in accordance with the Planning Board adopted Rules of Procedure. The audio recording is retained for 12 months. Video recordings of the meetings are posted on the Town of Farmington’s YouTube channel (subscribe at youtube.com; enter Town of Farmington NY in the search box).

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

R = *Attended via remote video conference.*

Board Members Present: Edward Hemminger, *Chairperson*
Timothy DeLucia
Douglas Viets

Board Members Excused: Adrian Bellis
Aaron Sweeney

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

Attending:
Robert Brenner, Partner, Canandaigua Development Company LLC, 28 South Main Street,
Canandaigua, N.Y. 14424
Sean Condon, Project Engineer, The DDS Companies, 45 Hendrix Road,
West Henrietta, N.Y. 14586
Ryan Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, N.Y. 14450
Don Giroux, Farmington Volunteer Fire Association
Eric Honeck, Marrano Homes, 2730 Transit Road, West Seneca, N.Y. 14224
Matt Indiano, Loomis Road Industrial Park LLC, 120 Linden Oaks, Rochester, N.Y. 14624
Logan Rockcastle, Marks Engineering, 4303 Routes 5 & 20, Canandaigua, N.Y. 14424

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Chairperson Edward Hemminger. Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on January 4, 2023.

2. APPROVAL OF MINUTES

■ A motion was made by MR. DELUCIA, seconded by MR. VIETS, that the minutes of the May 3, 2023, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

None.

4. NEW PRELIMINARY SITE PLAN

PB #0502-23 New Preliminary Site Plan Application

Name: Lee Maslyn, 4504 Kear Road, Canandaigua, N.Y. 14424

Location: Canandaigua–Farmington Town Line Road, east of Payne Road

Zoning District: A-80 Agricultural District

Request: Preliminary Site Plan approval to erect a two-story 2,287-square-foot single-family residence with attached garage including site improvements to th grading, drainage and utilities.

Mr. Rockcastle (Marks Engineering) presented this application.

He said that the placement of the new two-story home has been dictated by the topography of the property and the drainage patterns on the site. Mr. Rockcastle said that stormwater runoff will be channeled into two swales and around a small knoll in the middle of the site in which the home will be located. He reviewed the details of the site plan on hard-copy drawings which were displayed in the meeting room.

He said that a raised-bed wastewater treatment system will be installed based upon the quality of the wet clay soils.

Mr. Rockcastle said that there are good driveway sight distances both ways and that they will be connecting to an existing water main. He said that the electrical connection will be from a

pole at the corner [of the intersection of Canandaigua–Farmington Town Line Road and Payne Road].

Mr. Brand asked Mr. Rockcastle if he had received the draft State Environmental Quality Review (SEQR) and Preliminary Site Plan resolutions. Mr. Rockcastle said that he had not received the draft resolutions. Mr. Hemminger then provided Mr. Rockcastle with a copy of the resolutions. He also read aloud several of the draft Preliminary Site Plan conditions of approval.

(Clerk's Note: The office of Marks Engineering requested that the draft resolutions be sent via email to the attention of Brennan Marks, P.E. The resolutions were sent to Mr. Marks on May 11, 2023.)

Mr. Delpriore said that the draft resolutions were distributed to the Town staff and that staff comments have been incorporated into the draft conditions of Preliminary Site Plan approval.

Mr. Ford said that the driveway within the Town right-of-way must be paved. He also asked about the driveway culvert. Mr. Rockcastle said that the culvert specifications have been added to the Preliminary Site Plan drawings.

Mr. Hemminger asked Mr. Rockcastle if he had any questions or comments on the draft Preliminary Site Plan approval resolution. Mr. Rockcastle said that he will address the conditions of approval.

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
SEQR CLASSIFICATION—LEE MASLYN PRELIMINARY SITE PLAN**

PB #0505-23

APPLICANT: Lee Maslyn, 4504 Kear Road, Canandaigua, N.Y. 14424

ACTION: SEQR Classification for Preliminary Site Plan approval to construct a single-family dwelling and related site improvements on land located along the north side of Canandaigua–Farmington Town Line Road, east of Payne Road and west of County Road 28.

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby determine the proposed Action identified above herein involves the construction of a single-family residence on an existing parcel of land including the provision of necessary utility connections and the installation of drinking water and an on-site waste water treatment system [§ 617.5 (c) (11) and (13)].

BE IT FURTHER RESOLVED that said Action is classified under the State’s SEQR Regulations as being a Type II Action.

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

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

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

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

Motion carried.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SITE PLAN APPROVAL WITH CONDITIONS**

PB #0505-23

APPLICANT: Lee Maslyn, 4504 Kear Road, Canandaigua, N.Y. 14424

ACTION: Preliminary Site Plan approval to construct a single-family dwelling and related site improvements on land located along the north side of Canandaigua—

**Farmington Town Line Road, east of Payne Road and
west of County Road 28.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has tonight open a public meeting upon the above referenced Action, received testimony that has been entered into the public record, and by separate resolution, made a Type II Classification under the State’s Environmental Quality Review (SEQR) Regulations, thereby completing the environmental record upon said Action; and

WHEREAS, the Planning Board has reviewed the application, the Town Staff comments and the public record.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby grant Preliminary Site Plan Approval with the following Conditions of Approval specified below herein.

1. Preliminary Site Plan Approval is based upon the set of drawing submitted by Marks Engineering, P.C., entitled “Preliminary Site Plan For Lee Maslyn, Canandaigua–Farmington Town Line Road,” drawings number EX100 [dated 12/22/22, prepared by David M. Parrinello, NYSPLS], C100 [dated 03/02/23] and C500 [dated 03/02/23] prepared by Marks Engineering, P.C., as are to be further revised:
 - a. Signature blocks shall be added on every drawing and located in accordance with Appendix G-13 of the Town of Farmington Site Design and Development Criteria (hereinafter referred to as Site Design Criteria); and
 - b. Appendix G-9, Site Design Criteria, is to be added to drawing C500.
 - c. A note is to be added to drawing C100 regarding the location of the sump pump/foundation drains discharge.
 - d. Drawing C100 is to be revised adding the size of the water service pipe.
 - e. Drawing C500 is to be revised adding the following detail from the Site Design Criteria:
 - i) Trench detail; and
 - ii) Meter pit detail. A note is to be added that this service will be installed by the Town of Farmington Water and Sewer Department.
 - iii) A note is to be added that reads . . . “The minimum water service is to be one inch and material (Municipex) is to be noted on the drawing.”

- f. Drawing C500 is to be revised adding the public safety design detail (Appendix G-13) Site Design Criteria.
- g. Drawing C500 is to be revised adding the following detail drawings from the Site Design Criteria:
 - i) Detail H-4.0. driveway apron; and
 - ii) Detail H-5.0, culvert detail.
 - iii) The minimum size culvert is to be 12 inches in diameter.
- h. Drawing C100 is to be revised adding the following note . . . “The entire site lies within a designated Zone C Area of Minimal Flooding, as shown on the Federal Insurance Rate Map (FIRM) Panel Number 0020B, Community Number 361299, dated September 30, 1983.”

BE IT FURTHER RESOLVED that the Applicant’s Engineer is to make the above specified revisions to said drawings, note said revisions in the drawings revision boxes and submit one (1) revised set to the Town Code Enforcement Officer for his review and acceptance. Once accepted, Town Staff and then the Planning Board Chairperson shall sign one set which is to be filed in the Town Development Office and one (1) set of signed drawings shall be returned to the Applicant’s Engineer.

BE IT FURTHER RESOLVED that the Applicant’s Engineer, upon receipt of said signed drawings, is then to prepare a set of Final Site Plan drawings and submit the required number of sets to the Town Development Office. Once these drawing have been reviewed and accepted by the Town Code Enforcement Officer, then a complete application for Final Site Plan Approval is to be placed on a future scheduled planning board meeting.

BE IT FINALLY RESOLVED that this resolution approving the above referenced Preliminary Site Plan with conditions shall expire within 180 days from today unless all drawings have been signed by all Town Staff and the Planning Board Chairperson, or the Planning Board receives a written request from the Applicant requesting an extension.

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

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

Motion carried.

5. NEW FINAL SITE PLAN

PB #0506-23 New Final Site Plan Application

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

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

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

Request: Final Site Plan Approval to erect a 12,600-square-foot building upon Lot #4 of the Loomis Road Industrial Park Subdivision and related site improvements including a new Town road, stormwater control facilities, landscaping, site lighting and building elevation.

On July 7, 2021, and on July 6, 2022, the Planning Board approved the Final Re-Subdivision Plat with conditions for this project (PB #0702-21).

The State Environmental Quality Review (SEQR) 30-day coordinated review period for this application was conducted from July 8, 2021, to August 9, 2021.

On August 18, 2021, the Public Hearing on the Preliminary Site Plan was opened.

On September 15, 2021, the Public Hearing was reconvened. The Planning Board determined that the Action will not result in any significant adverse environmental impacts. The Public Hearing was continued to October 20, 2021.

On October 20, 2021, the Public Hearing was reconvened. The Public Hearing was continued to November 17, 2021.

On November 17, 2021, the Public Hearing was reconvened. The Public Hearing was continued to January 19, 2022.

On January 19, 2022, the Public Hearing was reconvened. The Public Hearing was continued to March 16, 2022.

On March 16, 2022, the Public Hearing was reconvened. The Public Hearing was continued to April 20, 2022.

On April 20, 2022, the Public Hearing was reconvened. The Public Hearing was continued to July 20, 2022.

On July 6, 2022, the accompanying Final Re-Subdivision Plat was approved with conditions (PB #0702-21; *see also* PB #0702, July 7, 2021).

The Planning Board meeting of July 20, 2022, was cancelled due to lack of a quorum.

On August 3, 2022, the Public Hearing on the Preliminary Site Plan was rescheduled for August 17, 2022. The Legal Notice for this rescheduled Public Hearing was published in the Canandaigua *Daily Messenger* newspaper on August 10, 2022.

On August 17, 2022, the Public Hearing was reconvened. The Public Hearing was continued to September 7, 2022.

Also on August 17, 2022, the accompanying Special Use Permit for the Loomis Road Industrial Park, Lot #4, to operate a motor vehicle service facility was approved by the Planning Board (PB #0804-21).

On September 7, 2022, the Public Hearing on the Preliminary Site Plan was closed and the Planning Board approved the Preliminary Site Plan with conditions (PB #0703-21).

Mr. Condon (The DDS Companies) and Mr. Indiano (Loomis Road Industrial Park) presented this application.

Mr. Condon display hard-copy Final Site Plan drawings in the meeting room.

He said that this application includes the construction of the Town-dedicated road (Jetman Drive), the installation of water and sanitary sewer utilities, and the development on Lot #4.

Mr. Condon acknowledged receipt of comments from the Town staff and engineering comments from MRB Group. He said that all comments have been reviewed and that he did not see any significant planning concerns which could not be addressed in the conditional Final Site Plan approval this evening.

Mr. Condon acknowledged receipt of the draft Final Site Plan resolution. He said that most of the conditions of approval have already been addressed in the revised site plan and stormwater plan.

Mr. Delpriore said that approval of this application this evening includes the development on Lot #4 as well as the overall stormwater mitigation for the entire subdivision and the construction of the Town-dedicated road (Jetman Drive). He said that the development of subsequent lots would require only final approval if there are no additional changes to the layout [of the subdivision].

Mr. Delpriore said that there are a number of draft conditions of Final Site Plan approval but that most of them are technical in nature. Mr. Hemminger said that it is expected that these technical issues can be addressed relatively easily.

Mr. Ford said that there had been a previous concern regarding the depth and steep banks of the stormwater pond, and about possibly adding a guardrail around the pond. Mr. Condon said that the depth of the pond was reduced quite a bit now that they are going with infiltration for a portion of the stormwater management. He said that the pond will no longer be deep enough for the installation of a guardrail around it. He said that there will be a good buffer with landscaping and trees which were addressed at the Preliminary Site Plan stage.

Mr. Brabant said that the locations of the water and sanitary sewer mains have been flipped at the direction of the Town staff for easier maintenance and to avoid having long runs on the inner side. He said that for the most part water and sewer are not major issues.

Mr. Brabant said that a note will be added to the plans that some additional stormwater improvements may be required if a [drainage] “hot spot” should occur due to the development of a subsequent lot. Mr. Condon said that a note to this address has been added to the subdivision and to the site plan drawings.

Mr. Brabant also said that the construction of the Town-dedicated road (Jetman Drive) will be part of the development [of the current application] and will be constructed to the Town’s industrial road specifications.

Mr. Viets asked if updated architectural renderings of the structure on Lot #4 are needed. Mr. Condon said that there have been no changes to the architecture and that it will be the same as on the approved Preliminary Site Plan.

Mr. Hemminger said that he was happy to see that this project is moving along, and that there may soon be development proposed for one of the front lots, as well.

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 approved as submitted by the Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL SITE PLAN APPLICATION**

PB #0506-23

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

**ACTIONS: Final Site Plan approval, Lot #4, Jetman Drive, located within
the Loomis Road Industrial Park and Final Design approval of
the proposed construction and dedication of Jetman Drive.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has tonight conducted a public meeting upon the above referenced Action for Final Site Plan Approval for Lot #4, Jetman Drive and Final Design approval of the proposed construction and dedication of Jetman Drive located within the Loomis Road Industrial Park; and

WHEREAS, the Board has given consideration to Ontario County Planning Board Referral #149 of 2021, dated July 14, 2021; and

WHEREAS, the Board has reviewed Town Staff comments, the Town Engineer's report dated May 11, 2023, and received testimony that has been entered into the public record.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby move to approve the Final Site Plan Application for Lot #4, Jetman Drive, a part of the Loomis Road Industrial Park Project; and the design plans for the construction of Jetman Drive that is to be dedicated to the Town, with the following Conditions of Approval:

1. Final Site Plan Approval—Lot #4, Jetman Drive, is to include compliance with all the conditions of Preliminary Site Plan Approval.
2. Final Site Plan Approval—Lot #4, Jetman Drive, is based upon the drawings prepared by DDS Companies, identified as Project Number 72200193, and entitled “Property Development Plans Proposed For: Loomis Road Industrial Park, Final Site Development, T. A. #17.00-1-62.132,” as are hereby directed to be further amended as follows:
 - a. The title of all drawings that are to be submitted for signatures, as part of this application for Final site plan approval, are to be amended to read . . . “Final Site Plan, Lot #4, Loomis Road Industrial Park.” These amendments are to be made to Drawing Numbers 72200193 CO, C1, C6, C7, C9, C10, C12 and C15–21.
 - b. The Cover Sheet, CO, Table of Contents is to be amended to include those drawings and details required for the construction and dedication of Jetman Drive.
 - c. There are to be additional drawings submitted that show the design of Jetman Drive, including the Construction Details an Industrial Road shown on Appendix H-1.2 of the Site Design and Development Criteria.
 - d. Drawing C20 is to be revised by removing the two Appendices Drawing H-2.2 [Utility Service Road] and H-2.3 [Subsurface Stabilized Maintenance Access Road] and replacing with Appendix H-1.2 [Industrial Road] listed above.

- e. Drawing C6 is to be revised to include three (3) benches installed along the stone dust trail and a note identifying that these benches are to be maintained by the owner of Lot #4.
- f. Drawing C 1 is to be revised by changing all Appendices that are dated 2019 to be dated 2023 including the revised appendices drawings.
- g. Drawing C 1 is to be amended by changing or adding the following Appendices [S-8, S-8.1, S-8.2, Cleaning and Testing of Sanitary Sewers (2023)].
- h. Drawing C 6 is to be revised by removing the Public Safety sign from the proposed building and installing in the location shown in Appendix G-9 of the Site Design Criteria.
- i. Drawing C 8 [Utility Plan-1] and Drawing C 9 [Utility Plan-2], hydrant notations are to be changed to read “Prop. Fire hydrant to be painted yellow with red bonnet and outlet caps.”
- j. Drawing C 8 [Utility Plan-1] drainage inlet CB-1 at Lot 10 is missing the west end section invert elevation.
- k. Drawing C8, Utility Plan-1, outlet control structure OS-2 is missing the south end section invert elevation.
- l. Drawing C9, Utility Plan-2, references a 12-inch capped SICPP stub from CB-2 to the north for future Lot 9 connection, and should reference “to the south”.
- m. Drawing C8, Utility Plan-1, and Drawing C9, Utility Plan-2: The stub from CB-2 should be labeled with the lineal footage and slope of the pipe.
- n. Drawing C8, Utility Plan-1, and Drawing C9, Utility Plan-2, Drawing C9 references a 12-inch capped SICPP stub leaving CB-2 while Drawing C8 references a 15-inch capped SICPP stub. Please clarify.
- o. Drawing C8, Utility Plan-1, and Drawing C9, Utility Plan-2: The storm sewer main between CB-3 and CB-2 and the stub continuing to Lot 9 are within the minimum 10-foot separation from the watermain delineated by the NYSDOH.
- p. Drawing C8, Utility Plan-1: The section of sanitary sewer main under Loomis Road and between the existing manhole and manhole MH-1 will need to have a 2.00% minimum slope to be directionally drilled, and all subsequent inverts adjusted accordingly. The pipe will also need to be shown as DR-11 HDPE and must be de-beaded.

- q. Drawing C9, Utility Plan-2: Please remove the note related to deflection of the water main along the roadway and show fittings where required.
- r. Drawing C8, Utility Plan-1, and Drawing C9, Utility Plan-2: Please remove all negative slope references on the sanitary sewer main and replace with arrows if the direction of flow is to be delineated.
- s. Drawing C8, Utility Plan-1, and Drawing C9, Utility Plan-2: Please remove all negative slope references on the storm sewer main and replace with arrows if the direction of flow is to be delineated.
- t. Drawing C9, Utility Plan-2, 8x6-inch wyes should be added to the sanitary sewer main for the laterals located at Lots 5 and 6 to avoid tying into the manholes.
- u. Drawing C9, Utility Plan-2: The note stating “Sanitary laterals shall be sloped at a min. of 2.0% (typ. of all)” should reference a minimum of 2.0% for 4-inch laterals and a minimum of 1.0% for 6-inch laterals.
- v. Drawing C9, Utility Plan-2: Add “(typ.)” to sanitary sewer lateral reference that is shown for the lateral between manhole MH-8 and MH-9.
- w. Drawing C9, Utility Plan-2: Remove notes that states “New water service to bend under sanitary sewer min. 18" separation,” as the water main and sanitary main have switched locations.
- x. Drawing C9, Utility Plan-2: Change easement reference from “stormwater maintenance easement” to “stormwater management facility easement.”
- y. Drawing C9, Utility Plan-2: Change easement reference from “drainage and access easement” to “storm sewer and utility easement.”
- z. Drawing C9, Utility Plan-2: The section of storm sewer main between manhole MH-12 and end section ES-4 should be labeled with the size, type, lineal footage, and slope of the pipe.
- aa. Drawing C9, Utility Plan-2: Drainage inlet CB-10 should be moved to the Town R.O.W. and the proposed easement removed from the plan.
- bb. Drawing C10, Utility Plan—Lot 4: Remove the reference to sanitary manhole MH-8 that is shown on the watermain.
- cc. Drawing C10, Utility Plan—Lot 4. The rim and inverts shown for manhole MH-9 are different than those shown on Drawing C9, please clarify.

- dd. Drawing C18, Construction Details-1: Update all details to the most recent Town versions (2023) and add details W-2.0, W-9.0.
- ee. Drawing C19, Construction Details-2: Update all details to the most recent Town versions (2023) and remove detail S-4.0 as it is not needed.
- ff. Drawing C20, Construction Details-3: Update all details to the most recent Town versions (2023).
- gg. Drawing C 13 is to be revised placing it in the appropriate location as shown in Appendix G 13 of the Site Design Criteria.
- hh. Drawing C 14 is to be revised by adding the signature block in the appropriate location as shown in Appendix G13 of the Site Design Criteria.
- ii. Drawing C 18 is to be revised by adding the four Appendices that are dated 2023 instead of 2019, as shown in the Site Design Criteria.
- jj. Drawing C 19 is to be revised by adding the six Appendices that are dated 2023 instead of 2019, as shown in the Site Design Criteria.
- kk. Drawing C 20 is to be revised by changing the Appendix dated 2019 to 2023, as shown in the Site Design Criteria.
- ll. Drawing C 21 is to be revised by changing the Appedix dated 2019 to 2023, as shown in the Site Design Criteria.

BE IT FURTHER RESOLVED that Final Site Plan Approval for Lot #4, Jetman Drive, and Final Design Approval for the construction and dedication of Jetman Drive to be located within the Loomis Road Industrial Park Site, are further based upon the following conditions received from the Town Water and Sewer Superintendent:

- a. The hydrant notes shown on the utility drawings are to be changed to reflect the Hydrant Detail dated 2023.
- b. Connections used for flushing water mains must be sized to meet American Water Works Association (AWWA) Standards C-651 velocity specifications.
- c. Each combined 6-inch DR14PVC water lateral stub is missing a tap to facilitate pressure testing and disinfection.
- d. A note is to be added to the Utility Drawings that water main restraints will be manufactured by Megalug.
- e. The existing water main along Loomis Road is to be sized and the material must be verified.

- f. An addition fire hydrant is to be added along the west side of the Jetman Drive loop area to meet the Town Specification that fire hydrants shall be spaced not greater than 500 feet apart.
- g. The 8-inch DR14 manufacturer's specifications for the allowable deflection

BE IT FURTHER RESOLVED that Final Site Plan Approval for Lot #4, Jetman Drive, and Final Design Approval for the construction and dedication of Jetman Drive to be located within the Loomis Road Industrial Park Site, are further based upon the applicant's engineer response to the Town Engineer's Conditions of Approval contained in the May 11, 2023, MRB Group letter and necessary changes made to the drawings.

BE IT FURTHER RESOLVED that Final Site Plan Approval is hereby granted with the condition that all of the above listed Conditions of Approval are to be shown on revised drawings having revisions noted in each drawing's revision box.

BE IT FURTHER RESOLVED that Final Site Plan Approval is conditioned upon the Applicant and the Applicant's Engineers proceeding with and providing documentation of obtaining approvals from the New York State Department of Environmental Conservation for the sanitary sewer connections; the New York State Department of Health, Geneva Regional Office, for the public water line extensions; the Town Board's acceptance of dedication of the proposed Jetman Drive; the Town Highway Superintendent's acceptance of said Highway for Public Use; the Town Water and Sewer Superintendent's acceptance of the design for the proposed water lines and sewer lines; the Town Engineer's and Town Construction Inspector's approval of a proposed Letter of Credit for the construction of all site improvements to be dedicated to the Town; and the Town Code Enforcement Officer's and Town Engineer's acceptance of the Stormwater Facilities and easements for said facility.

BE IT FURTHER RESOLVED that the Applicant and the Applicant's Engineer are hereby given notice that no Building Permit(s) shall be issued by the Town Code Enforcement Officer until a Final Site Plan Approval has been granted by the Planning Board, all Final Site Plan drawings have been signed, a Letter of Credit for approved site improvements (including the construction of Jetman Drive) has been filed with the Town Clerk, and a Pre-Construction Meeting has been conducted with the Applicant and the Applicant's Engineer.

BE IT FURTHER RESOLVED that the Applicant is hereby notified that Building Permits shall not be issued for Lot #4 until the Tax Map Identification Number for Lot #4 has been provided by the County Real Property Tax Service Agency.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Applicant and the Applicant's Engineer.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided by the Clerk of the Board to: the Development Office Administrator; the Town Highway and

Parks Superintendent; the Town Water and Sewer Superintendent; the Town Construction Inspector; the Town Code Enforcement Officer; the Town Director of Planning and Development; and the Town Engineer.

BE IT FINALLY RESOLVED that this Final Site Plan approval with conditions shall be valid for a period of 180 days from today and shall automatically expire unless signed drawings have been completed and filed with the Town Development Office and Town Staff listed.

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

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

Motion carried.

6. NEW FINAL SIGN SITE PLAN (SITE PLAN AMENDMENT)

PB #0507-23 New Final Sign Site Plan (Site Plan Amendment) Application:

Name: Marrano Homes, 2730 Transit Road, West Seneca, N.Y. 14223

Location: Hathaway’s Corners Subdivision Tract, Phase 1A, Lot #39,
corner of Savalla Boulevard and Eddy Gate Way

Zoning District: IZ Incentive Zoning

Request: Final Sign Site Plan approval to erect a monument sign 64 inches
in height above grade and 80 inches in width, located on the corner
of Savalla Boulevard and Eddy Gate Way.

The Final Site Plan for Phase 1A of the Hathaway’s Corners Incentive Zoning Project was approved by the Planning Board with conditions on February 20, 2019 (PB #0202-19).

Mr. Destro (BME Associates) and Mr. Honeck (Marrano Homes) presented this application.

Mr. Destro said that the first sign application this evening (PB #0507-23) is for a sign to be located on Lot #39 in Phase 1A of the Hathaway’s Corners subdivision at the corner of Savalla Boulevard and Eddy Gate Way, which is in the single-family portion of the subdivision.

He said that location, landscaping and color sign exhibits have been submitted for this application, and for the next application this evening (PB #0508-23), to confirm that the signs meet the requirements of the Town Code for setbacks and size.

Mr. Hemminger asked Mr. Destro if he received the draft approval resolutions for both applications and if he agreed with the conditions. Mr. Destro said yes.

Mr. Brand said that resolutions for this application, and for the next application, have been prepared for the board's consideration this evening for approval of the State Environmental Quality Review (SEQR) classification (Type II actions) and for sign site plan approval with conditions.

He specifically referred to draft Condition #7 in this application regarding the amendment of the landscaping plan to either show the location for all six *Syringa meyeri* (Palbin Meyer Lilacs) or to change the Quantity Plant Materials List to two plants.

Mr. Delpriore said that the Hathaway's Corners development is an Incentive Zoning project and that the two sign applications this evening are for additional signs which were not included in the original Hathaway's Corners proposal.

Mr. Hemminger asked about the responsibility of the maintenance of both signs. Mr. Destro said that the sign in the next application (PB #0508-23) will be located in The Villas section of the subdivision and will be maintained by the Homeowners' Association (HOA).

Mr. Honeck said that the sign in this application (PB #0507-23) will be included on the deed for the purchaser of Lot #39 who will be responsible for the maintenance of the sign. Mr. Hemminger requested that Mr. Honeck assure that the purchaser of Lot #39 is aware of this deed requirement and the responsibility for the maintenance of the sign.

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
SEQR CLASSIFICATION FOR SIGN SITE PLAN**

PB #0507-23

APPLICANT: Marrano Homes, 2730 Transit Road, West Seneca, N.Y. 14224

ACTION: Sign Site Plan SEQR Classification, Monument Sign, Lot #39, Phase 1A, Hathaway's Corners Subdivision Tract, corner of Savalla Boulevard and Eddy Gate Way

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has received an Action subject to classification under the provisions of 6NYCRR Part 617, of Article 8 of the New York State Environmental Conservation Law (ECL) also known as the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Board has reviewed the classification of actions identified in Parts 617.4 and 617.5 of the above referenced 6NYCRR, Part 617.

NOW, THEREFORE BE IT RESOLVED that the Board does hereby classify the above referenced Action as being a Type II Action, involving minor temporary uses of land having negligible or no permanent impact upon the environment [§§ 617.5 (9) and (21)].

BE IT FURTHER RESOLVED that Type II Actions are not subject to review under 6NYCRR of the ECL, as these actions have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under ECL.

BE IT FURTHER RESOLVED that the Board by adopting this Classification has satisfied the procedural requirements under the ECL.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Applicant and the Applicant’s Engineer.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided by the Clerk of the Board to: the Development Office Administrator; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Construction Inspector; the Town Code Enforcement Officer; the Town Director of Planning and Development; and the Town Engineer.

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

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

Motion carried.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
MONUMENT SIGN SITE PLAN—APPROVAL WITH CONDITIONS**

PB #0507-23

APPLICANT: **Marrano Homes, 2730 Transit Road, West Seneca, N.Y. 14224**

ACTION: **Sign Site Plan approval, monument sign, Lot #39, Phase 1A, Hathaway’s Corners Subdivision Tract, corner of Savalla Boulevard and Eddy Gate Way**

WHEREAS, the applicant desires to place a monument sign upon Lot #39, Tax Map Account #41.02-1-39, located at the southwest corner of Savalla Boulevard and Eddy Gate Way; and

WHEREAS, said sign identifies the name of the subdivision tract known as “Hathaway’s Corners”; and

WHEREAS, said sign involves a sign other than the first to be erected on the Hathaway’s Corners Incentive Zoning Project Site, thereby requiring a permit under the provisions of § 165-44 of the Farmington Town Code; and

WHEREAS, the proposed Action has been classified by the Planning Board, under separate resolution acted upon at tonight’s meeting, as a Type II Action, an Action determined not to have an adverse impact upon the environment, thereby satisfying the procedural requirements under Article 8 of the New York State Environmental Conservation Law (ECL); and

WHEREAS, the Planning Board has considered the comments that have been entered into the public record at tonight’s meeting.

NOW, THEREFORE BE IT RESOLVED be it resolved that the Planning Board does hereby grant final sign site plan approval with the following conditions:

1. Final Sign Site Plan Approval is based upon the rendering provided by Quality Signs Quick, 1380 French Road, Depew, N.Y. 14043, entitled Single Family Entrance, which depicts, in color rendering, a two-sided ground monument sign, 64-inches in height above existing ground and 80-inches in width.
2. Said rendering is to be amended providing a signature line for the Planning Board Chairperson, a date line and the above referenced Application Number (PB #0507-23).
3. Said sign is to be placed on that portion of the above referenced tax map account.
4. Said sign is to be maintained by the Applicant in perpetuity.
5. Said sign shall not be illuminated.

- 6. The attached property location map and landscaping plan drawing are also to have a signature line, a date line and the above referenced Application Number (PB #0507-23).
- 7. The attached landscaping plan is to be amended to either show the location for all six *Syringa meyeri* (Palbin Meyer Lilacs) or the Quantity Plant Materials List is to be changed to two plants.

BE IT FURTHER RESOLVED that prior to installation of said Monument Sign, the Town Highway Superintendent and Town Code Enforcement Officer are to approve of the Sign’s location on the subject parcel, to avoid any highway safety concerns or Town Code requirements.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Applicant and the Applicant’s Engineer.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided by the Clerk of the Board to: the Development Office Administrator; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Construction Inspector; the Town Code Enforcement Officer; the Town Director of Planning and Development; and the Town Engineer.

BE IT FINALLY RESOLVED that this Final Sign Site Plan Approval with Conditions shall be valid for a period of 120 days from today and shall automatically expire unless signed drawings have been completed and filed with the Town Development Office.

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

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

Motion carried.

7. NEW FINAL SIGN SITE PLAN (SITE PLAN AMENDMENT)

PB #0508-23 New Final Sign Site Plan (Site Plan Amendment) Application:

Name: Marrano Homes, 2730 Transit Road, West Seneca, N.Y. 14223

Location: Hathaway’s Corners Subdivision Tract, corner of Savalla Boulevard and Caleb Court

Zoning District: IZ Incentive Zoning

Request: Final Sign Site Plan approval to erect a monument sign 66 inches in height above grade and 144 inches in width, located on the corner of Savalla Boulevard and Caleb Court.

The Final Subdivision Plan of Phase 1C of the Hathaway’s Corners Incentive Zoning Project was approved by the Planning Board with conditions on May 5, 2021 (PB #00504-21).

Mr. Destro (BME Associates) and Mr. Honeck (Marrano Homes) presented this application.

(See the discussion in PB #0507-23, above.)

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
SEQR CLASSIFICATION FOR SIGN SITE PLAN**

PB #0508-23

APPLICANT: Marrano Homes, 2730 Transit Road, West Seneca, N.Y. 14224

ACTION: Sign Site Plan SEQR Classification, Monument Sign, The Villas at Hathaway’s Corners, located between Savalla Boulevard and Caleb Court.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has received an Action subject to classification under the provisions of 6NYCRR Part 617, of Article 8 of the New York State Environmental Conservation Law (ECL) also known as the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Board has reviewed the classification of actions identified in Parts 617.4 and 617.5 of the above referenced 6NYCRR, Part 617.

NOW, THEREFORE BE IT RESOLVED that the Board does hereby classify the above referenced Action as being a Type II Action, involving minor temporary uses of land having negligible or no permanent impact upon the environment [§§ 617.5 (9) and (21)].

BE IT FURTHER RESOLVED that Type II Actions are not subject to review under 6NYCRR of the ECL, as these actions have been determined not to have a significant impact upon the environment or are otherwise precluded from environmental review under ECL.

BE IT FURTHER RESOLVED that the Board by adopting this Classification has satisfied the procedural requirements under the ECL.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Applicant and the Applicant’s Engineer.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided by the Clerk of the Board to: the Development Office Administrator; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Construction Inspector; the Town Code Enforcement Officer; the Town Director of Planning and Development; and the Town Engineer.

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

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

Motion carried.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
MONUMENT SIGN SITE PLAN—APPROVAL WITH CONDITIONS**

PB #0508-23

APPLICANT: Marrano Homes, 2730 Transit Road, West Seneca, N.Y. 14224

ACTION: Sign Site Plan approval, The Villas at Hathaway’s Corners Monument Sign, located between Savalla Boulevard and Caleb Court.

WHEREAS, the applicant desires to place a monument sign upon land located south and west of the right-of-way of Savalla Boulevard and north and east of Caleb Court, a private road, located within the Villas at Hathaway’s Corners, a part of the Hathaway’s Corners Incentive Zoning Project; and

WHEREAS, said sign identifies the name of the subdivision tract known as “The Villas at Hathaway’s Corners;” and

WHEREAS, said sign involves a sign other than the first to be erected on the Hathaway's Corners Incentive Zoning Project Site, thereby requiring a permit under the provisions of § 165-44 of the Farmington Town Code; and

WHEREAS, the proposed Action has been classified by the Planning Board, under separate resolution acted upon at tonight's meeting, as a Type II Action, an Action determined not to have an adverse impact upon the environment, thereby satisfying the procedural requirements under Article 8 of the New York State Environmental Conservation Law (ECL); and

WHEREAS, the Planning Board has considered the comments that have been entered into the public record at tonight's meeting.

NOW, THEREFORE BE IT RESOLVED be it resolved that the Planning Board does hereby grant final sign site plan approval with the following conditions:

1. Final Sign Site Plan Approval is based upon the rendering provided by Quality Signs Quick, 1380 French Road, Depew, N.Y. 14043, entitled The Villas at Hathaway's Corners, which depicts, in color rendering, a two-sided freestanding monument sign, 66-inches in height above existing ground and 144-inches in width.
2. Said rendering is to be amended providing a signature line for the Planning Board Chairperson, a date line and the above referenced Application Number (PB #0508-23).
3. Said sign is to be placed on that portion of the Home Owners Association land referenced above having a tax map account number 41.02-1-300.51.
4. Said sign and the identified landscaping around the sign is to be maintained by the Home Owners Association in perpetuity.
5. Said sign shall not be illuminated.
6. The attached property location map and landscaping plan drawing are also to have a signature line, a date line and the above referenced Application Number (PB #0508-23).

BE IT FURTHER RESOLVED that prior to installation of said Monument Sign, the Town Highway Superintendent and Town Code Enforcement Officer are to approve of the Sign's location on the subject parcel, to avoid any highway safety concerns or Town Code requirements.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Applicant and the Applicant's Engineer.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided by the Clerk of the Board to: the Development Office Administrator; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Construction Inspector; the Town Code Enforcement Officer; the Town Director of Planning and Development; and the Town Engineer.

BE IT FINALLY RESOLVED that this Final Sign Site Plan Approval with Conditions shall be valid for a period of 120 days from today and shall automatically expire unless signed drawings have been completed and filed with the Town Development Office.

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

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

Motion carried.

8. OTHER BOARD ACTIONS

A. Letter of Credit Establishment: WNY Commercial Warehouse Project:

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
WESTERN NEW YORK COMMERCIAL WAREHOUSE PROJECT
LETTER OF CREDIT ESTABLISHMENT**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated May 8, 2023, from Ronald Brand, Director of Planning and Development, to recommend to the Town Board acceptance of a Letter of Credit for approved site improvements located on property at along the south side of Loomis Road, east of State Route 332 and west of Plastermill Road; and

WHEREAS, the recommendation is based upon a letter, dated May 5, 2023, from Lance S. Brabant, CPESC, Director of Planning & Environmental Services, MRB Group, D.P.C., the Town Engineer, to approve a Letter of Credit for site improvements for the above referenced project; and

WHEREAS, said request has also been reviewed and accepted by the Town Construction Inspector; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit along with the Applicant’s Engineer’s Estimate of Value attachment thereto; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Director of Planning and Development, the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to establish of letter of credit in the total amount of \$72,981.59.

BE IT FINALLY RESOLVED that a certified copy of this resolution be provided to: Farmington Town Clerk; Farmington Town Supervisor; Farmington Town Highway and Parks Superintendent; Farmington Water and Sewer Superintendent; Farmington Town Construction Inspector; Farmington Town Code Enforcement Officer; Farmington Town Director of Planning and Development; the Applicant’s Engineer; and the Applicant.

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

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

Motion carried.

B. Town Code Chapter 9, Article V: “Boards, Committees and Commissions—Planning Board:

At the previous meeting of the Planning Board on May 3, 2023, Mr. Brand discussed a draft Local Law to amend Town Code Chapter 9, Article V, regarding updates to the duties and responsibilities of the Planning Board. He said that the amended Local Law would not replace the Planning Board’s Rules of Procedure but would clarify the role of the Planning Board beyond actions on applications. Mr. Brand said that currently the Town Code only includes articles on the Historic Preservation Commission and the Agricultural Advisory Committee and does not include articles on the Environmental Conservation Board, the Recreation Advisory Board or the Planning Board. Mr. Brand requested that board members review and draft in anticipation of a future discussion on the revisions.

See Appendix #1 to the minutes of May 3, 2023, pp. 22–32.

Prior to the meeting this evening, Mr. DeLucia submitted several comments on the draft Local Law. Mr. Viets agreed with Mr. DeLucia's comments. Also at the meeting, Mr. Hemminger said that both Mr. Bellis and Mr. Sweeney had no comments on the draft.

Mr. Brand said that additional comments are expected to be submitted by the Town staff. He said that the discussion on the draft Local Law will be rescheduled to a subsequent Planning Board meeting.

C. Planning Board Determination of Substantial Changes in the Design of the Power Incentive Zoning Project Concept Plan:

On October 11, 2022, the applicant presented the Power Incentive Zoning Project to the Town Board, following which the Town Board requested that the Planning Board provide a report and recommendation on the proposal to rezone lands located generally along the north side of State Route 96, the south side of Collette Road, and west of County Road 8 (Town Board Resolution #401-2022).

On November 2, 2022, the Planning Board approved an advisory report and recommendation on the Power Incentive Zoning Project to the Town Board.

On February 1, 2023, an Amended Planning Board Supplemental Report and Recommendation to the Town Board was approved.

On March 28, 2023, the Town Board denied the Power Incentive Zoning application by a 3–2 vote (Town Board Resolution #149-2023).

On May 9, 2023, the Town Board established a new SEQR 30-day coordinated review period from May 9, 2023, to expire on June 9, 2023.

This evening (May 17, 2023), Mr. Hemminger said that the Town Code requires that an applicant must wait one year prior to resubmitting an application which has been denied unless the Planning Board determines that there have been substantial changes to the application which had been denied.

Mr. Hemminger said that the applicant has submitted amendments to the original application. He said that the Town staff has prepared a draft resolution for consideration this evening for the Planning Board to determine if there are substantial changes to the applicant's concept plan.

Mr. Hemminger acknowledged that this draft resolution was submitted by the Town staff earlier today (May 17, 2023).

Mr. Destro (BME Associates) and Mr. Brenner (Partner, Canandaigua Development Company LLC) presented this application.

Mr. Destro then reviewed the amendments which have been made to the concept plan in response to the concerns of the Town Board, i.e.:

In summary, the revised layout depicts:

- 186 residential lots (a reduction of 30 lots from the original proposal of 216 lots).
- Minimum lot width of 80 feet.
- Minimum rear setback of 30 feet.
- Minimum side setback of 10 feet and 15 feet (25 feet combined per lot).
- The commercial/industrial corridor along State Route 96 remains unchanged.

Mr. Destro said that the Planning Board previously provided a positive recommendation to the Town Board. He said that the applicant now requests that the Planning Board submit an updated recommendation to the Town Board, based upon the amendments, for the project to continue.

Mr. Brand said that the Town staff submitted the draft resolution to the Planning Board today to provide the Town Board with the ability to conduct a Public Hearing on the amended application next Monday night (May 22, 2023).

Mr. Hemminger asked Mr. Destro if he received the draft resolution and if he agreed with it. Mr. Destro said yes.

Mr. Hemminger said that Mr. Bellis, who could not attend the meeting this evening, contacted him [Mr. Hemminger] and suggested that action upon the draft resolution be continued to a subsequent meeting to provide the board members with more time to review and consider it. Mr. Hemminger said that the amendments reduce the number of single-family lots and increase the size of the lots. He said that these amendments address the Town Board's concerns about the density of the development.

Mr. DeLucia and Mr. Viets said that they had no objections to proceeding with this resolution this evening. They noted that the application would return to the Planning Board for site plan review [if the Town Board were to approve the amended Incentive Zoning application].

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

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

**TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION**

**APPLICANT: Canandaigua Development Corporation, LLC
28 South Main Street
Canandaigua, N.Y. 14424**

RE: Planning Board review and recommendation certifying substantial changes in the concept plan for the Power Incentive Rezoning Project (§ 165-6 E Town of Farmington Town Code)

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) at its meeting tonight received information on the changes that have been made to the original Incentive Zoning concept plan for the Power Property—Route 96; and

WHEREAS, the Planning Board has twice previously reviewed the original Incentive Zoning concept plan for the Power Property—Route 96 Project, recommending in both instances approval of the original and revised design layouts; and

WHEREAS, the Planning Board understands the amended Incentive Zoning concept plan for the Power Property—Route 96 Project includes the following design changes:

- There is now a total of 186 single-family lots (a reduction of 30 lots from the original 216 lots); and
- The minimum lot width for each of the 186 single-family lots is now 80 feet (an increase in lot width from the original 70-foot-wide lot width); and
- The minimum rear yard setback for each of the 186 single-family lots is now 30 feet (an increase from the original 10-foot rear yard setback for each property); and
- The minimum side yard setback for each of the 186 single-family lots is now 10-feet and/or 15-feet with a combined side yard setback of 25-feet from the side yard lot lines for each property (the original side yard setback was 10-feet on each side yard area); and

WHEREAS, the Planning Board is aware of and has discussed tonight the provisions contained in Chapter 165, Article I, Enactment and Intent, Section 6. E., that requires the Planning Board to submit a recommendation certifying that there

have been substantial changes in the situation which would merit a rehearing by the Town Board; and

WHEREAS, the Planning Board realizes that the Town Board has once again initiated a coordinated review of this classified Type I Action with other involved and interested agencies, as provided for within the provisions of article 8, New York State Environmental Conservation Law, Part 617.4, 6 NYCRR, which is scheduled to end at noon on Friday, June 9, 2023, and that the Town Board has declared its intent to be the lead agency, for the coordinated review, at its meeting on Tuesday, June 13, 2023; and

WHEREAS, the Planning Board further realizes that once the Town Board approves of the above referenced amended Incentive Zoning concept plan that the criteria for site development will be established and that the Planning Board will then be conducting a coordinated review of both Preliminary Subdivision Plat and Preliminary Site Plan applications for this classified Type I Action under the provisions of the State’s Environmental Quality Review Act (SEQRA).

NOW, THEREFORE BE IT RESOLVED that the Planning Board based upon its review of this amended concept plan and the provisions contained in Chapter 165, Article I, Enactment and Intent, Section 6 E., hereby certifies to the Town Board that there have been substantial changes in the design which merits a rehearing by the Town Board at this time.

BE IT FURTHER RESOLVED that the Planning Board, based upon its review of this amended concept plan, hereby recommends that the Town Board grant the applicant a rehearing because it believes the aforementioned design changes contained in the amended concept plan would have a positive effect on the project and, therefore, the Town.

BE IT FURTHER RESOLVED that a certified copy of this determination shall be provided to the Town Board and the Town Clerk prior to the opening of a Public Hearing on this matter which has been scheduled to begin on Monday, May 22, 2023.

BE IT FINALLY RESOLVED, that certified copies of this determination shall also be provided to the applicant, Canandaigua Development Company, LLC and the applicant’s engineers, BME Associates, Attn: Ryan Destro, P.E., the Project Engineer.

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

Adrian Bellis	Excused
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Excused

Douglas Viets Aye

Motion carried.

7. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand said that a meeting has been scheduled for Wednesday, May 31, 2023, with an applicant who would like to discuss development concepts for an approximately 90-acre parcel of land on the east side of State Route 332. He said that a water park had originally been proposed for this parcel a number of years ago.

Mr. Brand also said that a representative of Mavis Discount Tires contacted the Town to ask about the process of receiving building permits. [A Mavis Discount Tires store has been proposed for a portion of the Farmington Market Center site on the southeast corner of State Route 96 and Mertensia Road.] Mr. Brand said that he informed the representative that the Town has been waiting for a number of months to hear from the owner of the Farmington Market Center property regarding development plans. Mr. Brand said that he suggested that the Mavis Discount Tires representative contact the property owner to determine the property owner's plans and time schedule for the future development.

Code Enforcement Officer:

Mr. Delpriore said that Electric Car Corner is expected to return to the Planning Board at the next meeting on June 7, 2023. On February 1, 2023, the Planning Board continued the consideration of the Electric Car Corner Final Site Plan application to an unspecified date to provide time for the applicant to resolve the issue of the encroachment of a mobile home onto the applicant's property (PB #0204-23).

Mr. Hemminger requested that the Town staff separate the Electric Car Corner vehicle charging stations from the Final Site Plan approval resolution to enable the company to be able to receive a Certificate of Occupancy if the charging station electrical equipment are delayed in shipment and installation.

Mr. Delpriore also said that the Final Two-Lot Subdivision Plat application from Daniel T. Geer is expected to be also be on the agenda on June 7, 2023. The Planning Board approved the applicant's Preliminary Two-Lot Subdivision Plat on March 15, 2023 (PB #0303-23).

Town Highway and Parks Superintendent:

Mr. Ford said that the Highway Department continues to be busy with seasonal work.

Farmington Volunteer Fire Association:

Mr. Giroux said that the fire department recently responded to a home structure fire on Wayneport Road due to a lawn mower which was in the garage. He also said that the fire department has responded to a number of automobile accidents, including an accident at the intersection of State Route 96 and State Route 332 on May 15, 2023.

8. PUBLIC COMMENTS

None.

9. TRAINING OPPORTUNITIES**■ New York Planning Federation Recorded Webinars:**

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

■ General Code e-Code

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

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

■ Future Training Opportunities Online:

Ontario County Planning Department website now lists upcoming training:
<https://www.co.ontario.ny.us/192/Training>

**■ 4th Thursday 2023 Monthly Municipal Boot Camp Program
Presented by MRB Group, and Hancock and Estabrook**

<https://register.gotowebinar.com/register/5013248983683015766>

Thursday, May 25, 2023, 6 p.m. to 7 p.m.: Financing Your Future

Thursday, June 22, 2023, 6 p.m. to 7 p.m.: Specialized Zoning Tools

Thursday, July 27, 2023, 6 p.m. to 7 p.m.: Local Regulation of Cannabis

Thursday, September 28, 2023, 6 p.m. to 7 p.m.: Transforming Former Industrial Properties

Thursday, October 26, 2023, 6 p.m. to 7 p.m.: Preventing Sexual Harassment

Thursday, December 14, 2023, 6 p.m. to 7 p.m.: Case Studies: Good and Bad of 2022

10. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 7:30 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, June 7, 2023, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, and also via remote video conference.

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

Respectfully submitted,

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