

# Town of Farmington

1000 County Road 8  
Farmington, New York 14425

**PLANNING BOARD**  
**Wednesday, September 21, 2022 • 7:00 p.m.**

## **MINUTES—APPROVED**

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

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

**R** = Attended via remote video conference.

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

**Board Member Excused:**                      Aaron Sweeney

**Staff Present:**  
Ronald L. Brand, Town of Farmington Director of Development and Planning  
August Gordner, Town of Farmington Fire Marshal  
Collin Sowinski, Town of Farmington Engineer, MRB Group D.P.C.

**Attending:**  
Tim Hannan, 676-B Crowley Road, Farmington, N.Y. 14425  
John Gabriele, Marina Chrysler Dodge Jeep, 943 Ridge Road, Webster, N.Y. 14580  
Michael E. Hanscom, P.E., Senior Civil Engineer, Lu Engineers, 339 East Avenue, Suite 200,  
Rochester, N.Y. 14604  
John Iannone, Auto Outlets USA Inc., 5763 Duke of Gloucester Way, Farmington, N.Y. 14425  
Katie Seton, Auto Outlets USA Inc., 5763 Duke of Gloucester Way, Farmington, N.Y. 14425  
Salvatore Valle, Principal Partner/Owner, ChargeSmart EV, 900 Starboard Side Lane, #2,  
Webster, N.Y. 14580

## 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 February 2, 2022.

## 2. APPROVAL OF MINUTES

■ A motion was made by MR. DELUCIA, seconded by MR. BELLIS, that the minutes of the September 7, 2022, regular meeting be approved.

Motion carried by voice vote.

## 3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on September 14, 2022:

### LEGAL NOTICE

**NOTICE IS HEREBY GIVEN** that the Planning Board of the Town of Farmington will conduct Public Hearings, both in person and virtually via Zoom, on the 21st day of September 2022 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 applications of:

**PB #0902-22: ELECTRIC CAR CORNER, 5763 DUKE OF GLOUCESTER WAY, FARMINGTON, N.Y. 14425:** Requesting a Special Use Permit in accordance with Chapter 165, Article IV, Section 28 (D) of the Town of Farmington Codes. The applicant wishes to use the existing building for sales of new and used vehicles. The property is located at 6162 New York State Route 96 and is zoned GB General Business and MTOD Major Thoroughfare Overlay District.

**PB #0903-22: ELECTRIC CAR CORNER, 5763 DUKE OF GLOUCESTER WAY, FARMINGTON, N.Y. 14425:** Requesting a Special Use Permit in accordance with Chapter 165, Article VI, Section 78 of the Town of Farmington Codes. The applicant wishes to use the existing building for a vehicle maintenance shop. The property is located at 6162 New York State Route 96 and is zoned GB General Business and MTOD Major Thoroughfare Overlay District.

**ALL PARTIES IN INTEREST** will be given an opportunity to be heard in respect to such applications. Persons may appear in person, by agent or via Zoom. Contact information for the Zoom meeting will be posted on the town's website in advance of the meeting date.

Ed Hemminger, Chairman, Planning Board

**4. NEW PUBLIC HEARING: NEW SPECIAL USE PERMIT**

**PB #0902-22                      New Public Hearing: Special Use Permit**

**Name:**                      Electric Car Corner, 5763 Duke of Gloucester Way, Farmington, N.Y. 14425

**Location:**                      6162 New York State Route 96

**Zoning District:**              GB General Business, MTOD Major Thoroughfare Overlay District, MTOD Main Street Overlay District

**Request:**                      Special Use Permit in accordance with Chapter 165, Article IV, Section 28 (D) of the Town of Farmington Codes. The applicant wishes to use the existing building for sales of new and used vehicles.

This application, the accompanying Special Use Permit for New and Used Electric Vehicle Repairs and Maintenance Operations (PB #0903-22), and the Preliminary Site Plan (PB #0901-22), were reviewed by the Project Review Committee on June 2, 2022; and September 1, 2022.

The Planning Board held a Workshop Meeting on these applications on August 30, 2022, at which a presentation was given by Mr. Iannone, Ms. Seton and Scott Pfluke of Auto Outlets USA Inc.

Mr. Hemminger opened the Public Hearing on this application.

Mr. Gabrielle, Mr. Iannone, and Ms. Seton (Auto Outlets USA); and Mr. Hanscom (Lu Engineers) presented this application.

Prior to the meeting, Mr. Hanscom submitted the following information:

This application is being submitted to cover the change of use for the site from a landscaping company (formerly Create-A-Scape) to an electric vehicle sales company to be known as Electric Car Comer.

Separate applications have been submitted to the Planning Board for a Special Use Permit for sales of new and used vehicles and for a Special Use Permit for a vehicle maintenance shop.

An inventory of approximately 40 to 100 electric vehicles will be stored on the site to the rear of the existing building. The vehicles will be stored on the existing parking area. There are currently no plans to expand the parking

area pavement in this area. The existing building will be used for offices, a sales floor and a vehicle repair and maintenance shop for electric vehicles. The existing 13 parking spaces located on the asphalt parking lot next to the building will be used for customer parking.

We also propose to add asphalt pavement to the east side of the existing asphalt driveway that services the site. This added pavement will be used for the display of up to 12 vehicles that are for sale and for 8 public parking spaces that will be used to access three (3) dual head electric vehicle charging stations. The electric vehicle charging stations will be accessible for use by the general public.

In summary, the primary work planned at the site at this time is as follows:

1. Repair potholes in the existing asphalt driveway and parking area and top it with 1- 1½ inches of new asphalt pavement.
2. Restripe the existing asphalt parking lot next to the building for use as the customer parking area.
3. Install the required signage and pavement markings for the ADA accessible parking spaces.
4. Install a 22-foot wide x 202-foot long asphalt paved parking area next to the existing asphalt driveway. This parking area will be used for the display of twelve (12) new vehicles for sale and for eight (8) public parking spaces for public electric vehicle charging stations.
5. Install three (3) electric vehicle charging stations and the associated transformer, electric meter and underground electric wiring.
6. Install an oil/water separator for the existing garage space. Install a floor drain in the existing garage space. Install required sanitary service lateral piping to connect the oil/water separator to the existing sanitary sewer lateral. A precast concrete manhole with a submersible pump may be required to pump the water into the sanitary sewer lateral.
7. Add miscellaneous landscaping within or adjacent to the streetscape area along Route 96.
8. Add a topping of asphalt millings to the existing crushed stone parking area located to the rear of the building.
9. Install a new sign at the front of the lot at the location of the existing sign.



Mr. Iannone said that the applicant has purchased the property, that a new roof has been installed and that they are maintaining the property until the applications have been approved. He said that RG&E and ChargeSmart EV, an electric vehicle charging station vendor, have been lined up for the subsequent installation of the electric vehicle charging stations.

Mr. Iannone said that they would like to install picture windows in the front of the existing building (on the south façade) to provide more illumination for the interior. He said that they figure that they have about a month in which to work with the weather, that they plan to provide a top paving coat to the current pavement and that they have selected a light pewter paint color for the repainting of the building's exterior.

Mr. Brand said that the Special Use Permit and Site Plan applications have been reviewed by the Ontario County Planning Board (Referrals #175-2022 and #176-2022, September 14, 2022) and have been returned to the Town with favorable comments. He said that draft resolutions have been prepared for the board's consideration this evening for approvals with conditions of all three applications associated with the Electric Car Corner project.

Mr. Hemminger explained that the applicant will be able to submit an application for Final Site Plan approval following approvals of the Special Use Permits and submission of the revised Preliminary Site Plan which is to address the conditions of Preliminary Site Plan resolution.

Mr. Gordner said that the conditions of approvals in the draft Special Use Permits and Preliminary Site Plan resolutions address each of the Development Office comments and that there are no additional comments from the Development Office this evening.

Mr. Sowinski said that MRB Group issued an engineering comment letter on September 16, 2022, with 22 comments. He said that an erosion and sediment control plan should be provided and that the limits of disturbance and the acreage should be shown on the plans. Mr. Sowinski said that a Stormwater Pollution Prevention Plan (SWPPP) under the New York State General Permit for Stormwater Discharges from Construction Activities (GP-0-20-001) will be required if the site disturbance will meet or exceed one acre. He also said that the applicant will be required to enter into a Stormwater Maintenance Agreement with the Town and to provide a stormwater access easement to the Town over the bioretention area.

Mr. Hemminger requested that Mr. Iannone and Mr. Gabriele work with their engineer and with MRB Group to address the engineering comments.

Mr. Gabriele said that they initially planned to use the existing building and driveways on the property and that he was under the impression that a stormwater management pond and additional stormwater retention would be required if there was to be further work, such as paving, on the site.

Mr. Hanscom said that he has not received a copy of the MRB Group engineering letter of September 16, 2022. Mr. Sowinski provided a copy of the letter to Mr. Hanscom.

Mr. Hemminger said that the more the applicants and their engineer work with the Town staff, the easier it will be [for consideration of the applications by the Planning Board].

Mr. Hemminger asked if anyone in the meeting room wished to speak for or against this application, or to ask questions. There were no requests from those in the meeting room.

Mr. Hemminger then asked if anyone on the remote video conference wished to speak for or against this application, or to ask questions. There were no attendees on the remote video conference this evening.

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

■ Mr. Hemminger then closed the Public Hearing. The Public Hearing on PB #0902-22 was closed.

### **Board deliberations:**

Mr. Bellis asked Mr. Brand about the references to the sales of “new and used electric vehicles” in the draft Special Use Permit approval resolution. Mr. Brand said that the Special Use Permit allows for the sales of new and used electric vehicles on both parcels of land [Tax Map Nos. 29.00-1-73.110 and 29.00-1-76.100]. However, the applicant may not operate a new-car dealership on the property [Tax Map No. 29.00-1-76.100] at this time, until a Final Site Plan for that parcel has been approved by the Planning Board. The language provides the applicant with the flexibility [to operate a new and used car dealership on the property in the future].

Mr. Bellis asked about the hours of operation for the sales of “new and used electric vehicles” which needs to be added to the draft resolution. Following discussion, it was determined by the applicant that the hours of operation will be 8:00 a.m. to 6:00 p.m. Monday through Sunday (seven days a week).

Mr. Hemminger asked the applicants if they received the draft resolution prior to the meeting and if they agreed with the conditions of approval.

Mr. Hanscom said that he would like to review the conditions of approval with the board and the Town staff at this time.

He asked about Condition #1 which provides for “. . . the installation and operation of eight (8) electric vehicle charging stations for the public . . .” Mr. Hanscom said that the applicant is currently proposing three charging units (to provide for six charging stations). Mr. Hemminger said that the eight parking spaces for the three proposed charging stations provide the applicant with some flexibility for future expansion of another charging station and avoids the applicant having to return to the Planning Board for an amended Special Use Permit application. Mr. Brand suggested that one way to address this is to indicate on the site plan the future installation of the fourth charging station.

Mr. Valle said that the charging stations must be accessible to the public 24 hours-a-day, seven days-a-week, just like a gas station, in order for the applicant to receive New York State (NYSERDA) financial incentives [for the installation of the charging stations]. He said that this location would be one of several along the New York State Thruway to be identified and available 24/7 for charging electric vehicles.

Mr. Brand said this is new information and that the Town's concern is that motorists will leave their vehicles [in the charging stations] overnight. Mr. Valle said that the charging systems operate on a timer and there will be a levy (a financial penalty) upon motorists who leave their vehicles in the charging stations for too long a period. He said that if they leave it [a vehicle] there, it will cost them.

Mr. Brand said that he would like to make sure that the resolution prohibits motorists from leaving their vehicles unattended for prolonged periods time and that the system will not result in motorists leaving their vehicles overnight when the dealership is closed.

Mr. Hemminger requested that the applicant establish a policy, i.e., an operating procedure, to be posted on the charging stations to inform motorists that they will incur a financial penalty if they leave their vehicles for an extended period of time. He said that the chances that this would happen would be minimal if a financial penalty were to be involved.

Mr. Brand said that he would like to have this language in the draft resolution to help the applicant with the grant application and to avoid having the property become an overnight parking lot. The language to be provided on the signage should be shown on the Final Site Plan drawings.

Mr. Gabriele said that the idea behind a quick charge is that each of the proposed charging stations will be Level 3 fast chargers which will charge a vehicle up to 80 percent in 30 minutes. He also said that the charging stations must be accessible 24/7 in order for him to receive the New York State financial incentive.

Mr. Valle described the charging procedure as similar to charging a cell phone. He said that the system will provide a text message to the owner of the vehicle when it is charged, that the system will stop drawing power after the vehicle is charged, and that the financial penalty will kick in following a short grace period. He said that the financial penalty will be noted on the charging "app" and on will appear on the motorist's credit card.

Mr. DeLucia suggested that the hours of operation [for the charging stations] be amended to read that they will be "in accordance with the posted charging station guidelines."

Mr. Hanscom asked about posting the guidelines. Mr. Iannone said that the guidelines would be posted [on the charging stations].

Mr. Hanscom asked for clarification on draft Condition #7, i.e.:

7. “The Special Use Permit is further conditioned upon the applicant providing a concrete sidewalk connection between the existing sales and service building and the sidewalk located across the front of these two properties.

Mr. Brand said that the intent of this condition is to provide a separation between pedestrians walking to the sales/service building from the charging stations, and to avoid pedestrians having to walk along the driveway pavement to reach the building or their vehicles.

Ms. Seton said that she did not see the need to have a sidewalk from the building to the charging stations, but that she did see the need for a sidewalk from the charging stations to the existing sidewalk along the State Route 96 road frontage.

Mr. Hemminger asked what if someone wanted to walk from the building to the charging stations? He said that the Planning Board typically requires sidewalks to provide a safety separation between pedestrians and vehicle traffic.

Mr. Bellis asked about the consideration of the Preliminary Site Plan application prior to the consideration of the Special Use Permits. He said that some of the conditions of Preliminary Site Plan approval may address the issues which have been raised during this evening’s discussion of the Special Use Permits. Mr. Brand said that the conditions of approval of the Special Use Permits must be approved prior to consideration of the Preliminary Site Plan [which includes references from the Special Use Permit resolutions].

Mr. Hemminger asked if there was a consensus regarding Condition #7. Mr. Gabriele said that he is thinking of the cost. Mr. Hemminger said that the Planning Board is thinking from a pedestrian safety point of view to avoid customers and employees having to walk in the driveway. Mr. Gabriele said that other concerns are pedestrians walking near the charging stations with the high amperages.

Mr. Bellis asked Mr. Gabriele to consider having a sidewalk from the charging stations to the existing sidewalk along the State Route 96 road frontage [for the convenience of motorists to walk to nearby stores].

Following discussion, Mr. Hemminger listed the following amendments to the draft resolution:

- |               |  |
|---------------|--|
| Condition #1: | Amend the installed number of charging stations from (3) to four (4) vehicle charging stations with eight (8) parking spaces.  |
| Condition #2: | Amend the hours of operation for the charging stations to provide that the charging stations will be available 24 hours a day, seven days a week, in accordance with posted charging station guidelines. |

Condition #7: No changes from the draft resolution.

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
SPECIAL USE PERMITS AND PRELIMINARY SITE PLAN APPROVALS  
ELECTRIC CAR CORNER, 6162 STATE ROUTE 96  
SEQR TYPE II CLASSIFICATIONS**

**APPLICANT: Electric Car Corner, 5763 Duke of Gloucester Way,  
Farmington, N.Y. 14425**

**ACTIONS:**

**PB #0901-22** Preliminary Site Plan Approval: Electric Vehicle Offices, Sales Areas, Electric Vehicle Display Areas, Public Charging Stations, Customer Parking Areas, and Electric Vehicles Maintenance and Repairs

**PB #0902-22** Special Use Permit Approval: Sales of New and Used Electric Vehicles on Two Parcels of Land located at 6162 State Route 96

**PB #0903-22** Special Use Permit: Electric Vehicle Maintenance and Repair Service

**CLASSIFICATIONS:** SEQR Type II Classifications for each of the three (3) above referenced Actions

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

**WHEREAS,** the Planning Board has reviewed the Part 1 Short Environmental Assessment Form (SEAF) prepared by the Applicant’s Engineer for each of the three (3) above referenced Actions; and

**WHEREAS,** the Planning Board finds the three (3) proposed Actions are classified as Type II Actions within 6NYCRR, Part 617.5 (c) (18) and (21), article 8 of the New York State Environmental Conservation Law (ECL), the State’s Environmental Quality Review (SEQR) Regulations; and

**WHEREAS,** the Planning Board is the only Involved Agency for these Actions.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby classify the proposed Actions as being Type II Actions under the above referenced sections of the State’s ECL and does hereby make this classification finding the Actions involve: reuse of a commercial structure and site that is subject to special use permits and site plan approval; and the proposed Actions involve the temporary uses of land having negligible or no permanent impact upon the environment; and do not meet or exceed any of the thresholds contained within § 617.4 (Type I Actions) of 6 NYCRR.

**BE IT FURTHER RESOLVED** that Type II Actions have been determined not to have a significant adverse impact upon the environment and, therefore, are precluded from further environmental review under the above referenced ECL.

**BE IT FINALLY RESOLVED** that the Board directs that this resolution is to be filed with each of the above referenced Applications, the Applicant, the Applicant’s Engineer, Town Staff and a Certified Copy placed in the Town’s Property Files for these two parcels of land.

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

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

Motion carried.

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

*Clerk’s Note: The following resolution was recalled later in the meeting; see p. 17.*

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
SPECIAL USE PERMIT APPROVAL—SALES OF NEW AND USED ELECTRIC VEHICLES  
ELECTRIC CAR CORNER , 6162 STATE ROUTE 96**

**PB # 0902-22**

**APPLICANT: Electric Car Corner, 5763 Duke of Gloucester Way,  
Farmington, N.Y. 14425**

**ACTION: Special Use Permit approval: Sales of new and used electric  
vehicles to be conducted upon two parcels of land located at  
6162 State Route 96**

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

**WHEREAS**, the Planning Board has, under separate resolution adopted tonight, classified the Action as a Type II Action within 6NYCRR, Part 617.5 (c) (18) and (21), Article 8 of the New York State Environmental Conservation Law (ECL), the State's Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Planning Board has reviewed the Ontario County Planning Board Referral #175-2022, a Class 1 referral, with no recommendation and only comments; and

**WHEREAS**, the Planning Board has given comments to the testimony provided at tonight's Public Hearing and the draft resolution prepared and posted on the Town's website for said Action.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby approve the above referenced Special Use Permit with the following conditions:

1. The Special Use Permit is hereby approved for the sales of new and used electric vehicles to be located on Tax Map Numbers 29.00-1-73.100 and 29.00-1-76.100; and including the installation and operation of four (4) electric vehicle charging stations with eight (8) parking spaces.
2. The Special Use Permit is further conditioned upon the Applicant providing electric vehicle charging stations for up to eight spaces 24 hours a day, seven days a week. The posted public charging information signage and the location(s) of this signage is to be added to the final site plan drawings identifying the permitted time period(s) to be allowed for private vehicles to be parked in one of the charging spots. In no event shall a public vehicle being electrically charged be allowed to remain in one of the charging parking spaces on the site overnight. These charging stations shall operate on a timer and shall not be allowed to remain on at all times. No vehicle shall remain within one of the charging stations parking spots for more than one hour after charging operations have been completed.
3. The Special Use Permit is further conditioned upon the Applicant providing trash receptacles in close proximity to the public charging stations. These receptacles are to be maintained by the Applicant.
4. The Special Use Permit is further conditioned upon no outdoor storage of dismantled electric vehicles or tires.
5. The Special Use Permit is further conditioned upon the Applicant's compliance with the installation of sidewalk, streetlights, benches and trash receptacles that are consistent with the State Route 96 Main Street Corridor Plan.



- 6. The Special Use Permit is further conditioned upon the Applicant obtaining Final Site Plan Approval from the Planning Board. Any further expansion of the sales of new and used electric vehicles on these two parcels will be subject to an amended site plan.
- 7. The Special Use Permit is further conditioned upon the Applicant providing a concrete sidewalk connection between the existing sales and service building and the sidewalk located across the front of these two properties.
- 8. The Special Use Permit is further conditioned upon the Applicant providing dust-free surfaces for all outdoor vehicle display areas. These areas are to be illuminated and maintained.
- 9. The Special Use Permit is finally conditioned upon all the above conditions being provided prior to the issuance of a Certificate of Occupancy for the new and used electric vehicle sales operation on the property.

**BE IT FINALLY RESOLVED** that the Board directs that this resolution is to be filed with each of the Applicant, the Applicant’s Engineer, Town Staff and a Certified Copy placed in the Town’s Property Files for these two parcels of land.

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

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

Motion carried.

**5. NEW PUBLIC HEARING: NEW SPECIAL USE PERMIT**

**PB #0903-22                      New Public Hearing: Special Use Permit**

**Name:**                              Electric Car Corner, 5763 Duke of Gloucester Way, Farmington, N.Y. 14425

**Location:**                              6162 New York State Route 96

**Zoning District:**                      GB General Business, MTOD Major Thoroughfare Overlay District, MTOD Main Street Overlay District



**Request:** Special Use Permit in accordance with Chapter 165, Article VI, Section 78 of the Town of Farmington Codes. The applicant wishes to use the existing building as a vehicle maintenance shop.

This application, the accompanying Special Use Permit for Sales of New and Used Electric Vehicles (PB #0902-22), and the Preliminary Site Plan (PB #0901-22), were reviewed by the Project Review Committee on June 2, 2022; and September 1, 2022.

The Planning Board held a Workshop Meeting on this application on August 30, 2022, at which a presentation was given by Mr. Iannone, Ms. Seton and Scott Pfluke of Auto Outlets USA Inc.

Mr. Hemminger opened the Public Hearing on this application.

Mr. Gabrielle, Mr. Iannone, and Ms. Seton (Auto Outlets USA); and Mr. Hanscom (Lu Engineers) presented this application.

Prior to the meeting, Mr. Hanscom submitted a summary of the application (*see* pp. 3–4).

Mr. Gabriele said that they plan to take trade-in vehicles which are not electric vehicles. Mr. Brand asked if the acceptance of non-electric vehicles would be only for maintenance and repair. Mr. Iannone said that non-electric vehicles could be taken to their other locations but that they do not wish to pass up a sale if a customer is interested in purchasing a non-electric vehicle from this location. He described a possible situation in which a customer of the adjacent Meyer's RV facility might want to purchase a vehicle from the Electric Car Corner lot.

Mr. Gabriele said that their [sales] business will be [new and used] electric and plug-in hybrid vehicles. Mr. Iannone said that they also expect to have hybrid and gasoline-powered vehicles which may be taken in trade as customers migrate to all-electric vehicles.

Mr. Iannone suggested that the title of the application be amended to "Sales of New and Used Vehicles." He said that they are not trying to exclude [sales of new and used] hybrid and gasoline-powered vehicles.

Mr. Brand said that he understood that the intent of the application is to provide maintenance and repairs for electric vehicle operations.

Mr. Gabriele said that their intent is to sell electric and hybrid vehicles. He said that it is not realistic to expect that customers will not be trading in their fossil-fuel vehicles.

Mr. Iannone said that he cannot get cornered to only electric vehicles. He said that they could sell other vehicles (hybrids and gasoline-powered vehicles).

Mr. Gabriele said that the name of the business is Electric Car Corner, but there will be customers who have fossil fuel vehicles and not pure electric vehicles.

Mr. Brand suggested that perhaps fossil fuel vehicles could be sold on the site, but that they should not be displayed in the area designated for electric car sales.

Mr. Gabriele said that their eventual plan is to bring their current location on State Route 332 to the State Route 96 site (Tax Map No. 29.00-1-76.100). He said that they came up with the concept of Electric Car Corner because of where the industry is migrating. He said that if one follows along, the only manufacturer of 100 percent electric vehicles is Tesla, and that they [Tesla] have done an amazing job without a lot of dealerships. Mr. Gabriele said that he has to be realistic with plug-in hybrid vehicles which use fossil fuel. He said that they will have fossil fuel vehicles, which are 97 percent of the current market, and that the Town cannot pigeon-hole them with just having electric vehicles.

Mr. Brand said that the board is considering two parcels of land with these applications. He said that the applicant proposes the sale of new and used electric vehicles on the majority of Parcel #1 and that a small portion of Parcel #2 is to be used for the parking of vehicles. He said that it now appears that the intent of the applicant is to bring vehicles from the State Route 332 location to Parcel #2, as well.

Mr. Brand suggested that the applicant may wish to amend the application to reflect that both electric and hybrid vehicles will be sold on the site [Parcel #1]. He said that the relocation of the State Route 332 location would be all taken care of when a site plan is approved for Parcel #2.

Mr. Hemminger asked if the applicant can live with having an amendment to reflect the sales of electric and hybrid vehicles, and with having gasoline-powered vehicles brought to one of their other locations. He said that if the applicant cannot agree to this, then the board has to stop the presses and that the applicant should work with the Town staff for resolutions that meet his needs. Mr. Hemminger said that the board can go forward with electric and hybrid vehicles this evening, but that the resolutions must be reworked if the applicant would like to include gasoline-powered vehicles. He said that the draft resolutions were not written to include gasoline-powered vehicles.

Mr. Hemminger said that the solution this evening is for the applicant to meet with the Town staff to rework the draft resolutions and to continue the applications to a future meeting. He said that the resolutions are not going to be fixed by wordsmithing them this evening.

Mr. Bellis said that the board previously understood that only electric vehicles would be serviced at the State Route 96 location. Based upon this evening's discussion, he asked if hybrid vehicles also would be serviced at this location. Mr. Iannone said that perhaps they should have just applied for a new and used vehicle operation.

Mr. Brand said that a possible solution is that fossil fuel type vehicles are not to be displayed for sale on this portion of the site, which is Parcel #1 and a portion of Parcel #2. He said that there is nothing to say that they could not sell fossil fuel type vehicles received as a trade-in if one comes in on Parcel #1. However, there needs to be defined where these areas are and how many vehicles would be permitted on Parcel #1.

Mr. Bellis said that the change in operations to include gasoline-powered vehicles changes everything. Mr. Brand said that the Town Water and Sewer Department recognized the need for the installation of an oil and water separator.

Mr. Hemminger said that the Town staff will require additional information on the way in which the applicant would like to do business, such as the sale of new and used fossil fuel vehicles, in addition to the sale of new and used electric and hybrid vehicles.

Mr. Hemminger said that everything in the application materials indicates “electric vehicles.” He said that hybrids and gasoline-powered vehicles are not mentioned in the application materials and that the Town staff prepared draft resolutions based upon “electric vehicles.”

Mr. Gordner suggested that the applicant and his engineer contact him [Mr. Gordner] and Mr. Delpriore to arrange a meeting to review the current draft resolutions and prepare amendments [to reflect the applicant’s business plan]. Mr. Gordner said that he did not know how the resolutions could be amended this evening without the input from other members of the Town staff.

Mr. Iannone asked how the word “electric” on the materials would adversely impact their applications. He said that the vehicles would be new and used.

Mr. Gabriele said that they [the board] would like them to go back to the Town staff. He asked what would change, other than the titles [of the applications].

Mr. Iannone said that technically hybrids are considered electric vehicles. Mr. Gabriele said that they would most likely park them [hybrid vehicles] in the back. Mr. Iannone said that they have to cater to the crowd. He said that he would not want to feature a diesel [vehicles] out front.

Mr. Bellis asked about the sales of electric vehicles. Mr. Iannone said that hybrids are transitional vehicles. Mr. Iannone said that they may sell a Prius but that they may not sell another model. He said that for exceptions they would not do anything that the Town does not want.

Mr. Bellis asked if there is a way to word [the resolution] so he [the applicant] does not have a hundred of them.

Mr. Hemminger said that it is going to end up being a new and used car lot. He said that it is what it is. He said that the resolutions could refer to new and used vehicles by removing the word “electric” to avoid having specific references to electric vehicles.

Mr. Brand said the applicant will still need to have a site plan approved for Parcel #2 which he understands will be used primarily for used fossil fuel vehicles. Mr. Gabriele said that the application is just for Parcel A. Mr. Brand said that a portion of Parcel B is shown to be used for parking of vehicles east of the sales/service building.

Mr. Gordner said that Phase 2 involves the relocation of fossil fuel vehicles from the State Route 332 location to the State Route 96 location. He said that the current applications are only for electric vehicles for the most part and that the applicant would have to return to the Town in the future to use the exact same building for something else. Mr. Gordner said that he would rather review the plan in totality now, instead of having to make changes in the future.

Mr. Bellis said that the existing building seems to be too small for the full business plan and for the full build-out of the site.

Mr. Gabriele said that they will probably need an addition for a shop area in the future, and that they would have to return to the Town at that time.

Mr. Gabriele said that they purchased an old property [a former restaurant on State Route 332] developed and maintained it, and now they are looking to do the same thing for the State Route 96 concept plan. He said that they are excited to be here and that they want to bring something different to the market. He said that the concept which they came up with involves electric vehicles and hybrids, and engaging the charging stations. Mr. Hemminger said that this is how the resolutions have been drafted. Mr. Gabriele said that the public notice [of the meeting] did not specify electric vehicles.

Mr. Hemminger said that the applicant and his engineer received these draft resolutions in advance of the meeting [the resolutions were sent on Friday, September 16, 2022]. He said that this is the first time that the Town staff and the board have heard that there are concerns with them. Mr. Hemminger said that the board desires to act upon draft resolutions with which the applicant is comfortable. He said this is not the case tonight. He again suggested that they sit down with the Town staff to review the draft resolutions to make sure that everybody understands and is comfortable with them.

Mr. Brand said that the Public Hearing on the previous Special Use Permit application [PB #0902-22] has been closed. He said that the board may continue the deliberations on it and that it has 62 days from this evening to make a decision. He suggested that consideration of all three (3) applications be continued to the board's next meeting on October 5, 2022.

Mr. Hemminger agreed with this. In the meantime, he requested that the applicant set up a meeting with the Town staff to work out the details. He recommended that the draft Preliminary Site Plan resolution also be included for discussion at the October 5th meeting. Mr. Hemminger said that the board is not trying to be difficult. He said that the board wants to do the right thing for you [the applicant] and that the board takes the review of the conditions of approval seriously.

Mr. Bellis asked about the installation of picture windows on the south façade of the existing building. Mr. Gordner suggested that the discussion of the site plan be continued pending receipt of additional information from the applicant.

■ **POINT OF ORDER:** Mr. DeLucia requested a Point of Order that the Special Use Permit for the sales of new and used electric vehicles [PB #0902-22], which was approved earlier in the meeting, be recalled and that deliberations on each of the applications [PB #0901-22, PB #0902-22 and PB #0903-22] be continued to October 5, 2022. There were no objections to this Point of Order from members of the board.

## 6. NEW PRELIMINARY SITE PLAN

### **PB #0901-22                      New Preliminary Site Plan**

**Name:**                      Electric Car Corner, 5763 Duke of Gloucester Way, Farmington, N.Y. 14425

**Location:**                      6162 New York State Route 96

**Zoning District:**              GB General Business, MTOD Major Thoroughfare Overlay District, MTOD Main Street Overlay District

**Request:**                      Preliminary Site Plan approval for site and building improvements to be used for offices, sales floor and for vehicle maintenance repairs.

This application, the accompanying Special Use Permit for Sales of New and Used Electric Vehicles (PB #0902-22), and the Special Use Permit for New and Used Electric Vehicles Repairs and Maintenance Operations (PB #0903-22), were reviewed by the Project Review Committee on June 2, 2022; and September 1, 2022.

The Planning Board held a Workshop Meeting on this application on August 30, 2022, at which a presentation was given by Mr. Iannone, Ms. Seton and Scott Pfluke of Auto Outlets USA Inc.

Mr. Hanscom (Lu Engineers), and Mr. Iannone, Mr. Pfluke and Ms. Seton (Auto Outlets USA) presented this application.

Prior to the meeting, Mr. Hanscom submitted a summary of the application (*see pp. 3–4, above*).

Although the formal consideration of this application was continued to October 5, 2022 (*see this page, above*), it was decided to provide board input to the applicant on this application at this time in advance of the applicant's meeting with the Town staff on amendments to the draft resolutions.

Mr. Brand said that the draft Preliminary Site Plan resolution was sent to the applicant and to his engineer on September 16, 2022. He also said that engineering comments from MRB Group have been received.

Mr. Hemminger then referred to questions and photographs which Mr. Sweeney submitted prior to the meeting (*see* photographs on pp. 28–30):

1. Where is the proposed location for the transformer for the electric chargers? They stated they have talked with RG&E.
2. What will the landscaping look like around the transformer. I have enclosed pictures of the Walmart Plaza charging station transformer for ideas on landscaping (*see* photos on pp. 00–00).
3. Applicant mentioned that customers could cross the street while charging. Can we have them install the crosswalk or will this go to the IZ with the Town Market?

Mr. Iannone said that RG&E mapped out the location of the transformer. He said that this detail has been sent to the board. Mr. Iannone also acknowledged receipt of Mr. Sweeney's photographs. He then described the landscaping which will be planted around the base of the sign and around the transformer on the east side.

Mr. Bellis referred to Mr. Sweeney's third point regarding the installation of a sidewalk for pedestrian crossing of State Route 96. It was noted that this is a New York State Department of Transportation permit issue.

Mr. Bellis asked about the overhead doors and the location of the shop in the existing building. Mr. Iannone said that the door is on the west side of the building at the northwest corner. He said that there are two garages, i.e., one facing the adjacent Meyer's RV facility (on the west side of the existing building) and the other on the east side of the existing building. Mr. Gabriele said that these are pre-existing doors.

Mr. Bellis asked about the number of parking spaces. He said that he thought that the number is excessive but that he does not have a problem if they are land-banked for the future. Mr. Iannone said that they will tighten up the parking on Parcel A [Parcel #1].

Mr. Bellis asked about the existing driveway/gravel area. Mr. Hanscom said that this is an existing gravel path which was used by the previous owner of the property. He said that it is part of the property.

Mr. Bellis asked about the existing mobile home which is located on the applicant's property. Mr. Iannone asked how can they force the residents out of their trailer. Mr. Brand said that a residential use is not permitted in the zoning district of the applicant's property. Mr. Gabriele asked if they can force the people to move. Mr. Brand said that they can force the owner of the manufactured home park to relocate the residents onto his property. He said that the Town cannot approve a site plan showing a nonconforming use.

Mr. Gabriele asked how the Town approved the prior site plans [for AR-15 and for Create A Scape, the previous owners of the properties]. Mr. Brand said that AR-15 and Create A Scape did not identify the mobile home on their site plans. He suggested that Mr. Gabriele contact the owner of the manufactured home park regarding this issue.

Mr. Gabriele asked if they could just remove the reference to the trailer [manufactured home unit] from their site plan, as the previous properties owners had done. Mr. Hemminger said no, that it is now too late to change this from the site plan drawing now that it has been displayed as part of these applications.

Mr. Iannone asked how do they remove these residents [from the applicant's property] and how did they become the bad guys. He said that the applicant's attorney determined that this was a pre-existing use and that the residents of the trailer are not impeding upon the applicant and the applicant is not impeding upon the residents. Mr. Hemminger requested that Mr. Gabriele discuss this with his attorney. He said that this type of an issue is out in the open once the Planning Board has been made aware of it.

Mr. Viets said that he will be interested to see the landscaping plan on the Final Site Plan. Mr. Hemminger said that it would be good to review the landscaping plan at the Preliminary Site Plan stage, as well.

Mr. Viets said that he has no issues with the picture windows on the south façade of the building.

Mr. Viets asked about lighting in the back parking area of the property. Mr. Gabriele and Mr. Iannone said that light poles are indicated on the site plan on the Dollar Store side of their property.

Mr. DeLucia said that several of his concerns regarding the mobile home on the property and parking on the second lot have already been addressed this evening. He requested that Mr. Gabriele work with the Town staff regarding the number of parking spaces. Mr. Gabriele said that land-banked parking will be considered and will be shown on the site plan. Mr. Brand said that land-banked parking may be used as part of Phase #1.

Mr. Hemminger said that deliberations these three applications are being continued to October 5, 2022. In the meantime, he requested that Mr. Gabriele and his engineer work with the Town staff to revise the resolutions and to make sure that they meet the requirements of the applicant and the staff. Mr. Hemminger said that his goal is for the Planning Board to be able to approve both Special Use Permits and the Preliminary Site Plan at the meeting on October 5, 2022.

Mr. Hanscom asked about the request for additional landscaping details. Mr. Viets said that he would like to see additional information on the screening of the parking lots, the transformers and dumpster enclosures (if any). Mr. Hanscom said that parking will be screened by existing plantings on the west and north sides of the property. He said the property to the east is not being screened. Mr. Hemminger requested that Mr. Hanscom refer to the Major Thor-



oughfare Overlay District (MTOD) and the Main Street Overlay District (MTOD) standards for landscaping, and to make sure that the applications meet those requirements.

Mr. Hanscom asked about Preliminary Site Plan draft Condition #2d regarding the depiction on the site plan of the intersection of State Route 96 and Mercier Boulevard. He said that this intersection does not exist. Mr. Brand said that the intersection is shown on the adjacent GLN Farmington Realty site plan and that it is denoted on the highway work permit plans of the New York State Department of Transportation [for future construction]. Mr. Gabriele acknowledged that the Town would like this future intersection to be shown on the plans.

Mr. Brand said that a sign site plan has not been submitted. Mr. Gabriele said that there is a pre-existing sign from the previous property owner on the property. Mr. Iannone said that the existing sign has no visibility for motorists driving east on State Route 96. He said that the sign is not visible until one actually reaches their driveway due to the adjacent large Dollar Tree sign and three existing street trees. Mr. Hemminger requested that Mr. Iannone work with the Town staff regarding the allowable sign size and location. He said that an application would have to be submitted to the Zoning Board of Appeals if the need for a variance is identified. On the other hand, if their plans for a sign do not exceed what is permitted by zoning, then a variance would not be necessary. Mr. Gordner said that this can be discussed when the applicant meets with the Town staff. Mr. Hemminger also said that the MTOD and the MSOD sign landscaping regulations must be considered.

Mr. Hanscom asked about draft Condition #2j regarding a Streetscape Drawing to be added to the drawings for Final Site Plan approval. Mr. Brand referred Mr. Hanscom to the MSOD requirements. He said that the streetscape initiatives should complement the existing streetscape features which have already been installed by the adjacent businesses (Byrne Dairy, Auto Wash, Mattie's Power Sports and Meyer's RV). Mr. Brand said that currently the applicant's plans only show three trees clustered on the site out near State Route 96.

Mr. Viets said that only one drawing was included in the board packets, and that the species of trees were not labeled. Mr. Hanscom said that he submitted 11 copies of eight plan sheets [to the Development Office].

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

## **7. PLANNING BOARD ACTION ITEMS**

### **A. Hathaway's Corners, Phase 1, Letter of Credit Release #4 (Final), Earthwork:**

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
LETTER OF CREDIT FINAL RELEASE #4, EARTHWORK**



**HATHAWAY’S CORNERS PROJECT, PHASE 1**

**PB #0202-19 and PB #0204-19**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated September 14, 2022, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, to approve the final release of funds (Release No. 4) from the established Letter of Credit for earthwork site improvements to be completed as part of the above referenced project; and

**WHEREAS**, the Planning Board has also received and reviewed the Letter of Credit release letter along with the completed Town Surety Release Forms G-1.0 and G-2.0; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request for a final release of funds from the established Letter of Credit in the total amount of \$217,323.95.

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

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

Motion carried.

**B. Hathaway’s Corners, Phase 1, Letter of Credit Release #6 (Partial), Utility Work:**

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
LETTER OF CREDIT RELEASE #6 (PARTIAL), UTILITY WORK  
HATHAWAY’S CORNERS, PHASE 1 PROJECT**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated September 14, 2022, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, to approve the partial release of funds (Release No. 6) from the established Letter of Credit for utility work site improvements completed as part of the above referenced project; and

**WHEREAS**, the Planning Board has also received and reviewed the Letter of Credit release letter along with the completed Town Surety Release Forms G-1.1 and G-2.0; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request for a partial release of funds from the established Letter of Credit in the total amount of \$925,742.88.

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

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

Motion carried.

**C. Villas at Hathaway’s Corners, Phase 1, Letter of Credit Release #1 (Partial):**

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

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

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated September 14, 2022, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, to approve the partial release of funds (Release No. 1) from the established Letter of Credit for site improvements completed as part of the above referenced project; and

**WHEREAS**, the Planning Board has also received and reviewed the Letter of Credit release letter along with the completed Town Surety Release Forms G-1.1 and G-2.0; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request for a partial release of funds from the established letter of credit in the total amount of \$394,026.50.

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

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

Motion carried.

**8. OPEN DISCUSSION**

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

Mr. Brand discussed the following topics:

- The Town Highway and Parks Department has completed the installation of the drumlins informational signs in the Hickory Rise Subdivision that were created by the Town Conservation Board. A photograph of one of these signs will be published in the next issue of the *Town Newsletter*. Mr. Brand extended thanks to the Conservation Board members for their work on this project.
- The process for the selection of an engineering firm to begin the implementation of the Town’s 2021–2022 Transportation Alternatives Program (TAP) and Congestion Mitigation and Air Quality (CMAQ) Improvement Program grant, which was recently approved by New York State (*see* Planning Board minutes, July 6, 2022, pp. 21–22), is complete. Mr. Brand said that six engineering firms responded. He said that Rochester, N.Y., firm of Fisher Associates has been selected for the engineering design work, surveying and construction administration. Mr. Brand said that the Town Board is expected to establish the contract agreement with Fisher Associates shortly.

He said that the Town sought to have the engineering firm selected before winter to provide time for surveying work to be completed, and then work on the preliminary design to occur over the winter months. He said that the area of the Town for the Phase 1 work is within the Town's defined Community Center. He noted, however, that the recent volatile costs for concrete material and recent delays being experienced in the deliveries of this material on other projects in the Town will likely have an adverse impact upon the Town's ability to complete all of the defined subareas within Phase 1.

Following the completion of engineering designs, there will be a public presentation to the community on the anticipated improvements. Mr. Brand said that there will be formal bids requested from contractors. He said that the selection of the contractor will be subject to the lowest responsible bid.

- The Town Board is expected to soon receive, and then will refer, the proposed Powers Incentive Zoning Project to the Planning Board for a report and recommendation. This proposed single-family residential subdivision project consists of approximately 150 acres of land (two parcels) which are zoned RS-25 for the northern portion south of Collett Road and LI for the northern portion along State Route 96. The applicants are Brian Mahoney and Robert Brenner. The project was reviewed by the Project Review Committee on June 2, 2022.
- Mr. Brand said no new information has been received regarding the Farmington Market Center Incentive Zoning Project. He said that the applicant's traffic engineering firm of SRF Associates has recently been sold to Passero Associates of Rochester, N.Y., and that the Town understands that the Farmington Market Center applicant has been asked to amend the existing traffic study which was in process at the time of the sale of SRF Associates.
- Peter Psyllos, the former owner of the property on which Hathaway's Corners is now located, is in discussions with commercial firms for a project on another parcel of land which he owns at the northeast corner of State Route 332 and Canandaigua–Farmington Town Line Road. Mr. Brand said that no other information is available at this time.
- No additional information is available at this time regarding the relocation of Tambe Electric to a potential site in the Town of Farmington.
- The Town Conservation Board continues working on the update to the Town's Open Space Index. Mr. Brand said that the State General Municipal Law requires that a municipal Conservation Board must report any changes to the Open Space Index on an annual basis. He said that the completion of the update to the Open Space Index may lead to the preparation of a Town Open Space Plan.

- The financial institution of the developer of the Auburn Meadows Subdivision has informed the Town that the developer's Letter of Credit for Section 7N of the subdivision will expire on November 12, 2022. Mr. Brand said that a number of deficiencies were found during a final inspection of Section 7N which was conducted on September 8, 2022. Mr. Brand said that the developer has been requested to reply to the Town no later than Friday, September 23, 2022, with a plan to correct these cited deficiencies. If no reply is received, he said that the Town will notify the financial institution that the Letter of Credit must be renewed for an additional period of one year and that it is the Town's intent to use the surety amount of \$137,389.18 to complete the remaining items in Section 7N.
- The Town is still waiting for the redesign plans for the retention pond and the installation of split rail fencing along a section of the Auburn Trail in Section 8S of the Auburn Meadows Subdivision.
- No information has been received from the developer of Monarch Manor Subdivision regarding the installation of sidewalks in Phase 2. Mr. Brand said that no building permits will be issued for Phase 2 until the sidewalks and other items are ready for dedication to the Town.
- The Town *Comprehensive Plan* requires that the Plan's implementation actions for the existing and coming new year are to be presented to the Town Board at its organizational meeting in January 2023. Mr. Brand said that the Town Operations Committee, with the assistance of the Planning Board, will prepare the 2023 report to the Town Board. Upon acceptance, the annual implementation action plan will become an appendix to the *Comprehensive Plan*. Mr. Brand said that this is expected to be an action item for discussion at a Planning Board meeting in October.

***Board Members' Comments:***

Mr. Hemminger said that the Town Conservation Board will conduct the Adopt-A-Highway clean-up on Saturday, October 8, 2022, commencing at 9:00 a.m. that morning. Mr. Hemminger noted that assistance from any Planning Board member will be appreciated. Mr. Hannan, a member of the Town Conservation Board who was in attendance at the meeting this evening, said that the rain date will be the following Saturday (October 15, 2022).

Mr. Bellis asked about the status of the Loomis Road Industrial Park application. Mr. Brand said that no new information has been received from the applicant. The Special Use Permit (PB #0804-21) was approved on August 17, 2022. The Preliminary Site Plan (PB #0703-21) was approved with conditions on September 7, 2022.

## 9. PUBLIC COMMENTS

None.

## 10. TRAINING OPPORTUNITIES

### ■ 2022 Municipal Bootcamp:

Hancock Estabrook and MRB Group are offering a free annual training program to assist local governments, municipal officials, and planning and zoning boards. The program will include 10 hours of remote training designed to provide a comprehensive education that encompasses all aspects of municipal governance. Each program in the series will be provided remotely on the fourth Thursday of each month with subject matter experts from MRB Group and knowledgeable attorneys from Hancock Estabrook LLP. Topics will be ively, useful and—potentially as important—qualify for the education requirements for members of planning boards and zoning boards of appeal.

Remaining sessions in 2022:

**Thursday, October 27, 2022, 6:00 p.m. to 7:00 p.m.**

A History Lesson: Managing Projects with Historic Significance

**Thursday, December 22, 2022, 6:00 p.m. to 7:00 p.m.**

Santa's Nice and Naughty List: The Best and Worst of 2022

*Select this link for the 2022 Municipal Bootcamp information page. RSVP and registration tab are at the bottom of the website page.*

<https://www.hancocklaw.com/events/the-2022-municipal-bootcamp/>

### ■ New York Planning Federation and Association of Towns 2022 Fall Planning and Zoning Schools (In Person Sessions)

#### **Wednesday, September 28, 2022**

New York Kitchen

800 S. Main Street

Canandaigua, N.Y. 14424

For information: (518) 512-5270 or [nypf@nypf.org](mailto:nypf@nypf.org); or Patty Kebea at the Association of Towns, (518) 465-7933.

#### **Thursday, October 6, 2022**

Conference Center at Lake Placid

2608 Main Street

Lake Placid, N.Y. 12946

For information: (518) 512-5270 or [nypf@nypf.org](mailto:nypf@nypf.org); or Patty Kebea at the Association of Towns, (518) 465-7933.

### ■ Genesee/Finger Lakes Regional Planning Council Fall Local Government Workshop

#### **Thursday, November 3, 2022**

8:30 a.m.–5:00 p.m.

del Lago Resort, 1133 State Route 414, Waterloo, N.Y. 13165

Registration opens September 15, 2022

For information: Emily Royce, [eroyce@gflrpc.org](mailto:eroyce@gflrpc.org)

[https://gflrpc.org/program\\_areas/local\\_government\\_assistance\\_and\\_training/fall22lgw.php](https://gflrpc.org/program_areas/local_government_assistance_and_training/fall22lgw.php)

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

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

***The Essentials of Planning and Zoning:***

Introduction to Planning, Zoning and Land Use

Everything You've Ever Wanted to Know About Preparing a Comprehensive Plan

Understanding and Applying SEQRA (NY State Environmental Quality Review Act)

The What, Why, and How of Site Plan Review

Common Mistakes and Mishaps in Site Plan Review

***Meeting Process and Communication:***

Enhancing Transparency Effectiveness in Planning Proceedings

Innovations and Best Practices for Planning/Zoning Boards

Engaging Diverse Communities and Dealing with Difficult People

Working with Elected Officials and Understanding Everyone's Role in Planning

The Open Meetings Law for Zoning and Planning Boards, Part 2

Working with Developers to Foster Investment in the Community

Communication, the Media and Social Media

Open Government and Planning and Zoning Decision Making

■ **General Code e-Code**

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

Information:

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

■ **Future Training Opportunities Online:**

Ontario County Planning Department website now lists upcoming training:

<https://www.co.ontario.ny.us/192/Training>

## 11. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 8:50 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, October 5, 2022, 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 the front doors to the Town Hall were locked.

Respectfully submitted,

\_\_\_\_\_  
John M. Robortella, Clerk of the Board

L.S.





Walmart Plaza charging station transformer and landscaping, photo by submitted by Aaron Sweeney, September 21, 2022.





Walmart Plaza charging station transformer and landscaping, photo by submitted by Aaron Sweeney, September 21, 2022.



Walmart Plaza charging station transformer and landscaping, photo by submitted by Aaron Sweeney, September 21, 2022.