

TOWN OF FARMINGTON
ZONING BOARD of APPEALS RESOLUTION
AREA VARIANCE - SEQR CLASSIFICATION

File: ZB #2025-1105.6

Applicant: Robert Brenner, c/o Canandaigua Development Company, LLC, 83 South Main Street, Canandaigua, New York 14424

Action: Classification under the New York State Environmental Conservation Law (ECL) upon the granting of an area variance to allow relief from the Town Code, the MTOD Major Thoroughfare Overlay District [Chapter 165, Article IV, Section 34. G.] that requires a minimum setback of 70-feet from State Route 96 for a single-family dwelling on a lot fronting along said highway. The Applicant is proposing a single-family dwelling on Lot #40 of the Fairdale Meadows Preliminary Subdivision Plat to have a minimum setback of 13-feet. The proposed Lot #40 is currently a part of Tax Map Account Number 29.11 – 2- 75.000 and is located at 5980 State Route 96.

Whereas the Town of Farmington Zoning Board of Appeals (hereinafter referred to as Zoning Board of Appeals) has reviewed the provisions of Part 617.5 of 6 NYCRR Part 617, a part of article 8 of the State’s Environmental Conservation Law (ECL); and

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

Whereas the Zoning Board of Appeals must classify the proposed Action under consideration.

Now, therefore, be it resolved that the Zoning Board of Appeals does hereby determine the proposed Action identified above herein, involves the granting of individual area variance for the construction of a single-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation of a drinking water or a septic system or both, and conveyances of land in connection therewith is classified as a Type II Action [§617.5 (c) (11) & (13)].

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 ECL, article 8.

Be it finally resolved that the Zoning Board of Appeals directs the filing of this classification with the project file and requests a copy be provided to: the Applicant, Robert Brenner, or rbrenner@mahoneybrenner.com; the Applicant’s Engineer, Sean Condon, P.E., The DDS Companies, 45 Hendrix Road, West Henrietta, NY 14586, or scondon@ddscompanies.com; John M. Robortella, Clerk of the Town of Farmington Planning Board at john.robortella@gmail.com; and a copy hereof filed with the Farmington Town Clerk’s Office.

The above resolution was offered by _____ and seconded by _____ at a regular scheduled meeting of the Town of Farmington Zoning Board of Appeals held on Monday, December 22, 2025. Following discussion thereon, the following roll call vote was taken and recorded in the meeting minutes.

Kelly Cochrane -
Tom Lay -
Ralph Bocchino -
Matthew Demarco -
Tom Yourch -

Motion _____.

I, Elizabeth Klingenberg, Clerk of the Zoning Board of Appeals, do hereby attest to the accuracy of the above Action and to it being recorded in the minutes of the December 22, 2025, Zoning Board of Appeals Meeting.

Elizabeth Klingenberg,
Clerk of the Zoning Board of Appeals

DRAFT