

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, March 16, 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 Zoom video conference.

Board Members Present at the Town Hall: Edward Hemminger, *Chairperson*
Adrian Bellis
Timothy DeLucia
Douglas Viets

Board Member Excused: Aaron Sweeney

Staff Present at the Town Hall:
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 and Parks Superintendent

Present at the Town Hall:
David Capps, 768 Hook Road, Farmington, N.Y. 14425
Paul Gillette, A Safe Place Storage, 6025 Denny Drive, Farmington, N.Y. 14425
Jacob and Daniel Kirsch, 6179 Buckskin Drive, Farmington, N.Y. 14425

Present via Zoom Video Conference:
Donald Lewis Jr., P.E., DH Lewis Engineering PLLC, 3832 Cory Corners Road,
Marion, N.Y. 14505

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.

The Pledge of Allegiance was led this evening by Daniel Kirsch, a Boy Scout who was attending the meeting to fulfill the requirements of a scout project.

2. APPROVAL OF MINUTES OF MARCH 2, 2022

■ A motion was made by MR. DELUCIA, seconded by MR. VIETS, that the minutes of the March 2, 2022, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

None.

4. CONTINUED PUBLIC HEARING: PRELIMINARY TWO-LOT SUBDIVISION

PB #0203-22 Continued Preliminary Two-Lot Subdivision Application

Name: David and Angela Capps, 768 Hook Road, Farmington, N.Y. 14425

Location: 768 Hook Road

Zoning District: A-80 Agricultural District

Request: Preliminary Two-Lot Subdivision Plat approval of Land, identified as Tax Map Account 17.00-1-63.200, containing a total of 12.025 acres of land; and as further to be identified as Subdivision of Lands by Angela Capps. The proposed Action involves creating Lot #1 consisting of 1.125 acres with existing house and Lot #2 consisting of 10.900 acres to remain vacant as a non-approved building lot requiring site plan approval before any Building Permits may be issued. The property is located at 768 Hook Road; and is zoned A-80 Agricultural District.

The Public Hearing on this application was opened on February 16, 2022, and was continued to the meeting this evening (March 16, 2022).

On February 16, 2022, the State Environmental Quality Review classification for this application (Unlisted Action) was approved by the board.

Mr. Hemminger reconvened the Public Hearing on this application.

Mr. Capps presented this application in the meeting room. Mr. Lewis (DH Lewis Engineering) attended via video conference.

Mr. Capps said that each of the Town's requirements have been addressed and that he would like to proceed [with the application] as quickly as possible.

Mr. Brand said that he has prepared a draft resolution for the board's consideration this evening to approve the Preliminary Two-Lot Subdivision with conditions. He specifically discussed draft Condition #4 which requires that Note #7 on the subdivision drawing is to be amended to either agree with the delineation of the Area of Special Flood Hazard shown on the drawing (FEMA Q3 floodplain) or continue to use the FEMA FIRM Zone A, Map No. 361299, Parcel #004B, dated September 30, 1983, as noted on the drawing. Mr. Brand said that he discussed this with Mr. Capps and his surveyor.

Mr. Delpriore said that Mr. Capps met with the Town staff to address the concerns which were discussed at the Planning Board meeting on February 16, 2022. Mr. Delpriore said that the applicant is now in a good spot and that the draft approval resolution is okay.

Mr. Ford said that he spoke with a neighbor of Mr. Capps and that there are no water issues. Mr. Ford said that Mr. Capps will not be required to install culvert pipes under the driveway but that the portion of the driveway within the Town right-of-way must be paved [per the Town's standard requirement].

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

Mr. Hemminger then asked twice if anyone on the video conference call wished to speak for or against this application, or to ask questions. There were no requests to speak from those in the video conference call.

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 Public Hearing on this application be closed, 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
DAVID AND ANGELA CAPPS PRELIMINARY TWO-LOT SUBDIVISION
APPROVAL WITH CONDITIONS**

PB #0203-22

**APPLICANTS: David and Angela Capps, 768 Hook Road,
Farmington, N.Y. 14425**

**ACTION: Preliminary Two-Lot Subdivision Plat Approval, Lots #1 and
#2, David and Angela Capps Subdivison**

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

WHEREAS, the Planning Board has, on March 2, 2022, under separate resolution made a determination of non-significance upon the proposed Action, thereby satisfying the procedural requirements under the State Environmental Quality Review Act; and

WHEREAS, the Planning Board has considered the testimony received at tonight’s public meeting held upon the above referenced Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to approve the Preliminary Subdivision Plat Application with the following conditions:

1. Preliminary Subdivision Plat approval is granted for the drawing prepared by Freeland-Parrinello, Land Suveyors, identified as 92-130S1, having the latest revision date of 3/2/22 subject further to the following amendments set forth below.
2. The title of the Preliminary Subdivision Plat is to read . . . “Preliminary Subdivision Plat, Lots #1 and #2 Angela Capps.”
3. The drawing is to be amended by adding a note that reads . . . “Existing driveways for both Lots #1 and #2 are to be paved from the edge of the travel lane for Hook Road in accordance with the specifications shown on Appendix H-4.0, entitled “Typical Driveway Apron Detail,” as contained in the Town adopted Site Design and Development Criteria.
4. Note #7 is to be amended to either agree with the delineation of the Area of Special Flood Hazard shown on the drawing (FEMA Q3 floodplain), or continue to use the FEMA FIRM Zone A, Map No. 361299, Panel #004B, dated September 30, 1983 as noted on the drawing. If the FEMA Q3 reference is now in effect, then change the note by identifying all details of such amended mapping, including the Q3 reference and when it became effective.

- 5. There is to be a note added to the drawing that reads . . . “No keeping of animals, except for domestic animals, shall be permitted on Lot #1.”
- 6. Once these amendments have been made to the Preliminary Plat drawing then a mylar and one (1) paper print is to be submitted to the Town Code Enforcement Officer for his review and acceptance. Once accepted, the mylar and the paper print will be signed by all Town Officials. The mylar will be returned to the applicant’s surveyor to have additional copies printed for Town Staff.
- 7. An application for Final Subdivision Plat approval will then be accepted by the Town for scheduling at a future planning board meeting.
- 8. Preliminary plat approval shall expire within 180 days from today unless all changes have been made and the Preliminary plat signed by all.

BE IT FINALLY RESOLVED that a copy of this resolution is to be provided to the applicants and the applicants’ land surveyor.

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.

Following the vote, Mr. Brand said that several of the conditions of approval have already been addressed by the applicant’s surveyor.

5. CONTINUED PUBLIC HEARING: PRELIMINARY SITE PLAN

PB #0703-21 Continued Public Hearing: Preliminary 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: Preliminary Site Plan approval to develop Lot #4, a 4.672-acre site for a 12,600-square-foot building, and approval of related Overall Site Improvements to be installed within the 32.80-acre proposed 10-Lot Loomis Road Industrial Park, located along the north side of Loomis Road and the south side of the New York State Thruway (I-90)

This application was reviewed by the Project Review Committee on December 4, 2020; January 8, 2021; February 5, 2021; March 5, 2021; April 1, 2021; May 7, 2021; June 4, 2021; July 2, 2021; September 3, 2021; October 1, 2021; November 5, 2021; December 3, 2021; January 7, 2022; and March 4, 2022.

The Final Re-Subdivision Plat for the Loomis Road Industrial Park was approved with conditions by the Planning Board on July 7, 2021 (PB #0702-21).

On July 7, 2021, the Planning Board classified the Preliminary Site Plan application (PB #0703-21) application as a Type I Action under the State Environmental Quality Review (SEQR) regulations, declared its intent to be designated as the SEQR Lead Agency for making the determination of significance upon this application, and established the SEQR 30-day coordinated review period from July 8, 2021, to August 9, 2021.

On August 18, 2021, the Planning Board opened the Public Hearing on the Preliminary Site Plan, designated itself as the Lead Agency for making the determination of significance upon this application, determined that this Action will not result in any significant adverse environmental impacts, and continued the Public Hearing to the meeting on September 15, 2021.

On September 15, 2021, the Planning Board approved the SEQR Criteria for Determining Significance, the Short Environmental Assessment Form Part 2—Impact Assessment, the Short Environmental Assessment Form Part 3—Determination of Significance; and continued the Public Hearing on the Preliminary Site Plan to the meeting on October 20, 2021.

On October 20, 2021, the Planning Board reconvened the Public Hearing on the Preliminary Site Plan and continued the Public Hearing to the meeting on November 17, 2021.

On November 17, 2021, the Planning Board reconvened the Public Hearing on the Preliminary Site Plan and continued the Public Hearing to the meeting on January 19, 2022.

On January 19, 2022, the Planning Board reconvened the Public Hearing on the Preliminary Site Plan and continued the Public Hearing to the meeting this evening (March 16, 2022).

Mr. Hemminger reconvened the Public Hearing on this application.

Mr. Delpriore said that he has had brief conversations with the applicant to determine whether the applicant will move ahead with the application or will withdraw the application

at this time to avoid having to request additional continuations. He said that the applicant is currently involved with a previous project which is now underway in the Town of Victor, N.Y.

Mr. Delpriore recommended that the board continue the application to the meeting on April 20, 2022, to provide time for him to have additional conversations with the applicant regarding his plans for this project.

Mr. Hemminger provided a description of this project and the board's review and approval process to Daniel Kirsch.

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

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
PRELIMINARY SITE PLAN—CONTINUATION OF DELIBERATIONS**

PB #0703-21

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

**Continuing the Public Hearing and the Board's deliberations
upon this Action to April 20, 2022.**

**ACTION: Preliminary Site Plan Application, Lot #4, Loomis Road
Industrial Park, to operate a motor vehicle service facility in
accordance with the provisions in Chapter 165, Article VI,
Section 77 of the Farmington Town Code**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has tonight again opened the Public Hearing upon the above referenced application for Preliminary Site Plan approval, hereinafter referred to as Action; and

WHEREAS, the Board has tonight received testimony on the above referenced application.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby move to table any further discussion upon this Action at tonight's meeting, to continue the Public Hearing

hereon to Wednesday, April 20 2022, commencing at 7:00 p.m.; and to continue further public discussion and Board deliberation at that time.

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.

6. CONTINUED PUBLIC HEARING: SPECIAL USE PERMIT

PB #0804-21 Continued Public Hearing: Special Use Permit 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: Special Use Permit to operate a motor vehicle service building upon Lot #4 of the Loomis Road Industrial Park Subdivision according to Chapter 165-77 of the Town of Farmington Codes.

This application was reviewed by the Project Review Committee on December 4, 2020; January 8, 2021; February 5, 2021; March 5, 2021; April 1, 2021; May 7, 2021; June 4, 2021; July 2, 2021; September 3, 2021; October 1, 2021; November 5, 2021; December 3, 2021; January 7, 2022; and March 4, 2022.

The Public Hearing on this application was opened on September 15, 2021, at which the State Environmental Quality Review (SEQR) classification was approved by the Planning Board (Type II Action).

Also on September 15, 2021, the Public Hearing on this application was continued to the meeting on October 20, 2021.

On October 20, 2021, the Public Hearing was continued to the meeting on November 17, 2021.

On November 17, 2021, the Public Hearing was continued to the meeting on January 19, 2022.

On January 19, 2022, the Public Hearing was continued to the meeting this evening (March 16, 2022).

Mr. Hemminger reconvened the Public Hearing on this application.

There were no comments or questions on this application this evening. (*See discussion of the accompanying Preliminary Site Plan application, above.*)

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

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 PERMIT AND CONTINUATION OF DELIBERATIONS**

PB #0804-21

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

**Continuing the Public Hearing and the Board's deliberations
upon this Action to Wednesday, April 20, 2022.**

**ACTION: Special Use Permit Application, Lot #4, Loomis Road Industrial
Park, to operate a motor vehicle service facility in accordance
with the provisions in Chapter 165, Article VI, Section 77 of the
Farmington Town Code.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has tonight again opened the Public Hearing upon the above referenced application for Special Use Permit approval, hereinafter referred to as Action; and

WHEREAS, the Board has tonight received testimony on the above referenced application.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby move to table any further discussion upon this Action at tonight's meeting, to continue the Public Hearing

hereon to Wednesday, April 20, 2022, commencing at 7:01 p.m.; and to continue further public discussion and Board deliberation at that time.

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.

7. CONTINUED PUBLIC HEARING: SPECIAL USE PERMIT

PB #0104-22 Continued Special Use Permit Application

Name: Paul Gillette, 6025 Denny Drive, Farmington, N.Y. 14425

Location: North side of Denny Drive and south of Collett Road

Zoning District: LI Limited Industrial

Request: Requesting a Special Use Permit in accordance with Chapter 165, Article VI, Section 84.1 of the Town of Farmington Codes. The applicant wishes to add seven (7) new self-storage buildings of varying sizes having a total of 49,295 square feet of mini-storage space and bringing the total number of self-storage buildings to fifteen (15) on the amended site.

This application was reviewed by the Project Review Committee on July 2, 2021; August 6, 2021; October 1, 2021; November 5, 2021; December 3, 2021; January 7, 2022; February 4, 2022; and March 4, 2022.

On January 19, 2022, the Public Hearing on this application was opened, the State Environmental Quality Review (SEQR) classification (Type II Action) was approved by the Planning Board, and the Public Hearing was continued to the meeting on March 2, 2022.

On March 2, 2022, the Public Hearing was reconvened, the Special Use Permit SEQR Classification (Type II Action) was recalled, the Special Use Permit was reclassified as an Unlisted Action, the Planning Board declared itself as the Lead Agency for the SEQR coordinated review of the Special Use Permit. The Special Use Permit application was continued to the meeting this evening (March 16, 2022).

Mr. Hemminger reconvened the Public Hearing on this application.

Mr. Gillette presented this application in the meeting room. Mr. Lewis (DH Lewis Engineering) presented this application via Zoom video conference.

Mr. Gillette said that he and Mr. Lewis are working to address each of the Town's comments and that a great deal of work has been accomplished in the past few days.

Mr. Brand said that the State Environmental Quality Review (SEQR) Short Environmental Assessment Form Part 1, which was submitted with amendments by Mr. Lewis, has been accepted and that the Short Environmental Assessment Form Part 2—Impact Assessment and the Short Environmental Assessment Form Part 3—Determination of Significance have prepared by the Town staff for the board's consideration, accompanied by a draft SEQR resolution with a finding of non-significance. Mr. Brand said that this finding is with the caveat that the details of the Special Use Permit and the Preliminary Site Plan will be addressed. If not, Mr. Brand said that the Planning Board may have to revisit the SEQR resolution and amend it if necessary.

Mr. Brand said that the board's action upon the SEQR resolution this evening will allow the Zoning Board of Appeals (ZBA) to consider the applicant's Area Variance application regarding the construction of the climate-controlled warehouse building have a total of 16,929 square feet (Town Code Chapter 165, Article VI, Section 84.1 [K]). It was noted that the ZBA has, by resolution dated February 28, 2022, declared that the Planning Board is the more appropriate Involved Agency for making the SEQR determination of significance upon the applications which are now under review by the Planning Board and the ZBA. The ZBA application was continued to March 28, 2022, to provide time for the Planning Board to consider the SEQR determination.

Mr. Hemminger explained the SEQR process, and the involvement of the Planning Board and the ZBA in this application, to Daniel Kirsch.

Mr. Delpriore said that the Planning Board consideration this evening is only for the SEQR determination for both the Special Use Permit and the Preliminary Site Plan (PB #0803-21, *see below*). He said that further action upon the Special Use Permit and the Preliminary Site Plan will be continued to a subsequent meeting pending action by the ZBA on March 28th. He said that the action upon the Area Variance by the ZBA could have an effect upon the Planning Board's further consideration of the Special Use Permit and the Preliminary Site Plan [in their present form].

Mr. Hemminger asked Mr. Delpriore, Mr. Gillette and Mr. Lewis on their thoughts about the continuation date Special Use Permit and Preliminary Site Plan. Following discussion, it was agreed that these applications will be continued to the Planning Board meeting on April 20, 2022.

Mr. Gillette said that given the constraints of the lot he is hopeful that the ZBA will approve the Area Variance application. He said that the continuation of the Planning Board applications to the second meeting in April [April 20, 2022] works for everyone. Mr. Lewis also said that April 20th will work.

Mr. Hemminger said that the applicant must submit a revised drawing which will show that there will be no disturbance atop the existing sanitary sewer easement which runs through the property.

Mr. Ford said that he is “good” with the vehicle turnaround at the south end of Commercial Drive which was discussed at the Project Review Committee on March 4, 2022.

Mr. Brabant said that MRB Group recently issued an engineering comment letter on this application and that Mr. Lewis is working to address the comments. Mr. Brabant also said that he has been in contact with Sara Gilbert of Pinewoods Engineering (North Chili, N.Y.) who has been retained by Mr. Lewis to design the stormwater component of this project. Mr. Brabant said that Ms. Gilbert is working on a design to avoid having storm pipes encroach over the existing sanitary sewer easement on the property, which Mr. Brabant said that he believes is possible. He said that if this is not possible, then Ms. Gilbert will make available additional space on the property for stormwater by reducing the impervious surface areas. Mr. Hemminger said that the objective is to avoid encroachment and disturbance upon the existing sanitary sewer easement.

Mr. Brand asked about the status of the applicant’s compliance with the Special Use Permit criteria which are enumerated in the Town Code. Mr. Lewis said that he is compiling responses to each of the Special Use Permit criteria and that Mr. Gillette is preparing a Statement of Operations cover letter.

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

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

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

**FARMINGTON PLANNING BOARD RESOLUTION
SEQR CRITERIA FINDINGS AND DETERMINATION OF SIGNIFICANCE**

PB #0104-22 and PB #0803-21

**APPLICANT: A Safe Place Storage, c/o Paul Gillette, 6205 Denny Drive,
Farmington, N.Y. 14425**

**ACTIONS: Special Use Permit and Preliminary Site Plan: SEQR Criteria
Findings and Determination of Significance**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), at their meeting on Wednesday, March 2, 2022, designated themselves as the Lead

Agency for the coordinated review of the above Actions and directed a revised Part 1 of the Short Environmental Review Form (hereinafter referred to as SEAF) and a revised Preliminary Site Plan be submitted; and

WHEREAS, the Planning Board has since said meeting received a revised Preliminary Site Plan dated March 2, 2022, as part of the application process; and

WHEREAS, the Planning Board has since said meeting received the Applicant's revised Part 1, Short Environmental Assessment Form (SEAF), dated March 3, 2022, as part of the application process; and

WHEREAS, the Planning Board has received Part 2 of the SEAF, dated March 15, 2022, that has been prepared by the Town's Director of Planning and Development; and

WHEREAS, the Planning Board has considered the criteria for determining significance upon said Action as set forth in Section 617.7 (c) (1) of the SEQR Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board accepts the revised Part 1 SEAF dated March 3, 2022, as being complete and accurate.

BE IT FURTHER RESOLVED that the Planning Board accepts the revised Preliminary Site Plan for the above Actions dated March 2, 2022.

BE IT FURTHER RESOLVED that the Planning Board has reviewed the Part 2 SEAF identified above herein, finds it to be complete, and therefore, does accept said document as being complete and accurate.

BE IT FURTHER RESOLVED that the Planning, based upon its review of the materials described above herein, reasonably concludes the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems; and
- (ii) there will not be large quantities of vegetation or fauna removed from the community or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas within the community; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources within the community; and
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed action; and

- (iv) the overall density of the Action is likely to be consistent with the Town’s Comprehensive Plan land use recommendations; and
- (v) there are no known important historical, archeological, architectural, or aesthetic resources in the community that will likely be adversely affected by the proposed action, or impair the existing community or neighborhood characters; and
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action; and
- (vii) there will not be any hazard created to human health; and
- (viii) there will be changes in the use, or intensity of use, of land which have been anticipated in the proposed Action and are felt likely not to have a major adverse impact upon the environment; and
- (ix) there will not be a large number of persons attracted to the community for more than a few days when compared to the number of persons who would come to such a place absent the action; and
- (x) there will not be created a material demand for other actions that would result in one of the above consequences; and
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related actions which would have a significant adverse impact upon the environment.

BE IT FURTHER RESOLVED that based upon the Board’s analysis of the SEQCR Criteria above and the supporting documentation listed above, the Planning Board finds that the proposed action WILL NOT likely result in any significant adverse environmental impacts.

BE IT FURTHER RESOLVED that the Planning Board does hereby make this Determination of Non-Significance upon said Actions.

BE IT FINALLY RESOLVED that the Planning Board directs copies of this resolution be provided to the Town Zoning Board of Appeals, the Town Staff, the Applicant and the Applicant’s Engineer.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye

Aaron Sweeney
Douglas Viets

Excused
Aye

Motion carried.

■ 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:

**FARMINGTON PLANNING BOARD RESOLUTION
SPECIAL USE PERMIT—CONTINUATION**

PB #0104-22

APPLICANT: A Safe Place Storage, c/o Paul Gillette, 6205 Denny Drive, Farmington, N.Y. 14425

ACTION: Special Use Permit Approval to: erect five (5) single-story mini-warehouse buildings ranging in sizes from 4,200 to 7,600 square feet in area; one (1) one-story climate controlled mini-warehouse building containing a total of 16,929 square feet in area; an open area of the site containing 11 proposed parking spaces, each having 300 square feet in area for a total of 3,300 square feet; and related site improvements as shown on a portion of the site containing 4.75 acres of land along with other land which contains a total of 5.1 acres for a combined overall total acreage of 9.76 acres, all of which are located along the east side of Commercial Drive, the north and south sides of Denny Drive, and south of Collett Road.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has tonight, continued the Public Hearing upon the above referenced Action from the March 2, 2022, meeting, and has received testimony upon the above referenced Action; and

WHEREAS, the Board has given consideration to the Ontario County Planning Board referral comments (Referral Numbers 148-2021, 17-2022 and 29-2022) that the proposed Action is a Class 1 Action under their Rules of Procedure and has given consideration to the County’s comments; and

WHEREAS, the Board, at its meeting on Wednesday, March 2, 2022, classified the proposed Action as being an Unlisted Action under the State’s Environmental Quality Review (SEQR) Regulations, and has designated themselves as the Lead Agency for completing a coordinated review of the proposed Unlisted Action; and

WHEREAS, the Board did adopt, on March 2, 2022, a resolution directing the Applicant to attend the Friday, March 4, 2022, Town of Farmington Project Review Committee (PRC) meeting to receive direction for amending the latest Preliminary Site Plan drawing; and

WHEREAS, the Board has reviewed the portion of the Approved Town Project Review Committee meeting minutes for the March 4, 2022, meeting that pertain to the above referenced Action; and

WHEREAS, the Board, in a separate resolution this evening, acknowledges receipt of the Applicant's revised Part 1 Short Environmental Assessment Form (SEAF), dated March 3, 2022, to be complete as part of the SEQR application process; and

WHEREAS, the Board, in a separate resolution this evening, acknowledges receipt of the Part 2 of the SEAF, dated March 15, 2022, that has been prepared by the Town's Director of Planning and Development as being complete; and

WHEREAS, the Board, in a separate resolution this evening, determined that the above referenced Action WILL NOT likely result in any significant adverse environmental impacts; and

WHEREAS, the Board agrees with the Town Director of Planning and Development's request that was made at the March 4th PRC meeting that the Applicant, as part of a revised Preliminary Site Plan drawing submission, also provides the Board with a list of all of the special use criteria contained in Chapter 165 of the Town Code that is to be considered by the Board for determining how the application for Preliminary Site Plan approval complies with the list of criteria for granting a Special Use Permit; and

WHEREAS, the Board has considered the testimony received at tonight's public meeting.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby direct the Applicant to provide the Board with his statements of compliance with each of the Special Use Permit Criteria listed in the Town Code.

BE IT FURTHER RESOLVED that the Board does hereby continue the Public Hearing upon this Action to the April 20, 2022, meeting to allow the Applicant and his engineer time to submit all the above requested documentation, and to allow time for the Applicant's Area Variance application to the Zoning Board of Appeals on March 28, 2022, to be considered.

BE IT FINALLY RESOLVED that copies of this resolution are to be provided to the Town Zoning Board of Appeals; the Applicant; the Applicant's Engineer; and to Town Staff.

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

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

Motion carried.

8. CONTINUED PRELIMINARY SITE PLAN

PB #0803-21 Continued Preliminary Site Plan Application

Name: Paul Gillette, 6025 Denny Drive, Farmington, N.Y. 14425

Location: North side of Denny Drive and south of Collett Road

Zoning District: LI Limited Industrial

Request: Preliminary Site Plan approval to erect seven (7) new single-story storage buildings of various sizes ranging from 3,000 square feet to 15,295 square feet, totaling approximately 49,295 square feet.

This application was reviewed by the Project Review Committee on July 2, 2021; August 6, 2021; October 1, 2021; November 5, 2021; December 3, 2021; January 7, 2022; February 4, 2022; and March 4, 2022.

On August 4, 2021, the Planning Board began the consideration of this application and continued the discussion to the meeting on September 15, 2021.

On September 15, 2021, the Planning Board approved the State Environmental Quality Review (SEQR) classification for the Preliminary Site Plan (Unlisted Action) and requested that the applicant submit a revised Short Environmental Assessment Form. The consideration of the Preliminary Site Plan was then continued to the meeting on October 20, 2021.

On October 1, 2021, Mr. Gillette attended the Project Review Committee (PRC) meeting at which he was informed of additional requirements to comply with new provisions of the Town Code which were recently approved by the Town Board related to fire suppression sprinklers.

On October 20, 2021, the consideration of the Preliminary Site Plan application was continued to the meeting on December 15, 2021.

On December 15, 2021, no action was taken upon the Preliminary Site Plan.

On January 19, 2022, the consideration of the Preliminary Site Plan application was continued to the meeting on March 2, 2022.

On March 2, 2022, the Planning Board declared itself as the Lead Agency for the SEQR coordinated review of the Preliminary Site Plan. The Preliminary Site Plan application was continued to the meeting this evening (March 16, 2022).

Mr. Hemminger resumed the continuation of the Preliminary Site Plan at the meeting this evening.

There were no comments or questions on this application this evening. (*See* discussion of the accompanying State Environmental Quality Review resolution and Special Use Permit, above.)

■ 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:

**FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SITE PLAN—CONTINUATION**

PB #0803-21

APPLICANT: **A Safe Place Storage, c/o Paul Gillette, 6205 Denny Drive,
Farmington, N.Y. 14425**

ACTION: **Preliminary Site Plan Approval to erect five (5) single-story mini-warehouse buildings ranging in sizes from 4,200 to 7,600 square feet in area, one (1) one-story climate controlled mini-warehouse building containing a total of 16,929 square feet in area, an open area of the site containing 11 parking spaces, each having 300 square feet in area for a total of 3,300 square feet, and related site improvements on 4.75-acres of the overall site containing a total of 9.76 acres, which is located along the south side of Collett Road, the east side of Commercial Drive and the north side of Denny Drive. This site recently has been added to the existing A Safe Place Mini-warehouse Project site located along the east side of Commercial Drive, south of Denny Drive.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has tonight, continued the Public Hearing from the March 2, 2022 meeting, and has received testimony upon the above referenced Action; and

WHEREAS, the Board has since the March 2, 2022, meeting received a revised Part 1, Short Environmental Assessment Form (SEAF), prepared by Donald H. Lewis, Jr., P.E., the applicant's engineer that is dated March 3, 2022; and

WHEREAS, the Board has now received a revised Preliminary Site Plan drawing prepared by the applicant's engineer this is last updated March 2, 2022; and

WHEREAS, the Board has given consideration to the Ontario County Planning Board referral comments (Referral Numbers 148-2021, 17-2022 and 29-2022) that the proposed Action is a Class 1 Action under their Rules of Procedure and has given consideration to the County's comments; and

WHEREAS, the Board did adopt, on March 2, 2022, a resolution directing the Applicant to attend the Friday, March 4, 2022 Town of Farmington Project Review Committee (PRC) meeting to receive direction for amending the latest Preliminary Site Plan drawing; and

WHEREAS, the Board has reviewed the portion of the Approved Town Project Review Committee meeting minutes for the March 4, 2022, meeting that pertain to the above referenced Action; and

WHEREAS, the Board, at its meeting on Wednesday, March 2, 2022, classified the proposed Action as being an Unlisted action under the State's Environmental Quality Review (SEQR) Regulations, and designated themselves as the lead agency for completing a coordinated review of the proposed Unlisted Action; and

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

WHEREAS, the Board, in a separate resolution this evening, acknowledges receipt of the Applicant's revised Part 1 Short Environmental Assessment Form (SEAF), dated March 3, 2022, as part of the application process as being complete; and

WHEREAS, the Board, in a separate resolution this evening, acknowledges receipt of the Parts 2 and 3 of the SEAF, dated March 15, 2022, that has been prepared by the Town's Director of Planning and Development as being complete; and

WHEREAS, the Board, in a separate resolution this evening, determined that the Action WILL NOT likely result in any significant adverse environmental impacts; and

WHEREAS, the Board cannot take further action upon the above referenced Action until the Zoning Board of Appeals on Monday, March 28, 2022, considers an application for an Area Variance, and then makes a decision upon whether or not to grant said variance, for the requested increase in width of the proposed two-story climate-controlled self-storage mini-warehouse building as shown on the latest revised Preliminary Site Plan drawing dated March 3, 2022.

BE IT FURTHER RESOLVED that the Board does hereby continue the Public Hearing upon this Action to the April 20, 2022, meeting.

BE IT FINALLY RESOLVED that copies of this resolution are to be provided to the Town Zoning Board of Appeals; the Applicant; the Applicant's Engineer; and to Town Staff.

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

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

Motion carried.

9. PLANNING BOARD ACTION ITEMS

A. **Major Thoroughfare Overlay District (MTOD) Site Design Guidelines, and Main Street Overlay District (MSOD) Streetscape Design Guidelines for the Route 96 Corridor:**

Mr. Hemminger extended thanks to Mr. Viets for his suggested amendments to the most recent version of the Major Thoroughfare Overlay District (MTOD) Site Design Guidelines and the Main Street Overlay District (MSOD) Streetscape Design Guidelines for the Route 96 Corridor. Mr. Hemminger recommended that these amendments should be incorporated into the 2022 versions.

Mr. Delpriore said that the amendments which have been proposed by Mr. Viets are definitely beneficial to the MTOD Site Design Guidelines.

Mr. Delpriore also said that the 2022 review provides the board and the Town staff with a good opportunity to discuss the addition of vehicle electric charging stations to the MTOD guidelines.

Mr. Hemminger suggested that the Town should encourage and require Direct Current Fast Charge (DCFC) electric vehicle charging locations in the Town. He said that the Planning Board may wish to consider making recommendations to the Town Board on the most appropriate locations for the DCFC vehicle charging units.

Mr. Viets said that he is familiar with some companies which have installed vehicle charging units and which have included their advertising messages on the charging units. He said that proposed amendments to the Town Code should consider whether or not to permit advertising on these units.

Mr. Bellis asked if Wegmans Supermarkets (the employer of Mr. Viets) has installed these units at their stores. Mr. Viets said that Wegmans is starting to install them at some locations.

Mr. Viets said that another issue [for the Town's consideration] is parking near the charging stations. He said that the Planning Board may wish to encourage or recommend [the general installation of these units] now with the specific details to be worked out later.

Mr. Delpriore said that the Town staff would like to have much more research prior to making recommendations for Town Code amendments. He asked Mr. Viets if he could provide additional information. Mr. Viets said that he would do so. Mr. Delpriore also said that he will request that the Town staff begin research and that more information is required prior to considering amendments to the Town Code.

Mr. Brabant said that the MSOD guidelines will be reviewed for updated lighting specifications. He also said that he supports the suggested amendments which have been proposed by Mr. Viets [regarding the electric vehicle charging units].

Mr. Hemminger suggested that the references to the lighting specifications be included in the site design guidelines to avoid having to amend three documents when a change has been approved.

Mr. Brand said that Town Code Chapter 165, Chapter 100 in the site design guidelines also will require updates. He said that the next step is to add the changes which have been proposed by Mr. Viets to the MTOD and MSOD documents and to prepare a draft of a new Local Law for approval by the Town Board.

**B. Farmington Market Center Incentive Rezoning Application:
Planning Board Report and Recommendation to the Town Board:**

As part of the Planning Board's packets, which were sent out last week, Mr. Brand submitted a draft Planning Board Report and Recommendation to the Town Board on the Farmington Market Center Incentive Rezoning application (*see* Planning Board minutes, February 16, 2022, pp. 30–41, for a review of the applicant's proposal). This draft document was posted on the Town's website on Friday, March 11, 2022.

Mr. Hemminger said that Mr. Brand prepared a very detailed summary. Mr. Hemminger suggested that the installation of Direct Current Face Charge (DCFC) electric vehicle charging units be added to the report as a proposed Incentive Zoning amenity [to be provided by the applicant to the Town].

Mr. Brand also acknowledged that last week he had a meeting on Tuesday, March 8, 2022, with Jerry Goldman, Esq. of the Rochester law firm of Woods, Oviatt, Gilman and with Peter Vars of BME Associates, both of whom were representing GLN Farmington Realty, owner and developer of property located along the south side of New York State Route 96, east of the Farmington Market Center site. Mr. Brand further acknowledged receipt of letters, sent via email to him and addressed to the Planning Board, dated March 15, 2022, from Mr. Goldman and Mr. Vars. Mr. Brand said that both of these documents were provided to the Planning Board and Town staff prior to tonight's meeting.

Mr. Brand then noted that on February 3, 2021, GLN Farmington Realty received Overall Preliminary Site Plan approval and Preliminary Site Plan approval for Phase 1A for development of property adjacent to and east of the Farmington Market Center on State Route 96 (PB #0903-20). Then, on May 5, 2021, GLN Farmington Realty received Final Site Plan approval for Phase 1A (PB #0503-21). He noted that site improvements are underway at this time.

Both the March 8th memorandum from Mr. Vars and the March 15th letter from Mr. Goldman have been placed in the Planning Board's file on the pending rezoning application.

The memorandum from Mr. Vars lists five transportation-related improvements having a scope of work which totals \$2,171,285.00 in improvements required by the development in the southwest quadrant of the MTOD. Mr. Vars cites that the position of GLN Farmington Realty is that the current offered amenity [by Farmington Market Center] would result in an unfair burden to the remaining property owners and developers.

Mr. Goldman's letter cites . . . "With regard to Mercier Boulevard, it has always been stated that the Town would look to developers benefitted by the road improvements to equitably share in the costs of the Mercier Boulevard extension." The letter further states that there needs to be ability to adjust the dollar amenity that Farmington Market Center is offering [and] is by no means equitable. Mr. Vars and Mr. Goldman ask for a firm estimate of the cost of the Mercier Boulevard improvements and the development of a metric for contributions to be based upon anticipated trip generation by benefitted parties. They asked the board to defer taking action on this draft Report and Recommendation to the Town Board until there is a meeting of the stakeholders and an appropriate formula is established.

Mr. Brand said that the Planning Board draft report on the Farmington Market Center Incentive Zoning application purposely did not go "into the weeds" to discuss the values of the proposed amenities being offered as part of the incentive rezoning process. Instead, he said that the draft report discusses the consistency of the rezoning application with the Town's adopted *Comprehensive Plan* and how the application meets a number of planning objectives. Mr. Brand said that the

values of the proposed amenities is a policy decision for the Town Board and not the Planning Board.

Mr. Hemminger agreed and said that it is not the role of the Planning Board to express the value of an amenity to the Town Board. He said that the Planning Board may suggest amenities [such as the proposal to add electric vehicle charging stations as amenities] but that he does not see us [the Planning Board] getting “into the weeds” of the value [of amenities]. He said that this is not the role of this board.

Mr. Bellis said that the build-out of the GLN Farmington Realty property would not occur this year and that the values of the amenities may change. He said that he did not see why they [GLN Farmington Realty] are getting upset over the fact that they have to build the road [Mercier Boulevard] and that he [Mr. Bellis] is not going to put a number on [the amenities].

Mr. Hemminger said that the board has no other comments on the values of amenities.

Mr. Brand said that he has not received any additional comments from the Planning Board on the draft report. He said that he assumes that the draft [which he has prepared] is adequate for the Town Board meeting which is to be held on March 22, 2022. He said that the Town Board can then decide whether to proceed [with the Incentive Zoning application].

Mr. Brand said that the attorney for GLN Farmington Realty is asking for a more detailed traffic analysis which will be part of the State Environmental Quality Review (SEQR) of the Overall Preliminary Site Plan/Subdivision Plat review and determination upon the Farmington Market Center Project. He said that it is at this stage that issues such as trip generations will be discussed.

Mr. Brand said that he, the Town Supervisor, and the Town Board, will seriously review all of this information and that they look forward to finding a solution.

Mr. Bellis asked if the installation of sidewalks are really amenities. Mr. Brand said that some of the off-site sidewalk amenities include the improvement of the signalized pedestrian crossings at the intersection at State Route 96 and Mertensia Road and the completion of the sidewalk on Mertensia Road south of State Route 96. He said that the applicant is also proposing to complete the missing section of sidewalk along the east side of Mertensia Road. The section of sidewalk between the intersection of State Route 96 and Mertensia Road to the current entrance to the Farmington Market Center site from State Route 96 is not considered as an amenity. This section would be on lands being requested as part of the Incentive Rezoning and it has already been made clear that on-site improvements are not eligible amenities. Mr. Brand also said that in the Town Code there is a certain threshold at which the applicant must provide separation of pedestrian and vehicular movements [on the property].

Mr. DeLucia said that he still is concerned about traffic flows at the Mertensia Road access point and that this will be a topic for discussion during the Overall Preliminary Site Plan and Subdivision Plat applications. He said that he is especially concerned about the short distance from the the State Route 96/Mertensia Road intersection to the Farmington Market Center entrance driveway on Mertensia Road. Mr. DeLucia said that motorists often do not stop at this corner and that some motorists drive right across Mertensia Road from the Farmington Market Center into the Byrne Dairy property.

Supervisor Ingalsbe said that the Farmington Market Center developer had investigated other access points to Mertensia Road but was unable to purchase one of the several parcels [on Mertensia Road and south of the entrance driveway]. He said that the purchase of one or more of these properties would have provided the opportunity to relocate the entrance driveway [to provide more distance between the driveway and the State Route 96/Mertensia Road intersection].

Mr. Hemminger said that he would like to receive the approval of the Planning Board to move forward with the recommendation for adding electric vehicle charging stations, to be installed at Town park sites, as a proposed amenity. He said that he and Mr. Brand will work on the wording of this addition and that he would then sign the Report and Recommendation for submission to the Town Board. There were no objections from the members of the board regarding this additional recommendation.

Following is the text of the approved Planning Board Report and Recommendation to the Town Board on the Farmington Market Center Incentive Zoning application with the amendment regarding the electric vehicle charging stations as discussed this evening:

To: Farmington Town Board

From: Farmington Planning Board

Date: March 16, 2022

Re: Report and recommendation on the request for rezoning land located along the south side of State Route 96 and east of Mertensia Road, from GB General Business to IZ Incentive Zoning—the Farmington Market Center Incentive Zoning Project.

In response to Town Board Resolution #105 of 2022, dated February 8, 2022, the Planning Board (hereinafter referred to as the Board) has prepared this advisory report and makes the following recommendations upon the above referenced action in accordance with the provisions contained in Chapter 165, Section 34.1. H. of the Town Code.

Report

There are two basic questions associated with the above referenced rezoning action. First, does the proposed commercial use of these three (3) parcels of land comply with the Future Land Use Plan Map and the implementation actions contained in the adopted 2021 Edition of the *Town of Farmington Comprehensive Plan* (hereinafter referred to as the Plan)? The answer is yes. The second question is does the granting of the requested zoning incentives and the Town's receiving of both on-site and off-site amenities advance the Town's specific physical, cultural, and social policies in accordance with community planning and land use techniques? The answer is yes.

The Board finds that development of the overall site would involve a number of separate planning and zoning decisions upon the requirements contained within the GB General Business District, the MTOD Major Thoroughfare Overlay District, and the MSOD Main Street Overlay District regulations that, if addressed separately, could adversely affect a comprehensive solution to the seven (7) separate areas proposed within the three (3) overall sites. Achieving a comprehensive solution for the desired overall design for this project is a goal of the Town's Main Street Corridor Master Plan. This goal, it is felt, could best be realized by using the incentive zoning provisions, as opposed to the applicant's cobbling together each of the separate planning and zoning approvals for the proposed seven (7) sites.

The Board further finds that implementing the incentive zoning process facilitates the comprehensive development of this multi-phased project being proposed, as opposed to a piecemeal approach linking together the separate seven (7) site designs that would be subject to several special use permits, subdivision and site plan approvals and the granting of numerous area variances.

The Board further finds that granting appropriate conditions of approval for the overall development of this proposed incentive zoning project, will expedite the realization of much needed pedestrian transportation improvements (sidewalks and crosswalks) including completion of the partially developed pedestrian crossing of the signalized intersection of State Route 96 and Mertensia Road. Completing this pedestrian crossing is a key component within the developing Route 96 Main Street Corridor, as well as within the on-site separation of pedestrian/vehicular movements between the various commercial sites being proposed.

The Board further finds that granting appropriate conditions of approval for the overall development of this proposed incentive zoning project will contribute to the advancement of other portions of the Town's Route 96 Main Street Corridor Plan by completing early within the overall multi-phase development of this site, the site's frontage streetscape improvements which include landscaping, benches, streetlights and trash receptacles, as well as funds for the Town to purchase additional streetlights for other sites along the Main Street Corridor where there are no known plans for further development.

The Board further finds that granting appropriate conditions of approval for the overall development of this proposed incentive zoning project, will be a significant contribution to the advancement of transportation improvements along this heavily traveled portion of State Route 96. These improvements include completion of the third and fourth legs of a new vehicular/pedestrian-controlled signalized crossing of the intersection of Mercier Boulevard with State Route 96, a redesign of the existing main entrance (Route 96) to the plaza site, the elimination of separate driveway access from the developing sites along the south side of State Route 96, and connection from the site to Mercier Boulevard.

The Board further finds that granting appropriate conditions of approval for the overall development of this proposed incentive zoning project, includes a financial contribution towards the construction of the Beaver Creek Sanitary Force Main Sewer Project, which when complete will improve the existing sewer line capacity along this portion of State Route 96 for the benefit of other adjacent sites.

The Board further finds that granting appropriate conditions of approval for the overall development of this proposed incentive zoning project, includes a financial contribution towards the early completion of the extension of Mercier Boulevard to sites south of the adjacent GLN Farmington Realty Project, and alternative access to the developing Farmington Commons Project.

The Board further finds that granting appropriate conditions of approval for the overall development of this proposed incentive zoning project, provides for the construction of the remaining section of sidewalks, both on-site and off-site, along the east side of Mertensia Road between State Route 96 and Creek View Trail, and along the south side of State Route 96 early in the site's development process.

The Board further finds that granting appropriate conditions of approval for the overall development of this proposed incentive zoning project, provides for the completion of the pedestrian signalized crossings of both State Route 96 and Mertensia Road, early in the site's development process.

The Board further finds that granting appropriate conditions of approval for the overall development of this proposed incentive zoning project will implement the following planning goals contained within the adopted 2021 Edition of the *Town of Farmington Comprehensive Plan*:

2. Managing the Built Environment

GOAL: "To shape and improve the quality of the built environment by focusing growth to provide for the needs of Townspeople, maintain the character of the Town, and ensure a healthy environment for future generations."

4. The Economy and Associated Land Uses:

A. Economic Development

GOAL: “To promote a stable and diverse local economy.”

B. Commerce

GOAL: “To provide for a limited number of small-scale, neighborhood-oriented commercial areas which are safe and attractive.”

5. Transportation

GOAL: “To provide a multi-modal transportation system that is safe, efficient, convenient and environmentally responsible.”

6. Public Utilities, Facilities and Services

GOAL: “To provide public utilities, facilities and services that efficiently meet present needs and anticipate future needs of residents, in accordance with the goals and objectives of this Plan.”

The Board further finds the following planning objectives contained within the 2021 Edition of *The Town of Farmington Comprehensive Plan* can be realized with granting appropriate conditions of approval for the overall development of this proposed incentive zoning project:

- 2. a. *“Land use, development, and environmental regulations which are in accordance with the adopted Comprehensive Plan.”*
- c. *“Performance standards for new development, including the creation of architectural and landscaping design guidelines, for development within the mapped MTOD Major Thoroughfare Overlay District delineated on the Town’s Official Zoning Map.”*
- h. *“Creative, efficient, and attractive plans and designs for all development, which are also compatible with or enhance their surroundings.”*
- g. 1) *“Focus major developments in areas identified on the Future Land Use Plan Map, in the defined Community Center and/or where adequate public infrastructure and facilities already exist.”*
- k. 2) *“Consider the enactment of incentive zoning to enable the Town to receive off-site infrastructure costs in exchange for zoning amenities provided for under Town Law.”*
- n. 2) *“Encourage the use of incentive zoning criteria to achieve the amenities desired for the Community Center.”*

- 4. A. 1) *“Support the continued vitality of existing employers and provide incentives for expansion of new business.”*
- B. 1) *“Discourage “strip-type commercial” development.*
- 5.a. 2) *“Prepare a Pedestrian Circulation Plan. Seek the cooperation of institutions, businesses, and others in its implementation. Require new development to conform to the pedestrian plan, for example, providing sidewalks and crosswalks where planned.”*
- b. 8) *“Maintain desired levels of vehicular and pedestrian transportation service, require the provision of transportation improvements made necessary by new development such as sidewalks and traffic signals.*
- 6. a. 4) *“Continue to investigate and promote additional public and private funding sources for . . . infrastructure repair and construction . . . ”*

The Board has reviewed the latest information contained in the January 10, 2022 letter from Michael Montalto, Project Manager, Costich Engineering, DPC. The letter sets forth a list of requested zoning incentives and proposed site amenities that their client is proposing as part of the project. The Board has also reviewed the attached site plan entitled “Market Center 6139-6179 N.Y.S. Route 96 Overall Incentive Site Plan,” prepared by Costich Engineering, and finds the drawing adequately identifies the nature of site development being proposed; the zoning incentives that would allow this site development to occur; and the zoning amenities for benefitting the Town. The Board is in general agreement with the design concepts shown on the cited drawing and supports the amenities listed.

The Board, based upon its review of the proposed project, finds that the sites identified within the Market Center Plan as being an essential component for further implementation of the Route 96 Main Street Corridor Plan across this property’s frontage, and the implementation of a portion of the Town’s MTOD Official Highway Map that is associated with the completion of Mercier Boulevard in a more timely manner than what otherwise might occur without such financial contribution.

Recommendations

The Board, based upon its review of the documentation submitted and the presentations made by the applicant’s engineer (Costich Engineering) on behalf of the applicant (Angelo Ingrassia); makes the following recommendations to the Town Board:

1. The Board recommends that the Town Board consider taking action to consider a local law to amend the Town’s Official Zoning Map, to schedule a public hearing upon said action, to refer the matter to the Ontario County

Planning Board for a review under the provisions of the New York State General Municipal Law, and to pursue the establishment of criteria for development of these three (3) in accordance with the incentive zoning provisions contained in the Town Code.

2. The Board recommends that the Town Board finds that there is indeed a balance of equity being provided by the applicant, in the form of proposed zoning amenities, that is comparable to the increased value that the applicant is likely to expect from the development of this site in the manner being proposed by the incentive zoning design over the costs associated with the separate conventional designs that would otherwise be required by the GB General Business District, MTOD District and the MSOD District regulations.
3. The Board recommends that the Town Board consider additional amenities that include EV Charging Stations be provided and installed at both the Farmington Town Park and Merternsia Town Park sites.

The Board endorses the proposed commitments of amenities, and the proposed timing for receiving these amenities that are being offered with this request for incentive rezoning. The Board finds that these are significant benefits to the community for implementing its ongoing planning program.

Finally, the Planning Board appreciates this opportunity to review and comment upon this rezoning application at this early stage in the Town Board's consideration on whether to allow the rezoning process. The Board's findings and recommendations contained above herein are intended only for the Town Board's consideration. Should the Town Board have any concerns with the content of this report please do not hesitate to contact me directly.

[L.S.] Edward Hemminger, Chairperson
Town of Farmington Planning Board

- c: Farmington Town Clerk
Farmington Town Highway and Parks Superintendent
Farmington Acting Water and Sewer Superintendent
Farmington Director of Planning & Development
Farmington Conservation Board
Farmington Code Enforcement Officer
Farmington Zoning Inspector
Farmington Town Engineers, MRB Group, P.C., Attn: Lance Brabant, CPESC
Greg Trost, Assistant Resident Engineer, NYSDOT Region 4 Office, Ontario County
Michael Montalto, Project Manager, Farmington Market Center Project
Angelo Ingrassia, Farmington Market Center LLC

C. Statement from the Planning Board to the Zoning Board of Appeals, re: A Safe Place Storage Area Variance Application:

Mr. Hemminger read the following statement into the record of meeting regarding the application of A Safe Place Storage for approval of an Area Variance by the Zoning Board of Appeals (ZBA) which will be heard by the ZBA on Monday, March 28, 2022. The Area Variance application seeks to allow the construction of the climate-controlled warehouse building have a total of 16,929 square feet (a variance to the requirements within Town Code Chapter 165, Article VI, Section 84.1 [K]).

“The Planning Board understands that Town staff is working on a draft local law to amend the criteria for the granting of a Special Use Permit for mini-warehouse sites which will include standards for Conditioned Mini-Warehouse buildings and units. These draft regulations are targeted for introduction to the Town Board at their meeting on Tuesday, March 22, 2022, which should help the Zoning Board of Appeals (ZBA) as it deliberates the pending Area Variance application under review at the March 28th ZBA meeting.

“While the Planning Board has no objection to Conditioned Mini-Warehouse buildings and storage units, we have no recommendation to make at this time on the minimum relief necessary to allow the size of the proposed Conditioned Mini-Warehouse building and storage units as part of the pending Preliminary Site Plan application before the Planning Board.

“Our Preliminary Site Plan approval will be based upon further information being provided by the applicant for design solutions which address the Town’s prohibition of structures being placed within the site’s sanitary sewer easement area, how best to accommodate the site’s overall drainage solution, how on-site parking of vehicles will be provided for while visiting a Conditioned Mini-Warehouse building and storage units, and the screening of the proposed outdoor storage area for boats, trailers, RV units, etc., all of which is currently being worked on.”

—Edward Hemminger

D. Discussion of Reliant Federal Credit Union (Farmington Commons, west side of State Route 332 and north of Burger King Restaurant):

Mr. Delpriore said that the applicant of the Reliant Federal Credit Union building, which will be constructed on the Farmington Commons Plaza site on the west side of State Route 332 north of the existing Burger King Restaurant (PB #0102-22, Final Site Plan, Lot #R-2, approved with conditions on January 5, 2022), would

like to install a six-foot high cedar fence to enclose the electric back-up power generator. He said that this requested field change is presented to the Planning Board this evening to be sure that the Board is okay with the proposed fence, which will be painted to match the siding of the credit union building.

Mr. Delpriore said that the Planning Board may wish to comment on this proposed installation because the building has not yet been constructed. He said that the generator will be similar in size to the electric back-up power generator which is located in the back of the Town Hall property. Mr. Delpriore said that the six-foot-high fence would screen the generator from view and reminded the Board that there will be no enclosed dumpster facility at this location. He also said that the location of the generator will comply with the Town Code.

Mr. Bellis asked about the maintenance of the fence. Mr. Delpriore said that the maintenance of the fence must comply with the Town Code. Mr. Delpriore said that the Field Change documentation has been signed by the Town Department heads and would be placed in the property file.

There were no additional comments and no objections from the board on the proposed change to allow for the installation of the proposed fence.

10. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand reported on the following topics:

- The Ontario County Planning Board recommended approval of the text amendment to the Farmington Town Code to add accessory Agricultural/Construction Equipment Repair and Painting use as a specially permitted use in four Town zoning districts (A-80 Agricultural, RR-80 Rural Residential, LI Limited Industrial and GI General Industrial), and to add standards for such special permitted use (Ontario County Planning Board Referral #40-2022, March 9, 2022). Subsequent to the scheduled Public Hearing on this to be held on March 22, 2022, the Town Board is expected to act upon the Town Code amendment known as Local Law No. 3 of 2022.
- Town staff is working on other Town Code amendments, to be known as Local Law No. 4 of 2022. This proposed local law provides eight pages of proposed amendments to Article VI, Section 84.1 of the Town Code, Special Use Permit conditions for mini-warehouse facilities. Input on the proposed amendments was researched from other municipalities. The amendments have been reviewed by Town Code Enforcement Officer Dan Delpriore and Town Zoning Officer John Weidenborner. Among the topics in the amendments are regulations regarding fences around those portions of a mini-warehouse site where there are both

conditioned and unconditioned facilities, and criteria for providing loading docks for the conditioned buildings.

- Delaware River Solar has submitted a draft maintenance bond, as provided for in the adopted Decommissioning Plan document, for the proposed solar installation on Yellow Mills Road. Mr. Brand said that he and Mr. Delpriore have completed their reviews of the draft instrument and find that they are not satisfied with the draft as submitted, and that they are looking for additional information from Delaware River Solar. Mr. Hemminger said that the filing of the maintenance bond is the final step prior to the scheduling of a Pre-Construction Meeting for this project.
- Members of the Town Board, the Conservation Board and the Town staff joined with a group of Syracuse University students and their professor on a walk-about of the property which has been purchased by the Town. The property is located east of the former Highway Department building on the north side of Collett Road and west of the Farmington Town Park. The students will be providing a concept design plan and a report to the Town regarding the development of this property for mixed recreational purposes and Town Park maintenance needs.

Code Enforcement Officer:

Mr. Delpriore reported on the following topics:

- Twenty-five new townhome permits have been issued for the Hathaway's Corners development on the southwest corner of State Route 332 and County Road 41. Approximately 10 to 15 new single-family home building permits have been issued in the past week for other subdivisions in the Town.
- A Temporary Certificate of Occupancy has been issued for the new Meyer's RV building on the northeast corner of State Route 96 and Mertensia Road. This week, the company will be transferring operations from the existing building to the new building in preparation for the demolition of the existing building. Mr. Delpriore said that Meyer's RV is under a strict timeframe for the removal of the existing building to avoid the rescinding of the Temporary Certification of Occupancy on the new building. He said that reasonable dates have been scheduled for this work and that the project should be wrapped up by the middle of May. Mr. Delpriore also said that the application for an Area Variance for the building-mounted commercial speech sign will be considered by the Zoning Board of Appeals on Monday, March 28, 2022. He said that the company only has a 30-day approval for the large temporary sign which is now on the existing building. A grand opening ceremony with the company will be scheduled. Mr. Delpriore will provide additional information regarding the date and time of the ceremony upon receipt.

- A Temporary Certificate of Occupancy for the Auto Wash car wash facility on the northwest corner of State Route 96 and Mertensia Road may be issued next week. Mr. Delpriore said that this will be a Temporary Certificate of Occupancy pending completion of landscape work in the spring. He said that the streetlights will be installed on Monday (March 21, 2022) and that a Temporary Certificate of Occupancy inspection will be conducted on Wednesday (March 23, 2022).
- Administrative updates to Town Code Chapter 74 have been reviewed with the Town Attorney. Upon completion, the Town Board will hold a Public Hearing on these amendments.
- The Town staff is continuing regular inspections of construction sites to ensure that contractors remain in compliance with their Stormwater Pollution Prevention Plans, the Town's MS4 (SWPPP) regulations, and to keep roads and drainage structures clean and free of mud and debris. Mr. Delpriore said that the Development Office is working with the Highway Department on this and that contractors who do not comply will receive violations which could lead to possible shut-downs of construction sites until the roads and drainage structures are cleaned.
- Mr. Hemminger asked about the storage of wood pallets along the roads at several locations in the Town. Mr. Delpriore suggested that the restriction of the storage pallets along the roads could be included in the Major Throughfare Overlay District regulations to provide additional enforcement measures for the Town staff. He also said that enforcement may be difficult because the pallets often have already been removed when an inspection occurs.
- Among the applications on the Planning Board agenda for April 6, 2022, will be the continuation of the Preliminary Two-Lot Subdivision application for the Estate of Shirley Bowerman (PB #0301-22, west side of Bowerman Road between Green Road and Brownsville Road); and the Final Site Plan for TOMRA New York Recycling, for which the SEQR classification and the Preliminary Site Plan were approved on February 16, 2022 (PB #0204-22).

Town Highway and Parks Superintendent:

Mr. Ford discussed the mud and debris in the roads which are located in construction areas. He discussed a particular concern in the Villas section of Hathaway's Corners in which a contractor was not using the concrete wash-out when cleaning a concrete truck. Mr. Ford said he advised the site's construction manager that the project could be shut down if these types of situations were to continue. Mr. Delpriore said that the Town is getting close to shut-downs on a number of projects [due to the condition of mud and debris in the road and in the drainage structures].

Mr. Ford asked if parking will be considered in the proposed amendments to the Town Code regarding conditioned mini-warehouse storage facilities. He also asked if trailers

would be stored indoors. Mr. Brand said that effective screening of outdoor parking areas of vehicles, trailers, recreational vehicles and boats will be included, along with minimum lot area coverage for these outdoor parking requirements. Regarding indoor parking of vehicles, the design of the conditioned mini-warehouse building, which will be approved by the Planning Board, will not include multiple exterior entrances to the building. Also, the lot area coverage for outdoor parking will be based upon the number of the mini-warehouse storage buildings and the sizes of storage units.

Mr. Delpriore said that these units [conditioned buildings] are not intended for the storage of vehicles and boats. He said that the climate-controlled units are not for automobiles. Mr. Hemminger said that this must be made clear in the Town Code amendments which will be under consideration. Mr. Delpriore said that current Town Code does not permit the indoor storage of a combustible engine. He said that this will be reviewed and that allowing the indoor storage of a vehicle would be a new issue with which the fire department will have to consider.

Town Engineer:

Mr. Brabant said that several other communities are also discussing the installation of electric vehicle charging stations. He said that currently there is not a great deal of local information about them, that communities are considering if and when the units should be required, and where to locate them on sites. He said that the Town of Farmington's approach as discussed this evening makes sense.

Mr. Brabant also said that MRB Group has sent several communications to developers regarding adherence to MS4 regulations concerning erosion and sediment control, and the stabilization of construction sites.

Mr. Viets asked if the all-day training sessions which formerly were held by the Genesee/Finger Lakes Regional Planning Council at Burgundy Basin Inn will be offered again. Mr. Brabant said that this program may be offered in the future but that lately all training sessions have been offered on line.

Board Members' Comments:

Mr. Viets asked about the placement and prospective screening of the HVAC unit on the Meyer's RV site on State Route 96. He said that the unit is visible from the road. Mr. Delpriore said that screening will be installed upon the demolition of the existing building and that screening also will be installed around the propane tank and the RV units dump station which will be located in the area of the existing building once it is removed.

11. PUBLIC COMMENTS

Supervisor Ingalsbe said that the Town recently completed an LED Street Light Conservation project and has earned recognition as a Designated Clean Energy Community through the New York State Energy Research & Development Authority's (NYSERDA) Clean Energy Communities (CEC) Program. The Town will receive \$5,000 in grant funding and plans to use these funds to further implement the clean energy goals for the community. To earn the designation, the Town had to complete four high impact actions, i.e., LED streetlight conversion, benchmarking, energy code enforcement training, and the adoption of the Unified Solar Permit.

Supervisor Ingalsbe said that the Town is seeking to fill both an administrative position and a code enforcement position in the Development Office. He also said that a shared position with the Town of Canandaigua has been created for the vacancies within both Towns Assessor positions. He said that the Town hopes to have the position of Water and Sewer Superintendent filled within the next 30 days.

Supervisor Ingalsbe also said that the Town and MRB Group signed paperwork this evening to apply for an additional grant for the scanning of documents in the Development Office and the Water and Sewer Department Office.

12. 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 diverse, 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, March 24, 2022, 6:00 p.m. to 7:00 p.m.

How Appealing: The Role of the Zoning Board of Appeals in Community Development

Thursday, April 28, 2022, 6:00 p.m. to 7:00 p.m.

Here Comes the Sun: Shaping Solar and Battery Storage Projects

Thursday May 19, 2022, 6:00 p.m. to 7:00 p.m.

Keep the Grass Green and the Water Clean: Your Role in SEQR Review

Thursday, June 23, 2022, 6:00 p.m. to 7:00 p.m.

How it All Fits Together: Long-Range Plans and Near-Term Challenges

Thursday, July 28, 2022, 6:00 p.m. to 7:00 p.m.

Ask Us Anything: Hot Topics in Planning, Zoning and Community Development

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

What Not to Say and What Really Not to Do: Avoiding Sexual Harassment

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 Recorded Webinars:

For information: (518) 512-5270 or 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>

13. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 8:20 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, April 6, 2022, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, and via Zoom video conference.

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

Respectfully submitted,

John M. Robortella, Clerk of the Board

L.S.