

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, May 18, 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.

R = *Attended via remote video conference.*

Board Members Present Edward Hemminger, *Chairperson*
Adrian Bellis
Timothy DeLucia
Aaron Sweeney

Board Member Excused: Douglas Viets

Staff Present:

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
Collin Sowinski, MRB Group D.P.C.—**R**

Attending:

Michael C. Bogojevski, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, N.Y. 14450
Nathan Bowerman, 230 Bowerman Road, Farmington, N.Y. 14425
Don Giroux, 1602 Cornfield Circle, Farmington, N.Y. 14425
Tim Hanna, Crowley Road
Mason and Caitlyn Lyles, 109 Gannett Road, Farmington, N.Y. 14425
Carol F. Twitchell, 3 Citation Drive, Wilmington, Delaware 19808
Lloyd Twitchell, 5107 Shortsville Road, Shortsville, N.Y. 14548
Julie and Robert Werner, 571 Crowley Road, Farmington, N.Y. 14425

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 OF MAY 4, 2022

■ A motion was made by MR. BELLIS, seconded by MR. DELUCIA, that the minutes of the May 4, 2022, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on Wednesday, May 11, 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 18th day of May 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 #0201-22: LLOYD TWITCHELL, 5107 SHORTSVILLE ROAD, SHORTSVILLE, N.Y. 14548: Requesting a Special Use Permit in accordance with Chapter 165, Article VI, Section 84.4 of the Town of Farmington Codes. The applicant wishes to continue to use existing farm buildings and open areas for a commercial business of fabricating and painting farm and construction equipment. The property is located at 5107 Shortsville Road and is zoned A-80 Agricultural District.

PB #0503-22: NATHAN BOWERMAN, 230 BOWERMAN ROAD, FARMINGTON, N.Y. 14425: Preliminary Two Lot Subdivision Plat approval of Land, identified as Tax Map Account 17.00-1-11.100, containing a total of 99.1 acres of land; and as further to be identified as Crowley Road Bowerman Property Subdivision Plat. The proposed Action involves creating Lot 1 consisting of 12.237 acres and Lot 2 consisting of 86.863 acres to remain vacant as a non-approved building lots requiring site plan approval before any Building Permits may be issued. The property is located on Crowley Road; and is zoned RR-80 Rural Residential.

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: SPECIAL USE PERMIT

PB #0201-22 New Special Use Permit Application

Name: Lloyd Twitchell, 5107 Shortsville Road, Shortsville, N.Y. 14548

Location: 5107 Shortsville Road

Zoning District: A-80 Agricultural District

Request: Requesting a Special Use Permit in accordance with Chapter 165, Article VI, Section 84.4 of the Town of Farmington Codes. The applicant wishes to continue to use existing farm buildings and open areas for a commercial business of fabricating and painting farm and construction equipment.

Mr. Hemminger opened the Public Hearing on this application.

Mr. Twitchell presented this application.

He said that he would like to continue his agricultural and construction equipment repair and painting business which he has operated at this location for the past eight years. Mr. Twitchell said that there would be no changes in the business operations.

Mr. Brand said that Mr. Twitchell’s business was the first application in which the Temporary Use Permit provisions in the Town Code were applied for a use which was not previously permitted. Mr. Brand said that the Zoning Board of Appeals approved a Temporary Use Permit for Mr. Twitchell’s operations for an initial two-year period, followed by a five-year renewal.

Based upon Mr. Twitchell’s good record of business operations, Mr. Brand said that the Town Board adopted Local Law #3 of 2022 on March 22, 2022, to permit applicants to obtain a Special Use Permit for the repair and painting of agricultural and construction equipment in the A-80 Agricultural, the RR-80 Rural Residential, the LI Limited Industrial and the GI General General Industrial zoning districts (*see* Town Board Resolution #152-2022).

Mr. Brand said that he was pleased that Mr. Twitchell’s operations under a Temporary Use Permit period over the past several years have been successful. He also said that a Final Site Plan for Mr. Twitchell’s operations was approved by the Planning Board on March 19, 2014 (PB #0302-14) and that there have been no changes in the business operations.

The site plan was then displayed on the video screen.

Mr. Brand said that three resolutions have been prepared for the board’s consideration this evening for Mr. Twitchell’s business, i.e., the State Environmental Quality Review (SEQR) classification, the SEQR determination, and the Special Use Permit approval with conditions.

Mr. Delpriore said that he reviewed Mr. Twitchell’s business file and that there have been no reported issues. He said that Mr. Twitchell went through the Town’s procedure and process and that the Special Use Permit application in a good position this evening.

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

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

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

Mr. Hemminger then closed the Public Hearing.

Board deliberations:

■ 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
LLOYD TWITCHELL SPECIAL USE PERMIT
SEQR CLASSIFICATION**

PB #0201-22

APPLICANT: Lloyd Twitchell, 5107 Shortsville Road, Shortsville, N.Y. 14548

ACTION: State Environmental Quality Review (SEQR) Classification upon the granting of a Special Use Permit to operate an agriculture/ construction equipment repair and painting

service facility in accordance with the provisions in Chapter 165, Article VI, Section 84.4 of the Farmington Town Code.

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

WHEREAS, the Board has received and reviewed the Part 1 of the Short Environmental Assessment Form (SEAF) prepared by the Applicant for this Special Use Permit Action; and

WHEREAS, the Board has reviewed the Classifications for Actions contained within Part 617. 4 and 5 of the State Environmental Quality Review (SEQR) Regulations [6 NYCRR Part 617] finding the Action to approve a Special Use Permit is not listed as being either a Type I, or Type II Action; and

WHEREAS, the Board has reviewed the draft Parts 2 and 3 of the SEAF prepared by the Town Director of Planning and Development for this Action; and

WHEREAS, the Board has tonight received testimony upon the above referenced Action.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby classify the proposed Action as being an Unlisted Action under the State’s SEQR Act.

BE IT FURTHER RESOLVED that the Board does hereby accept the Parts 2 and 3 of the above referenced SEAF as being a complete and accurate finding of the proposed Action’s identified impacts upon the environment.

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

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

Motion carried.

■ A motion was made by MR. DELUCIA, seconded by MR. SWEENEY, 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
LLOYD TWITCHELL SPECIAL USE PERMIT
SEQR DETERMINATION OF SIGNIFICANCE**

PB # 0201-22

APPLICANT: Lloyd Twitchell, 5107 Shortsville Road, Shortsville, N.Y. 14548

ACTIONS: **SEQR Determination of Significance for a Special Use Permit to operate an agriculture/construction equipment repair and painting service at the above cited location.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received an application for a Special Use Permit to operate an agricultural/construction equipment repair and painting service (hereinafter referred to as Action); and

WHEREAS, the proposed Action is neither classified within Parts 617.4 or 617.5 of 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 this Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby classify the proposed Action as being an Unlisted Action under the above referenced sections of the State's ECL.

BE IT FURTHER RESOLVED that the Planning Board has reviewed and does hereby accept the findings contained in Parts 1, 2 and 3 of the Short Environmental Assessment Form (SEAF) for the proposed Action and directs the Planning Board Chairperson to sign and date the SEAF Part 3.

BE IT FURTHER RESOLVED that the Planning Board has reasonably concluded 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 as the result of the continued operation of the proposed Special Use Permit; and
- (ii) there will not be large quantities of vegetation or fauna removed from the site 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 on the site; 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 on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;

- (iv) the overall density of the site is consistent with the Town’s Comprehensive Plan land use recommendations;
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site, or will the proposed action impair the existing community or neighborhood character;
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed Action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a substantial change in the use, or intensity of use, of land including open space or recreational resources, or in its capacity to support existing uses;
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the Action;
- (x) there will not be created a material demand for other actions that would result in one of the above consequences;
- (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 impact upon the environment.

BE IT FURTHER RESOLVED that based upon the information and analysis above and the Action’s supporting documentation, the Board determines that the proposed Action WILL NOT result in any significant adverse environmental impacts.

BE IT FURTHER RESOLVED that based upon the above findings the Board does hereby make this Determination of Non-Significance, and issues a Negative Declaration under the provisions of the State’s SEQR Regulations.

BE IT FINALLY RESOLVED that the Board directs that this determination be filed as provided for under the SEQR Regulations.

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

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

Motion carried.

■ A motion was made by MR. SWEENEY, 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
LLOYD TWITCHELL SPECIAL USE PERMIT**

PB #0201-22

APPLICANT: Lloyd Twitchell, 5107 Shortsville Road, Shortsville, N.Y. 14548

ACTION: Special Use Permit approval to continue to operate a commercial business involving the repairs to agricultural and construction equipment and painting on property located at the above referenced address.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has tonight opened the Public Hearing upon the above referenced Action and has received testimony thereon; and

WHEREAS, the Board has given consideration to the Ontario County Planning Board referral comments (Referral Number 81-2022) 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 tonight has classified the proposed Action as an Unlisted Action under the provisions within the State Environmental Quality Review (SEQR) Regulations and has, under separate resolution, made a determination of non-significance; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby make the following findings upon the above referenced Action and makes the following conditions of approval for this special use permit:

1. The Board finds that the site is zoned A-80 Agricultural and that repairs of agricultural/construction equipment and painting may be allowed as a special permit use in the A-80 Agricultural District. [§165-84.4 Farmington Town Code]
2. The Board finds that the Applicant has been successfully operating the proposed special permitted use in compliance with a previously approved Temporary Use Permit, granted by the Zoning Board of Appeals and with a previously approved Final Site Plan granted by this Planning Board on April 1, 2014. The Board further finds that there are no known plans to expand any portion of the project at this time. Furthermore, the Applicant has been made aware that any amendment to the special

permitted use may be subject to an amended Special Use Permit, or any site plan expansion will be subject to an amended Final Site Plan, being approved by this Planning Board.

3. The Board finds that the Applicant has complied with the provisions contained within §165-84.4. C. (1), (2), (3) and (4) of the Farmington Town Code.
4. The Board finds that the Applicant has been made aware of the requirement and further finds that the repair and painting of equipment is to continue to be provided to customers only and that no repaired or painted equipment shall be directly sold to the general public from the site.
5. The Board finds that the Applicant has been made aware of and that the site is currently in compliance with the requirement that all equipment repair and painting operations are to be performed within an enclosed facility located within the rear yard portion of the parcel or lot.
6. The Board finds that the Applicant has been made aware of and the site is currently in compliance with the requirement that only equipment being repaired and/or painted may be stored on the site and only within a bermed or landscaped area that is buffered from view from adjacent residential properties or from along the adjacent highway (Shortsville Road).
7. The Board finds that the Applicant is aware that the special permitted use is classified as an Accessory Use and that such use is subject further to be located on the same lot or parcel as a Principal Permitted Use, which in this instance is the Applicant's home, and that the property is to be maintained in a good safe condition.
8. The Board finds that the provision contained within §165-84.4. H. of the Farmington Town Code is applicable to this special use permit and that the Board finds that the site contains more than the five (5) acre minimum lot size.
9. The Board finds that the provision contained within §165-84.4. I. of the Farmington Town Code is not applicable to this special use permit. The Board, in this instance, finds the site is not located within a mapped LI or GI District.
10. The Board finds that the Applicant is aware of and that lot coverage for equipment repairs and painting, as provided for within §165-84.4. J., of the Farmington Town Code, prohibits any such special permitted use from occupying more than fifty (50) percent of the total area of the lot or parcel.
11. The Board finds that the provision contained within § 165-84.4. K. of the Farmington Town Code has been complied with.
12. The Board finds that the Applicant is aware of and that the site is in compliance with the provision contained within §165-84.4. L. of the Farmington Town Code, which prohibits the storing at any time of vehicles or parts thereof outside a berm

and/or landscaped area. The Board further finds that the Applicant is aware of and the site is in compliance with the requirement that all painting of vehicles and equipment shall be conducted within an approved building.

13. The Board finds that the provision contained within §165-84.4. M. of the Farmington Town Code regarding the on-site storing of all petroleum based materials used in conjunction with the proposed special use permit are and shall continue to be stored within containers approved by the Town Fire Marshal.
14. The Board finds that the Applicant is aware of and that the site is currently in compliance with the provision contained within §165-84.4. N. of the Farmington Town Code. The Board hereby notifies the Applicant that any new building to be constructed on this site will be subject to an amended Final Site Plan before any Building Permits may be issued.
15. The Board finds that the Applicant is aware of and that the site is in compliance with the provision contained within §165-84.4. O. of the Farmington Town Code regarding a dust-free driveway and storage surface.
16. The Board finds that the Applicant is aware of and that the site is in compliance with the provision contained within §165-84.4. P. of the Farmington Town Code in that security lighting is provided in accordance with §165-64 of the Code.
17. The Board finds that the Applicant is aware of and that the site is in compliance with the provision contained within §165-84.4. Q. of the Farmington Town Code in that the site is to be maintained free of litter and debris.
18. The Board finds that the Applicant is aware of and that the site is in compliance with the provision contained within §165-84.4. R. of the Farmington Town Code regarding on-site driveway circulation that is designed to accommodate access throughout by emergency vehicles.
19. The Board finds that the Applicant is aware of and that the site is in compliance with the provision contained within §165-84.4. S. of the Farmington Town Code related to on-site parking for employees or customers.
20. The Board finds that the Applicant is aware of and that the site is in compliance with the provision contained within §165-84.4. T. of the Farmington Town Code relating to an enclosed dumpster.

BE IT FURTHER RESOLVED that a Public Safety Identification Sign is to be installed next to the driveway for this site within 30 days of today. The sign design detail is shown on Appendix G-9.0 of the adopted Town of Farmington Site Design and Development Criteria.

BE IT FURTHER RESOLVED that prior to the issuance of a Certificate of Compliance for this continued Special Use Permit, the Applicant will need to pass a fire safety inspec-

tion and once approved will be subject to continued fire safety inspections every two years by the Town Fire Marshal.

BE IT FURTHER RESOLVED that any other use of this site, beyond that identified above in the Planning Board’s findings shall be subject to the issuance of a separate amended special use permit.

BE IT FURTHER RESOLVED that any expansion or change to the approved Final Site Plan shall be subject to the issuance of an amended Final Site Plan by the Planning Board.

BE IT FINALLY RESOLVED copies of this resolution are to be provided to the Applicant; Town Staff; and the Town 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	Aye
Douglas Viets	Excused

Motion carried.

5. NEW PUBLIC HEARING: TWO-LOT SUBDIVISION

PB #0503022 Preliminary Two-Lot Subdivision Application

Name: Nathan Bowerman, 230 Bowerman Road, Farmington, N.Y. 14425

Location: Crowley Road

Zoning District: RR-80 Rural Residential

Request: Preliminary Two Lot Subdivision Plat approval of Land, identified as Tax Map Account 17.00-1-11.100, containing a total of 99.1 acres of land; and as further to be identified as Crowley Road Bowerman Property Subdivision Plat. The proposed Action involves creating Lot 1 consisting of 12.237 acres and Lot 2 consisting of 86.863 acres to remain vacant as a non-approved building lots requiring site plan approval before any Building Permits may be issued.

Mr. Hemminger opened the Public Hearing on this application.

Mr. Bogojevski (BME Associates) presented this application. Mr. Bowerman also attended.

Prior to the meeting, Mr. Bogojevski provided the following information:

- This application includes the subdivision of a new lot (Lot #1) for the purpose of building a new single-family residential home. The property is located along the east side of Crowley Road with frontage also on Brownsville Road. The overall parcel is 99.1 acres and is zoned Rural Residential (RR-80). The majority of the property is farmed with a portion in the northwest corner (along Brownsville Road) being wooded/brush area.
- Lot #1 will be subdivided from the overall parcel and is proposed at 12.2 acres. It will encompass the northwest corner of the property with a small portion of the farm area and existing wooded/brush area. Lot #1 will have frontage on both Crowley Road and Brownsville Road. It intends to meet the lot standards of Town Code Section 165-19 E (3) since the property will allow for a standard septic system with a minimum lot size of 40,000 square feet, lot width of 150 feet and lot depth of 200 feet.
- The proposed single-family house is located within the existing farm area to limit any clearing of the existing wooded/brush area. A driveway is proposed off Crowley Road for the new house. A new water service will be extended from the existing main along Crowley Road to serve the house. A standard septic system is proposed within the front-yard area of the house. Stormwater runoff will be directed to an existing culvert under Crowley Road. Existing drainage patterns will be maintained.

Mr. Bogojevski said that this evening's Preliminary Subdivision application is the first step toward the construction of a new single-family home in the future. He said that the property has frontage along Brownsville Road and Crowley Road, and that the subdivision of Lot #1 from the parent parcel will meet all zoning district standards.

Mr. Bogojevski said that the initial site plan for the new home was designed to make sure that a standard septic system will be permitted.

Mr. Brand said that this application has been classified as an Unlisted Action under the State Environmental Quality Review (SEQR) regulations due to the applicant's requirement to prove that the soils on the property could accept a conventional septic system rather than a raised septic system which requires a larger lot. He said that the need for this additional information moved the SEQR classification application from a Type II Action to an Unlisted Action.

Mr. Brand acknowledged receipt of a letter from Mr. Bogojevski dated May 13, 2022, in which Mr. Bogojevski responded to the comments on this application from Code Enforcement Officer Dan Delpriore, Construction Inspector Matt Heilmann, Highway and Parks

Superintendent Tim Ford, Zoning Officer John Weidenborner, Fire Marshal/Code Enforcement Officer August Gordner, and Director of Development Ron Brand.

Mr. Brand said that Mr. Bogojevski had no issues with the staff comments and that the staff is ready to proceed with the application this evening.

Mr. Brand also said that the application this evening is only for the subdivision of the property to create Lot #1 for the future single-family home. He said that a separate site plan must be submitted for Planning Board approval for the proposed new home.

Mr. Delpriore also confirmed that this evening's application is only for the subdivision of the property. He then asked if the Planning Board would be willing to consider the Final Subdivision application concurrently with the Preliminary Site Plan application at a future meeting. He said that these would be two separate applications but that both could be submitted at the same meeting.

Mr. Hemminger said that there would be no problem to have consideration of both the Final Subdivision and the Preliminary Site Plan applications at the same future meeting.

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

Ms. Werner (571 Crowley Road) asked if only one home would be built. Mr. Bogojevski said yes. He said that the subdivision of Lot #1 off from the parent parcel would be only for the construction of one single-family home.

Mr. Werner said that they were under the impression that this would be a [multi-home] subdivision. Mr. Hemminger said that [a multi-home subdivision] is not the plan. He said that the applicant has indicated that only one single-family home on Lot #1 is planned.

There were no additional comments or questions from those in the meeting room.

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

Mr. Hemminger then closed the Public Hearing on this application.

Board deliberations:

■ A motion was made by MR. DELUCIA, seconded by MR. SWEENEY, 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
NATHAN BOWERMAN TWO-LOT PRELIMINARY SUBDIVISION PLAT APPLICATION
SEQR CLASSIFICATION**

PB #0503-22

**APPLICANT: Nathan Bowerman, 230 Bowerman Road,
Farmington, N.Y. 14425**

**ACTION: State Environmental Quality Review (SEQR) Classification
upon the granting of Preliminary Two Lot Subdivision Plat
Approval of land, identified as Lot #1 (12.237 acres) and Lot #2
(86.863 acres) of the Crowley Road Bowerman Subdivision
Plat.**

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

WHEREAS, the Board has received and reviewed the Part 1 of the Short Environmental Assessment Form (SEAF) prepared by the Applicant for this Preliminary Two Lot Subdivision Plat; and

WHEREAS, the Board has reviewed the Classifications for Actions contained within Part 617. 4 and 5 of the State Environmental Quality Review (SEQR) Regulations [6 NYCRR Part 617] finding the Action to approve a two-lot Preliminary Subdivision Plat is not listed as being either a Type I, or Type II Action; and

WHEREAS, the Board has reviewed the draft Parts 2 and 3 of the SEAF prepared by the Town Director of Planning and Development for this Action; and

WHEREAS, the Board has tonight received testimony upon the above referenced Action.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby classify the proposed Action as being an Unlisted Action under the State’s SEQR Act.

BE IT FURTHER RESOLVED that the Board does hereby accept the Parts 2 and 3 of the above referenced SEAF as being a complete and accurate finding of the proposed Action’s identified impacts upon the environment.

BE IT FINALLY RESOLVED that the Board determines it is the only involved agency identified within the SEQR Regulations and, therefore, will not be conducting a coordinate review of the proposed Action.

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

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

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:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
NATHAN BOWERMAN PRELIMINARY TWO LOT SUBDIVISION
SEQR DETERMINATION OF SIGNIFICANCE**

PB # 0503-22

**APPLICANT: Nathan Bowerman, 230 Bowerman Road,
Farmington, N.Y. 14425**

**ACTIONS: SEQR Determination of Significance for a two lot Preliminary
Subdivision Plat, Lots #1 and #2, Crowley Road Bowerman
Subdivision.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received an application for a Preliminary Two Lot Subdivision Plat Approval (hereinafter referred to as Action); and

WHEREAS, the proposed Action is neither classified within Parts 617.4 or 617.5 of 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 this Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby classify the proposed Action as being an Unlisted Action under the above referenced sections of the State’s ECL.

BE IT FURTHER RESOLVED that the Planning Board has reviewed and does hereby accept the findings contained in Parts 1, 2 and 3 of the Short Environmental Assessment Form (SEAF) for the proposed Action and directs the Planning Board Chairperson to sign and date the SEAF Part 3.

BE IT FURTHER RESOLVED that the Planning Board has reasonably concluded 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 as the result of approving of the proposed Action; and
- (ii) there will not be large quantities of vegetation or fauna removed from the site 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 on the site; 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 on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the proposed Action is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site, or will the proposed action impair the existing community or neighborhood character;
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed Action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a substantial change in the use, or intensity of use, of land including open space or recreational resources, or in its capacity to support existing uses;
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the Action;
- (x) there will not be created a material demand for other actions that would result in one of the above consequences;
- (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 impact upon the environment.

BE IT FURTHER RESOLVED that based upon the information and analysis above and the Action’s supporting documentation, the Board determines that the proposed Action WILL NOT result in any significant adverse environmental impacts.

BE IT FURTHER RESOLVED that based upon the above findings the Board does hereby make this Determination of Non-Significance, and issues a Negative Declaration under the provisions of the State’s SEQR Regulations.

BE IT FINALLY RESOLVED that the Board directs that this determination be filed as provided for under the SEQR Regulations.

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

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

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
PRELIMINARY TWO LOT SUBDIVISION PLAT**

PB #0503-22

**APPLICANT: Nathan Bowerman, 230 Bowerman Road,
Farmington, N.Y. 14425**

**ACTION: Preliminary Two Lot Subdivision Plat Approval, Lots #1 and
#2, Crowley Road Bowerman Subdivision.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has tonight opened the Public Hearing upon the above referenced Action and has received testimony thereon; and

WHEREAS, the Board determines the proposed Action is classified as an Exempt Action, by the Ontario County Planning Board not requiring a referral, under their Rules of Procedure; and

WHEREAS, the Board, at its meeting tonight has classified the proposed Action as an Unlisted Action under the provisions within the State Environmental Quality Review (SEQR) Regulations and has, under separate resolution, made a determination of non-significance; and

WHEREAS, the Board has considered the testimony received at tonight’s public hearing.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby approve the proposed Action with the following conditions:

1. Preliminary Two Lot Subdivision Plat Approval is based upon Drawing No. 2, a part of Project No. 2799, titled “Subdivision Plat Crowley Road—Bowerman Property;” with the following Condition of Approval:
 - (a) The title of Drawing No. 2 is to be amended to read . . . “Preliminary Subdivision Plat Map, Lot #1 and Lot #2, Crowley Road—Bowerman Property.”
2. The signature line for the Town Fire Marshal, shown on the above referenced Drawing No. 2 is to be removed.
3. Subdivision Note 7, shown on Drawing No. 2, is to be amended to read as follows . . . “Lots #1 and #2 are approved as Non-Buildable Lots. No Building Permits may be issued for either Lot #1 or Lot #2 until Final Site Plan Approval has been granted by the Planning Board.”
4. Subdivision Note 8, shown on Drawing No. 2, is to be amended to read as follows . . . “The entire site lies within a designated Zone C Area of Minimal Flood Hazard based upon mapping information from the Federal Emergency Management Agency as part of the National Flood Insurance Program, Town of Farmington, Community Number 361299, as is delineated on Map Panel No. 0002, dated September 30, 1983.”
5. Preliminary Subdivision Plat Approval pertains only to Drawing No. 2 and does not apply to other drawings submitted.
6. Once these amendments have been made to Drawing No.2 and the Drawing’s Revision Box has been updated, then one (1) paper copy is to be submitted to the Town Code Enforcement Officer for his review and acceptance. Once accepted, then signatures will be affixed on the drawing, scanned and returned to the Applicant’s Engineers, and electronic copies filed with the Town.
7. Once the signed Preliminary Plat Drawing has been completed, the Applicant may have his Engineer submit a Final Subdivision Plat Drawing for this two lot subdivision which will be reviewed and, if accepted, placed upon a future planning board meeting.

- 8. Preliminary Subdivision Plat Approval shall expire within 180 days from today unless the Plat drawing has been signed, or prior to the end of said 180 day period, a separate request for an extension to this time period is received and acted upon by the Planning Board.

BE IT FINALLY RESOLVED copies of this resolution are to be provided to the Applicant; the Applicant’s Engineer/Surveyor, Town Staff; and the Town Engineer.

Mr. Hemminger then asked Mr. Bogojevski if he agreed with the conditions. Mr. Bogojevski said that he agreed with the conditions.

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

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

Motion carried.

6. PLANNING BOARD ACTION ITEMS

A. Surety Release: Monarch Manor Subdivision, Section 2, Earthwork:

Mr. Brand said that this surety release is only for the retention pond earthwork which has been completed and inspected. He encouraged board membes to drive by the retention pond to view the work.

Mr. Delpriore said that the area around the retention pond has been seeded. He said that the contractor has not placed straw over the seeded ground to avoid the straw from entering the pond.

■ A motion was made by MR. BELLIS, seconded by MR. SWEENEY, 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
SURETY RELEASE—EARTHWORK
MONARCH MANOR SUBDIVISION, SECTION 2**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers, dated May 11, 2022, to recommend approval of the release of funds from the Surety for the above referenced site improvement within Section 2 of the Monarch Manor Subdivision Project; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit Release Forms G-1.1, dated May 9, 2022, and G-2.0, dated May 11, 2022, signed by all Department Heads and the Town Engineers, along with the applicant’s Engineer Estimates of Value attachment thereto; and

WHEREAS, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether 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 Department Heads and Town Engineers, does hereby recommend that the Town Board take formal action to approve the release of funds from this surety in the total of \$15,950.00. The total amount of funds in the surety is \$15,950.00 which will leave a zero balance.

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

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

Motion carried.

B. Major Thoroughfare Overlay District (MTOD) and Main Street Overlay District (MSOD) Site Design Guidelines:

Mr. Hemminger continued the discussion of proposed amendments to the Major Thoroughfare Overlay District (MTOD) and the Main Street Overlay District (MSOD) Site Design Guidelines which began on February 2, 2022, and which had been continued to the meetings on February 16, 2022, and March 16, 2022.

He acknowledged receipt of a new document with the combined draft 2022 MTOD and MSOD Site Design Guidelines prepared by the Town staff and distributed to the board on May 11, 2022.

Mr. Brand said that the document captures the previous comments of Mr. Viets who suggested that the MTOD and MSOD site design guidelines could be combined. Mr. Brand said that he and Mr. Delpriore determined that a great deal of the MTOD and MSOD site design guidelines had already been combined when the Town Board adopted the local law on amendments to Town Code Chapter 165, Section 100.

Mr. Brand also said that a number of comments from Mr. Viets regarding landscaping have been included in the draft. He said that this document provides the Town staff and the various Town boards with standard guidelines to help with the development of the two main corridors of the Town, i.e., State Route 332 and State Route 96.

Mr. Delpriore said that he agreed with Mr. Brand’s comments, and with the previous suggestions which were submitted by members of the board during the review process.

There were no further comments or questions on the MTOD and MSOD site design guidelines this evening.

■ A motion was made by MR. BELLIS, seconded by the MR. DELUCIA, that the reading of the following resolution be waived and that the resolution and the accompanying 2022 Major Thoroughfare Overlay District (MTOD) and Main Street Overlay District (MSOD) Site Design Guidelines be approved:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
2022 MAJOR THOROUGHFARE OVERLAY DISTRICT (MTOD) AND
MAIN STREET OVERLAY DISTRICT (MSOD) SITE DESIGN GUIDELINES**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board), in accordance with the provisions of Chapter 165, Section 100. D. (3) of the Town Code, has reviewed the above reference Action; and

WHEREAS, the Board has previously made a determination of significance under Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review [SEQR] Regulations) upon this Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby accept the Major Thoroughfare Overlay District (MTOD) and Main Street Overlay District (MSOD) Site Guidelines for the calendar year 2022 as provided for in Local Law #6 of 2009, per the document appended to these minutes.

BE IT FINALLY RESOLVED that a certified copy of these Guidelines is to be filed with the Town Clerk’s Office, posted on the Town’s website and distributed to members of the Planning Board, Town Development Staff, Town Engineer and made available to the general public upon request.

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

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

Douglas Viets Excused

Motion carried.

See Appendix #1 for the complete document.

7. **OPEN DISCUSSION**

Director of Development and Planning:

Mr. Brand reported on the following topics:

- The Town Board will consider a local law to amend Town Code Chapter 165 with new definitions and supplementary regulations for commercial speech signs in the Limited Industrial and General Industrial zoning districts; and to include supplementary regulations for accessory structures, and Special Use Permit criteria for mini warehouses.
- The Town Board is still waiting for receipt of traffic generation data from the applicant of the Farmington Market Center on State Route 96 for the Incentive Zoning application for this property. Traffic generation data has been received from the adjacent GLN Farmington Realty project (east of the Farmington Market Center). Mr. Brand also said that the Town is awaiting this data from the owner of the Farmington Commons Plaza (on the southwest corner of State Route 332 and State Route 96). He said that it will be some time before the Farmington Market Center Incentive Zoning application will return to the Town Board agenda.
- Progress is continuing at the Hathaway's Corners residential development on the southwest corner of State Route 332 and County Road 41. Mr. Brand said that he was pleased that sidewalk construction is continuing and that the dog park has been completed and is operational.
- Mr. Brand and Mr. Delpriore conducted a site visit to Section 8S of the Auburn Meadows Subdivision, which is the last section for this subdivision. Mr. Brand said that a readjustment of the route of the Auburn Trail may be required to accommodate the design of the stormwater retention facility.
- A meeting is planned next week with the applicant and the developer of a proposed Incentive Zoning application on State Route 96 between Collett Road and west of County Road 8.

Code Enforcement Officer:

Mr. Delpriore reviewed the agenda for the next Planning Board meeting to be held on Wednesday, June 1, 2022, as follows:

- Preliminary Site Plan application for David Capps, 768 Hook Road.
- Final Subdivision and Preliminary Site Plan for Nathan Bowerman, Crowley Road.
- Final Site Plan for Hathaway's Corners, Phase 2B (the apartments section).

He said that the continued Public Hearing for Farmbook Subdivision, Phase 7A (PB #0501-22) , will be on the board's agenda on June 15, 2022. This meeting will follow the State Environmental Quality Review 30-day coordinated review period for this application which will end on Monday, June 6, 2022.

Mr. Delpriore said that the contractor is working on the head wall and the concrete gutters on Mercier Boulevard as part of the GLN Farmington Realty project, and that the contractor plans to complete the stabilization and hydroseeding of the open area on the south side of State Route 96 [east of the Farmington Market Center and west of the Farmington Commons Plaza]. He also said that the contractor is planning on paving the Mercier Boulevard cul-de-sac and constructing the road shortly thereafter.

Mr. Delpriore said that the stop sign for the Farmington Commons Plaza service road in front of the Burger King Restaurant has been received but has not yet been installed.

He said that the CVS Pharmacy received a violation notice regarding the height of the grass and that the prospective owner of the former Create A Scape property on the north side of State Route 96 have both been contacted by the Town regarding the appearance of the landscaping. Mr. Delpriore said that the owners of both properties will arrange for lawn maintenance.

Mr. Delpriore also said that the prospective owner of the Create A Scape property is expected to submit a Site Plan application to the Planning Board in the near future.

Landscaping and other finishing work is expected to be completed by May 31, 2022, at the Meyer's RV site on the northeast corner of State Route 96 and Mertensia Road. Mr. Delpriore said that the contractor had difficulty acquiring the identified species for the landscaping and may substitute these plantings with other approved species. If so, the Town staff and the Town engineer will review the alternate landscaping selections. Mr. Delpriore said that the applicant has two landscaping crews working on the site and will be installing the paving top coat next week.

Town Highway and Parks Superintendent:

Mr. Ford said that the Spring Town clean-up day went well and that Town crews are working on several issues in Beaver Creek Park. He said that the crews could not complete milling and shimming work on Canandaigua–Farmington Town Line Road as previously scheduled and instead paved Loomis Road by taking advantage of having the available

paving equipment. Mr. Ford said that the Town will resume work on Canandaigua–Farmington Town Line road in the next few weeks.

Town Engineer:

Mr. Sowinski said that MRB Group is working on preparing the physical copies and the digital files of the revised site design amendments. He said that this work will also include a fillable PDF form for the Stormwater Maintenance Agreement.

Board Members' Comments:

Mr. DeLucia reported that he and Mr. Viets attended the Genesee/Finger Lakes Regional Planning Council in-person Spring Local Government Workshop on May 13, 2022, at Genesee Community College Batavia, N.Y. Mr. DeLucia provided a summary of the workshops which they attended on the topics of vehicle electrification and charging stations, solar law and battery storage, broadband initiatives and Clean Energy Communities.

Mr. Hemminger asked about the Delaware River Solar project on the southwest corner of Yellow Mills Road and Fox Road. Mr. Delpriore said that Mr. Ford issued a driveway permit for this project. Mr. Delpriore also said that the construction trailer is on the site, that the silt fence has been installed, and that the building permit for the installation of the solar panels will be issued next week.

Mr. Bellis asked about the Dollar General store on the south side of State Route 96 which has been closed since a recent fire. Mr. Delpriore said that the owner would like to tear down the burned structure but is having issues with insurance and paperwork.

Mr. Bellis asked if the work at the Meyer's RV site will be completed by May 31, 2022. Mr. Delpriore said that the applicant must complete all the landscaping and finishing work by May 31st. He said that they are 98 percent complete but that the completion of several items may extend into June due to the availability of materials. Mr. Delpriore said that the Town could shut down the store if the required items are not completed by May 31st. He said that the contractor has brought in additional help and that he will conduct a site meeting next week. Mr. Hemminger requested that Mr. Delpriore communicate with the applicant that the Planning Board is serious about having all required work completed by May 31st.

Mr. Sweeney asked about the status of the CountryMax project on the southwest corner of Hook Road and Collett Road. Mr. Delpriore said that the applicant has provided monthly updates to the Project Review Committee. He said that the applicant is holding off on scheduling the Pre-Construction Meeting until his contractor will be available and ready to begin work, probably in July or August of this year. Mr. Hemminger asked about deadlines. Mr. Delpriore said that the final plans have been signed and that the applicant has been very good about communicating with the Town staff.

Mr. Sweeney also asked about the intersection of State Route 332 and Carmen’s Way. Mr. Brand said that the existing intersection has been designed to meet the full vehicle turning movements as required by the New York State Department of Transportation, including left- and right-turn lanes and pedestrian signals.

8. PUBLIC COMMENTS

None.

9. 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, 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>

10. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 7:40 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, June 1, 2022, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, and via remote 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.

Appendix #1:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
2022 MAJOR THOROUGHFARE OVERLAY DISTRICT (MTOD) AND
MAIN STREET OVERLAY DISTRICT (MSOD) SITE DESIGN GUIDELINES
ADOPTED MAY 18, 2022**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), in accordance with the provisions of Chapter 165, Section 100. D. (3) of the Farmington Town Code, has reviewed the above reference Action at its meeting on Wednesday, May 18, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby accept the above referenced Site Design Guidelines for the calendar year 2022, as further provided for in Local Law #6 of 2009 and as contained herein.

1. Adoption by the Planning Board

The creation of these Site Design Criteria is an implementation action identified in the adopted *Town of Farmington Comprehensive Plan*. The following site design guidelines have been established by the Farmington Town Board as part of Chapter 165, Section 100, of the Farmington Town Code and the powers provided to the Planning Board as set forth in Article 16, Sections 271 and 274-b, of the New York State Town Law. These guidelines shall remain in effect each year subject to Planning Board review and adoption as part of their annual organizational meeting, or at other times subject to formal Planning Board action. Certified copies of these Guidelines are on file in the Town Development Office and may be purchased from the Town Clerk's Office during normal business hours. A copy of these MTOD and MSOD Site Design Guidelines is available for viewing online at the Town's website www.townoffarmingtonny.com.

2. Authority

These guidelines are provided for in Local Law Number 6 of 2009, adopted by the Town Board on December 22, 2009, and Local Law Number 6 of 2021, and as updated thereafter annually by Planning Board resolution. When adopted by the Planning Board they establish standards for Site Plan approvals as provided for under the established Major Thoroughfare Overlay District (MTOD) and the Main Street Overlay District (MSOD) provisions of the Farmington Town Code. These guidelines pertain to all applications subject first to Site Plan approval by the Planning Board as provided for in Chapter 165 of the Town Code. The Planning Board reserves the right to modify, waive or request additional requirements of any application depending upon the scope, location or nature of development. It is hereby declared the Planning Board's intent to be consistent in applying the standards of these guidelines throughout the two overlay zoning districts cited where site plan approval is required.

3. Overall Site Design Objectives

The purpose of these Site Design Guidelines is to communicate to applicants the expectations that the Planning Board has for enhancing the appearance of development within the mapped MTOD Major Thoroughfare Overlay District and MSOD Main Street Overlay District, in the Town of Farmington, through its site plan approval process by:

- a. fostering attractive building and site designs with enduring aesthetic appeal;
- b. fostering attractive, inviting, pedestrian-friendly designs that are likely to evoke a strong “sense of place;”
- c. fostering designs that have continuity with the best design traditions and values of the community;
- d. fostering designs which are likely to evoke feelings of pride in one’s community;
- e. fostering the preservation and enhancement of significant views and characteristics of the natural landscape including topographic and water course features;
- f. enhancing the use and pedestrian appeal of spaces around and between buildings for the enjoyment of the public;
- g. promoting and enhancing the interconnection of on-site pedestrian walkways with off-site pedestrian access ways;
- h. encouraging opportunities to allow pedestrian accessibility to areas with strong natural features such as wooded areas, wetlands and water courses, by the attainment of public rights-of-access, and
- i. promoting multi-modal travel between adjacent sites.

4. Relationship to Surrounding Neighborhoods and Land Use

The design of buildings and sites should be undertaken by design professionals who are sensitive to the surrounding landscape, views and character of the community. Site and building designs are expected to have cohesive, appealing stand-alone design qualities as well as to have design scale and design continuity that allows them to complement and enhance the best design traditions of the community.

5. Architectural Design Characteristics

The Planning Board expects that building and site design professionals will be sensitive to the character of residential areas adjacent to a non-residential site that is seeking Site Plan approval

under these guidelines. In addition, the Planning Board expects that building and site design professionals will be sensitive to the site improvements which will also be attractive and appropriate to the character of adjacent sites.

6. Design Treatments. The Planning Board and its consultants will review the scale and design character of proposed building and site designs, and require design treatments that are appealing to, and in scale with, pedestrian neighborhoods whenever possible. Such design treatments may include, but are not limited to, the following:

- a. *Façades, roof forms and exterior walls.* Façades, roof lines and exterior walls should have three dimensional variations to provide interest and variety. In large buildings, suggested techniques include: organizing large building masses into a series of smaller masses; providing offsets in exterior walls; providing an accent form or forms, and providing a variation in roof lines or heights that are compatible with the design theme. The areas and patterns of glazing used in facades should be interesting and compatible with the three-dimensional design of the building.

Exterior walls above grade that are attached to buildings should appear to be integral to the building, i.e., walls attached to brick building surfaces should be brick. Other above grade screening walls, such as dumpster enclosures or transformer screen walls, should match materials and colors used in the building façade.

- b. *Building entrances.* Building entrances should be interesting, attractive, obvious, in scale with the building façade and have a weather cover that is a permanent component of the building extending outward from and above the entrance and providing shelter from the elements. In no instance will a canvas canopy suffice for adequate covering of a building entrance. In addition, depending upon the orientation of the entrance on the site, additional design considerations shall be required so as to adequately protect persons entering and exiting the building. Individual tenants should have separate entrances.
- c. *Screening of equipment.* Rooftop screening equipment shall appear to be integral with the building design. That is, parapet walls or sloped roof forms integral to the design of the building are preferred. Other equipment located at grade such as compactors, dumpsters, HVAC equipment, electrical transformers and switchgear located on site shall be totally screened from public view in a manner approved by the Planning Board. Screening materials and design should be attractive and compatible with the building design and overall landscape design.
- d. *Color and material of primary building components.* The Planning Board has a preference for the use of brick and clear glass as primary façade materials. Alternative materials may be chosen if they are more appropriate to adjacent residential communities. Where other materials are being proposed, the Planning Board may ask that brick be incorporated as a major component. The use of reflective glass, split face concrete masonry units or metal siding is discouraged. Façade material

colors should be selected to avoid being dreary and also to avoid being excessively bold.

- e. *Character of exterior space.* Exterior space design is an integral component of good site design. Special attention should be taken in the design and coordination of landscape treatments of exterior spaces around and between buildings to allow them to be inviting and attractive to pedestrian users. Well-designed exterior spaces will soften the impact of a building on a site and help it appear to belong there. There should be an exterior design concept on each project and it should complement the building design. Opportunities to embellish pedestrian gathering spaces with compatible landscape accessories are encouraged. Landscape planting, pedestrian paving treatments and landscape accessories will be requested between the parking lot or driveway curb lines and primary building façades. Larger areas of pedestrian walkway pavements should be subdivided by aesthetically arranged control and expansion joint patterns. The Planning Board encourages the use of colored unit pavers for incorporation into the overall hardscape design layout to provide pattern and color variation to other more standard paving materials and to accent the location of landscape accessories such as tree grates, tree guards, planters, plant beds, trash containers and bicycle stands. For additional information, see Section 9 of these Guidelines.
- f. *Building canopies and canopy lighting.* The Planning Board may allow back lighted canopies up to eight (8) feet wide and eight (8) feet in height over the entire main entrance area to a building. Lighting fixtures, lamps or lenses may not project below canopy soffits. Back lighting larger canopies is not recommended. The underside of building canopy heights shall not exceed fourteen (14) feet above grade or pedestrian/vehicular pavement surface below. Canopy colors, excluding signage graphics, should not be bright attention-getting colors. In no event shall a canvas awning be accepted as a suitable canopy covering for a building entrance under these guidelines.
- g. *Gasoline pump canopies.* Canopies covering gasoline pump islands, which are free-standing or attached to buildings, should not be back lighted, except for any approved signage or logo. Any lighting of the area underneath the canopy that covers the gasoline pump islands shall be down ward oriented and fully shielded to reduce glare. Canopies covering gasoline pump islands should not exceed fourteen (14) feet in height above grade or pavement surface below.
- h. *Prototype building designs.* Prototype building designs will be considered if they are consistent in design, material, color and detail with the design intent of these Guidelines. The Planning Board reserves the right to require design alterations to standard building designs that the Planning Board deems to be inconsistent with the general intent of these Site Design Guidelines.

7. Architectural (Building, Site and Landscape) Regulations

- a. All development within the MTOD Major Thoroughfare Overlay District and the MSOD Main Street Overlay District that is subject to site plan review and approval shall meet the requirements contained within this Section and those contained elsewhere within Chapter 165, Section 100 of the Farmington Town Code. A separate landscape plan shall be submitted and approved, approved with conditions or denied as part of this review procedure.
- b. The landscape plan shall be prepared by a licensed landscape architect.
- c. An amended site plan shall not diminish the landscaping of the site below the requirements in this section.

8. Landscape Standards and Criteria

- a. Required landscaped areas shall be designed as an integral part of the site development and shall be dispersed throughout the site.
- b. Landscaping shall provide screening for adjacent land uses in accordance with the provisions within Section 9 below, with visual, noise and air quality factors considered.
- c. Vegetation shall be compatible with soil conditions on the development site and the regional climate.
- d. Existing and natural features and vegetation shall be preserved and incorporated in the landscaped area wherever possible.
- e. The primary emphasis of the landscape treatment shall be on trees. Shrubbery, hedges, grass and other vegetation may be used to complement the use of trees but shall not be the sole contribution to the landscape treatment.
- f. Plastic or other types of artificial plantings or vegetation shall not be permitted.
- g. All large and small deciduous trees planted shall have a minimum caliper of two and one-half inches, measured six inches above the ground. All large deciduous trees planted in multi-stem form shall have a minimum height of 12 feet above the finished grade. All small deciduous trees planted in multi-stem form shall have a minimum height of 10 feet above the finished grade. All coniferous trees planted shall have a minimum height of five feet above the finished grade. All ornamental trees planted shall have a minimum caliper of one and three-quarters inches measured six inches above the ground. All ornamental trees planted in multi-stem form shall have a minimum height of eight feet above the finished grade. All shrubs planted shall have a minimum height of 24 inches above the ground except when

being used as a ground cover. All evergreen shrubs used for screening shall have a minimum height of 48 inches (4 feet) above the finished grade.

9. Required Landscaped Area Adjacent to Buildings

A landscaped area with a minimum average width of three feet shall be provided between each and every side of the proposed principal use building and any off-street parking or internal access road with the exception of building entrances/exits, drive-throughs and covered pedestrian walkways. A minimum of 50 percent of this landscaped area shall be planted with small trees, shrubs, perennials or combinations thereof. The balance of the landscaped area not planted with trees, shrubs or perennials shall be lawn or groundcover (see subsection [5] below).

Where the side or rear façade of a principal building or accessory structure faces a public or private street/right-of-way, the entire area of the required yard (with the exception of building entrances/exits and loading areas) between the street/right-of-way and the building shall be landscaped with a combination of evergreen and deciduous trees, shrubs and perennial plants sufficient to mitigate the visual impact of the building on the adjacent street/right-of-way as determined by the Planning Board or Director of Planning and Development, as applicable.

10. Interior Landscaped Area

- a. Minimum interior landscaped areas shall be provided in accordance with the following table:

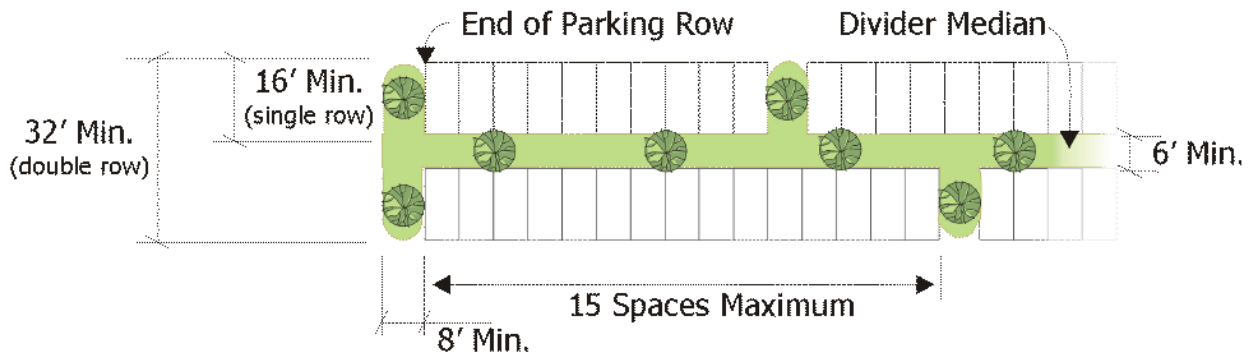
Parking Area	Minimum Interior Landscaped Area (Percent of Parking Area)
0–2,999 square feet	0%
3,000–7,500 square feet	5%*
7,501–43,560 square feet	5%
More than 43,500 square feet (one acre)	10%

**For parking areas of 7,500 square feet or less, where the configuration of the site permits, yard area at least five feet wide in excess of the minimum required yard in the district shall be credited to the interior landscaped area requirement.*

- b. An interior landscaped island shall be provided for every 15 spaces. Each island shall have a minimum width of eight feet inside the curb and a minimum length of 16 feet for a single row and 32 feet for a double row. Interior islands may be con-

solidated or intervals may be expanded in order to preserve existing trees or facilitate snow plowing if approved by the Planning Board or the Director of Planning and Development, as applicable.

- c. All rows of spaces shall terminate in a landscaped island. Each island shall conform to the specifications described in (b) above. Terminal island intervals may be modified in order to preserve existing trees or facilitate snow plowing if approved by the Planning Board or Planning Director, as applicable.
- d. Divider medians may be substituted for landscaped islands described in (b) above. Divider medians are landscaped areas located between rows of parking spaces, between parking spaces and driveways or between areas of parking. Divider medians shall have a minimum width of six feet.



- e. A minimum of one large deciduous tree shall be provided for each landscaped island that exceeds 128 square feet. One additional large deciduous shade tree shall be provided within landscaped islands for each 100 square feet in excess of 128 square feet. The Planning Board or Planning Director may, permit the substitution of smaller ornamental trees within landscaped islands. A minimum of 2 small ornamental trees shall be provided for each landscaped island that exceeds 128 square feet. One additional small ornamental tree shall be provided within landscaped islands for each 90 square feet in excess of 128 square feet.
- f. A minimum of one large deciduous shade tree shall be planted for every 200 square feet of landscaped area within any divider median, planted individually or in groups separated by a maximum of 40 feet. The Planning Board or Planning Director may, permit the substitution of smaller ornamental trees within divider medians. A minimum of one small ornamental tree shall be provided for every 90 square feet of landscaped area within any divider median.
- g. When divider medians and mid row islands have a width of 10 feet or greater, evergreen trees may be provided in addition to large deciduous trees. Evergreen trees should be spaced a maximum of 10 feet on center.

- h. Parking Lot Pedestrian Medians required by the Planning Board shall have a minimum dimension of 16 feet and contain a concrete walkway with a minimum width of six feet. Planting areas with a minimum width of five feet shall be provided on both sides of the walkway. At each point the walkway crosses a parking lot or internal driveway, the walkway shall be clearly defined through a change in the texture, color or height of the paving materials.
- i. In addition to trees, all landscaped islands and divider medians shall be landscaped with grass, groundcover, shrubs or other landscape material acceptable to the Planning Board or Director of Planning and Development.
- j. All interior landscaped areas shall have a minimum planting soil depth of three feet and be free from all forms of construction debris and foreign material.
- k. All islands and medians shall have six-inch-high concrete curbing as a minimum to protect plant materials from damage.
- l. The dimensions of all islands and medians shall be measured from the landscaped side of the curb.

11. Internal Site Landscaping Requirements—Off-Street Parking. All site plans proposing off-street parking areas to be approved by the Planning Board, located upon properties within the mapped MTOD and MSOD zoning overlay districts, shall contain the following minimum landscaping requirements.

- a. At least five percent (5%) of the off-street parking shall be devoted to internal landscaping.
- b. The required internal landscaping shall be placed in appropriate planting areas within the delineated parking areas.
- c. Any landscaped island in which trees are planted shall be at least six (6) feet in width.
- d. All landscaped areas shall be protected from vehicular damage by the use of traditional curb, wheel stops, or other protective device approved by the Planning Board, which shall be placed to prevent any vehicle from protruding into the landscaped or lawn areas.
- e. There shall be no more than 225 linear feet of parking between landscape islands.
- f. Landscape Maintenance is required and shall be the responsibility of the property owner and or tenant(s), and all landscaping shall be maintained in a healthy condition. Plants damaged by insects, disease, vehicular traffic, acts of God, or vandalism shall be replaced within 30 days of being notified by the Code Enforcement Officer,

unless such notification is given between November 1st and April 1st. If the notification is given within this period, the material shall be replaced no later than May 31st of the following calendar year.

12. Preservation of Existing Trees

Efforts shall be made to preserve trees in a manner set forth below in this section.

- a. An existing tree can qualify for credit in accordance with subsection c. of this section if it meets all the following criteria:
 - (i) The tree is healthy, free from disease, damage or active insect infestation which is potentially lethal to the tree; and
 - (ii) The tree is not a variety that has weak or brittle wood, or one which has excessive or noxious seed, pollen or fruit; and
 - (iii) The tree is expected to live for a minimum of ten (10) years; and
 - (iv) The tree is not seriously deformed or contorted; and
 - (v) The tree is preserved in accordance with subsection b. below.
- b. A root protection zone shall be established around any tree which is identified on the landscape plan as a tree to be preserved. The root protection zone is identified by creating a circle around the tree, the size of which is determined by providing one foot of radius for every inch of diameter of the tree measured at breast height (DBH). The root protection zone shall be marked in the field with a physical barrier such as temporary fencing or other means which shall prevent construction activities from occurring within the tree root protection zone. Methods for preserving and protecting existing trees shall be included as part of the landscape plan.
- c. Existing trees preserved in accordance with this Section will be credited towards the fulfillment of a portion of the requirements for tree planting contained in these regulations in accordance with the following schedule:

Size of Existing Tree that is Preserved

<u>Deciduous Trees (DBH)</u>	<u>Evergreen Trees (height)</u>	<u>Credits Toward Number of Required New Trees</u>
Less than 4 inches	Less than 5 feet	0.5
4 in. or more but less than 6 in.	5 ft. or more but less than 10 ft.	1
6 in. or more but less than 12 in.	10 ft. or more but less than 15 ft.	2
12 in. or more	15 ft. or more	3

- d. The diameter of a single-stem tree that has a crotch between two feet and four and one-half feet above the ground shall be measured at the narrowest point between

the ground and the crotch. The size of multi-stem trees shall be determined by adding together the diameter of the three largest stems as measured four and one-half feet above ground level.

13. Buffers and Screening

- a. The portion of the required front yard area which cannot be utilized for parking, loading, stacking or driveways shall be suitably landscaped and maintained by the owner in accordance with sub-section b. below.
- b. Vehicle Use Areas (VUAs) located adjacent to a public street shall not be screened from the street with tree and shrub plantings, earthen berms, walls or a combination of these methods so as to establish an effective visual screen which is not less than 36 inches above the grade at the adjacent VUA within two years of installation. A minimum of one large deciduous tree, two small deciduous/ornamental trees or three evergreen trees or any combination of shall be planted within the required yard area for each 40 linear feet of lot frontage along a street.
- c. Developments shall provide sufficient buffering and screening for the VUA. Buffering and screening may consist of trees and shrubs existing on the site prior to development. Supplemental plantings may be required in addition to the existing vegetation as determined by the Planning Board or the Director of Planning and Development in order to improve the screening of properties of the buffer. Buffering and screening may also consist of tree and shrub plantings, earthen berms, fences, walls or a combination of these methods so as to establish an effective visual screen. When fences or walls are utilized for screening, trees and other plant material (shrubs, vines, ground covers, perennials) shall also be used.
- d. All fences provided or required shall have an attractive, finished appearance facing any public right-of-way or adjacent property.
- e. Minimum impact of screening required. The following table and criteria shall be used to determine the level of screening between adjoining land uses. Single Family Residential Districts include RS-25, R-1-10, R-1-15, R-7.2, and R-2 Districts. Multifamily Residential Districts includes the RMF and IZ Districts.

Proposed Land Use	Existing Adjacent Zoning				
	SF Res	MS Res	RB	NB/GB	LI/GI
MF Res.	High	Medium	High	High	High
Office	High	High	Low*/ Medium^	Low*/ Medium^	Medium
Commercial	High	High	Medium	Low*/ Medium^	Low*/ Medium^
Industrial	High	High	Medium	Low*/ Medium^	Low*/ Medium^

Key: * = 0–3 acres. ^=3+ acres (proposed use)

f. High impact screening required. When the proposed development is considered to have a high impact on the existing zoning according to the table below, one of the following methods for buffering and screening shall be provided between the VUA and the nearest property line.

(i) Buffering and screening may consist of healthy trees and shrubs existing on the site prior to development providing that they form an immediately effective visual screen at least 36 inches above the grade at the adjacent VUA and that the existing trees and shrubs are thoroughly protect from damage during construction by establishing a work limit line on all site plan drawings. The work limit line shall be delineated in the field prior to site clearing in the vicinity of the required yard area. Supplemental plantings may be required in addition to the existing vegetation as determined by the Planning Board in order to improve the screening properties of the buffer.

(ii) Buffering and screening may consist of an earthen berm, masonry/stone wall or opaque wooden/vinyl fence with a minimum height of 36 inches above the grade at the adjacent VUA and one medium impact landscape screen evenly distributed within the required yard area.

g. Medium impact screening required. When the proposed development is considered to have a moderate impact upon the existing adjacent zoning one of the following methods for buffering and screening shall be provided between the VUA and the nearest property line.

(i) Buffering and screening may consist of healthy trees and shrubs existing on the site prior to development, providing that they form an immediately effective visual screen at least 36 inches above the grade at the adjacent VUA and that the existing trees and shrubs are thoroughly protected from damage during site construction by establishing a work limit line on all site plan drawings. The work limit line shall be delineated in the field prior to

site clearing in the vicinity of the required yard area. Supplemental plantings may be required in addition to the existing vegetation as determined by the Planning Board in order to improve the screening properties of the buffer.

- (ii) Buffering and screening may consist of either: (1) one medium impact landscape screen evenly distributed throughout the required yard area; or (2) an earthen berm, masonry/stone wall or opaque wooden/vinyl fence with a minim height of 36 inches above the grade at the adjacent VUA and one low impact landscape screen evenly distributed throughout the required yard area (refer to Medium and Low Impact Screen Tables below).

Medium Impact Landscape Screen Options

Plant Type	Screen 1	Screen 2	Screen 3	Screen 4
Large Deciduous Trees	1/25 L.F.	1/40 L.F.	1/50 L.F.	1/50 L.F.
Small Deciduous/ Ornamental Trees	0	0	1/60 L.F.	1/60 L.F.
Evergreen (Coniferous)	0	1/40 L.F.	1/15 L.F.	1/20 L.F.
Evergreen and Deciduous Shrubs	1/5 L.F.	1/5 L.F.	0	1/15 L.F.

Screen One (1) shall be used only when yard area is less than 10 feet in width.

Trees and shrubs shall be provided based upon the number of linear feet per applicable site or rear yard.

Fractions of trees or shrubs shall be rounded to the nearest whole number.

- h. Low impact screening required. When the proposed development is considered to have a low impact on the existing adjacent zoning one of the following methods for buffering and screening shall be provided within the required minimum rear and side yards for the VUA’s (for yard dimensions, refer to the Dimensional Standards for each zoning district).
 - (i) Buffering and screening may consist of healthy trees and shrubs existing on the site prior to development, providing that they form an immediately effective visual screen at least 36 inches above the grade at the adjacent VUA and that the existing trees and shrubs are thoroughly protected from damage during construction by establishing a work limit line on all site plan drawings. The work limit line shall be delineated in the field prior to site clearing in the vicinity of the required yard area. Supplemental plantings may be required in addition to the existing vegetation as determined by the Planning Board in order to improve the screening properties of the buffer.
 - (ii) Buffering and screening may consist of one low impact landscape screen evenly distributed within the required yard are (refer to low impact screen tabled below).

Low Impact Landscape Screen Options

Plant Type	Screen 1	Screen 2	Screen 3	Screen 4
Large Deciduous Trees	1/40 L.F.	1/60 L.F.	1/80 L.F.	1/75 L.F.
Small Deciduous/ Ornamental Trees	0	0	1/100 L.F.	1/75 L.F.
Evergreen (Coniferous) Trees	0	1/50 L.F.	1/25 L.F.	1/50 L.F.
Evergreen and Deciduous Trees	1/10 L.F.	1/10 L.F.	0	1/20 L.F.

Trees and shrubs shall be provided based upon the number of linear feet per applicable site or rear yard.

Fractions of trees or shrubs shall be rounded to the nearest whole number.

(iii) Screening adjacent to Residential Zoning requirements. When adjacent to the following districts: RS-25, R-1-10, R-1-15, R-7.2, RMF, IZ, RB, NB, GB, LI or GI and building or structure must provide the following landscape buffering and screening within the required side and/or rear yard(s):

(a) An earthen berm with a minimum height of three (3) feet (measured at the top of a 1:3 +/- grade) or an opaque wood or vinyl fence, stone or ornamental concrete masonry unit wall with a minimum height of 4 feet and the following plant materials: a minimum of one evergreen tree per each 10 linear feet of property line adjacent to one of the above listed residential districts, one small deciduous or ornamental tree per each 15 linear feet of property line adjacent to one of the above listed residential districts and one large deciduous tree per each 40 linear feet of property line adjacent to one of the above listed residential districts.

i. Screening of Mechanical Equipment required. Non-single-family residential properties which may be viewed from residential uses, public streets or public park areas shall screen all roof, ground and wall mounted mechanical equipment (utility structures, multiple meter boards, generators, air conditioning units, backflow preventer [RPZ], hot boxes, etc.) from view at ground level of the property line.

(a) All mechanical equipment shall be limited to that area shown on an approved site plan.

(b) Roof-mounted mechanical equipment shall be screened or arranged so as to not be visible from residential uses, public streets or park areas and be shielded from view on all four sides. Screening shall consist of materials consistent with the principal building materials, and may include metal screening or louvers which are painted to blend with the principal building.

- (c) Wall or ground-mounted equipment screening shall be constructed of:
 - (i) Planting screens; or
 - (ii) Brick, stone, reinforced concrete, vinyl stockade or other similar material as approved by the Planning Board; or
 - (iii) Redwood, cedar, preservative pressure treated wood, or other similar materials; and
 - (iv) All fence posts shall be rust-protected metal, concrete-based masonry or concrete pillars, or an equivalent material as approved by the Planning Board.
- (d) Mechanical equipment shall not be mounted on the roof or located in the front yard in a single-family residential district listed above herein.

14. Dumpsters and Other Refuse Containers. The following standards shall apply to dumpsters and other refuse collections areas in the RMF, RB, NB, GB, LI and GI Districts.

- a. All dumpster areas shall be limited to that area shown on an approved site plan. Such area dumpsters and other refuse containers may be located between the front face of the building and the adjacent roadway only with the approval of the Planning Board.
- b. Dumpster containers, other refuse containers, and all refuse shall be visually screened on all sides from adjacent properties and private or public rights of way with an opaque material, which may include shrubs, walls, fences or berms. Materials and dumpsters stored in said area shall not protrude above the screen.
- c. Where vegetative material is used, said material shall form an opaque screen within two years from the time of first planting.
- d. When dumpster enclosure gates are used to address (b) above, the gate shall consist of materials that visually conceal 100 percent of the contents of the enclosure. Gates shall remain in the closed position except when the dumpster is being loaded or unloaded or when access to the interior of the enclosure is needed for maintenance or other purposes.
- e. The setbacks for dumpsters in nonresidential districts shall be five (5) feet from the property line of adjacent nonresidential districts and ten (10) feet from the property line of adjacent residential district.

- 15. Parking Credits for Landscaping.** The Planning Board may reduce the minimum number of off-street parking spaces required in Chapter 165, Article V, Section 37 of the Farmington Town Code, by not more than 25 percent, provided that the land area so removed is not used to meet the landscape area required in this section and is used exclusively for landscaping in accordance with the standards and criteria of this section. If, at any time thereafter, the Zoning Enforcement Officer (ZEO) determines that the land area so removed is suitable for and is need to provide necessary off-street parking, the ZEO may order the installation of such parking. The issuance of any Certificate of Occupancy or Certificate of Compliance by the Town Code Enforcement Officer shall be deemed conditional upon the possible requirement for the future installation of the additional off-street parking, upon such order by the applicable site plan approval authority. Failure to comply with such order within the time fixed thereby shall constitute a violation of these regulations.
- 16. Existing Development Parking Area.** Where an existing development, located within the MTOD or MSOD, that proposes an increase in the Parking Area of 3,000 or more square feet which requires site plan approval, the proposed site plan shall provide interior landscaped areas for the added Parking Area as required by the Planning Board. The proposed site plan shall also provide buffering and screening for the added Parking Area consistent with the standards contained herein.
- 17. Building and Site Lighting.** Site and exterior building lighting should be similar in color of light. The Planning Board preference is for LED lamped site lighting (as opposed metal to halide or sodium vapor). Exterior building lighting should have a light color that is compatible with the LED light color. Pedestrian walkway lighting should be appropriate in style with the design character of the space and should not exceed fourteen (14) feet above surrounding grade. Parking lot light poles should not exceed thirty (30) feet mounted on a maximum three (3) foot base and should be located within landscaped islands or on lawn area wherever possible. All building mounted exterior light fixtures must be shown on building elevations and must be approved by the Planning Board for design location and fixture color. All building mounted lighting and site lighting shall be shielded from adjoining properties and public rights-of-way. Light cut-sheets and distribution patterns shall be submitted with all lighting plans.

Subtle landscape lighting shall not glare into vehicular or pedestrian circulation areas. Landscape lighting design components include, but are not limited to the following:

- a. Exterior electrical outlets at building canopies and at tree bases that allow building managers to provide seasonal low wattage mini-lights is encouraged.
- b. Subtle landscape lighting may include lighted bollards along walkways, surface-mounted exterior lighting to highlight or backlight plant materials and subsurface light fixtures that are recessed below finished grade. These should be located to highlight plants and portions of building walls.

- c. Building façade lighting should be subtle in nature and could ideally be accomplished with upward directed landscape lighting that filters through, or backlights, landscape plantings onto building walls.
- d. The use of bright colors, neon or similar materials, motion lighting, strobe lights and similar attention-getting lighting devices is strongly discouraged.

18. Site and Building Signage

Sign graphics and lighting should be designed to allow for clear communication but should otherwise not be over lighted. Signs with exterior illumination shall not glare into vehicular or pedestrian traffic areas. Internally illuminated signs should have the sign letters and logos highlighted with dimmer background lighting of the sign. This concept applies to all site and building signage, including traffic control signs. Sign site lighting should not glare to either on-site or off-site locations. The wattage of sign lighting should be submitted for Planning Board review as part of any Site Plan or Sign Site Plan application.

Larger signs that are allowed by Code which are attached directly to buildings should have separate letters with no box or cabinet background.

19. Site Design Characteristics

The natural characteristics (e.g., tree masses, streams, topography, etc.) of each site should be preserved and enhanced where possible.

The Planning Board encourages the incorporation of curved edges and surfaces where possible as accents in the layout of pedestrian walkways, planting beds, finish grade contours, ponds and drainage swales to achieve a more natural appearance. Drainage ponds and swales with straight edges should be avoided wherever possible.

Finish grading plans should incorporate soft, irregular, undulating, landscaped earth forms to enhance pavement and plant locations and to provide an appealing visual transition between parking areas and both streets and neighboring parcels.

Site amenities such as pedestrian walkways and landscape accessories should be included where space allows. This adds to the pedestrian friendly appeal of exterior spaces. See Section 10 for additional information.

The following is a checklist of landscape considerations and features that should be incorporated into the landscape designs for all site plans:

- a. *Preservation of natural character.* Try to preserve all of the best natural resources of the site, such as trees, stream, rock out-cropping, natural topography, viewscales and wetlands.

- b. *Viewscales.* Carefully study the site's good, as well as bad, views. Analyze preliminary site views for both positive and negative attributes.
- 1) Keep attractive views open and framed for greatest landscape value.
 - 2) Screen out unattractive and objectionable views either by constructing structures or by an aesthetically unique landscape design.
 - 3) The landscape design should have unity, harmony and fitness to use. There must be a harmonious landscape relationship with the vertical and horizontal lines of the buildings.
- c. *Landscape lighting design standards.* The Planning Board recommends the use of landscape lighting to create soft night lighting of plants, where appropriate. Lighting designs should incorporate two or more of the following techniques based on available opportunities.
- 1) Down Lighting is the most natural and efficient form of lighting like sunlight or moonlight. The light sources are hidden and directed straight down through plant and tree material.
 - 2) Up Lighting is achieved by placing the light fixture in the ground and directing it up through plant material. The internal structure of plants becomes dramatically lighted and large shadows can be produced.
 - 3) Back Lighting is the soft wash lighting of a background such as a wall or a fence and is a very subtle form of lighting. The plant material is viewed in silhouette against the lighted backdrop.
 - 4) Subminiature lamps on a flexible ribbon or tubular lighting may be appropriate for seasonal displays indoors or out.
 - 5) Electrical outlets should be located at the base of designated trees and plants to allow the future use of seasonal lighting.
 - 6) Bollards are available with internal illumination. The use of lighted bollards is optimal.
 - 7) Flood Lighting on a residential or commercial level is soft, gentle flood lighting used as background lighting to create visual depth. Avoid using discharge mercury and sodium-vapor lighting used as security lighting. These lights should not cause glare.
 - 8) Recreational Lighting for small court games (i.e., shuffleboard, or putting greens, etc.) requires special study and selection. The light must be even and general, yet not in the eyes of the players. Large court games,

(i.e., volleyball, badminton, or tennis) may require specialized lighting design. These lights should not glare off site.

- 9) Landscape Lighting should be used as a feature of the landscape design to highlight designated design elements such as plants, walkways, walls, building façades or a combination thereof.
 - 10) A combination of various lighting techniques such as down lighting, up lighting or back lighting to create a more interesting setting is suggested.
 - 11) The source of light should be concealed to enhance the effect rather than the fixture itself.
 - 12) Avoid over lighting that can produce glare and limit visibility.
 - 13) Use LED lamps as a type of light source to avoid mixing light color on site.
 - 14) Fixture colors should be coordinated with building colors. Typical colors available are solid brass, copper or bronze in color; black, white, natural non-corrosive plastic; redwood (clear, all heart, kiln dried); cast aluminum or satin aluminum and glass in combination with flexible ribbon lighting.
- d. *Landscape plant forms.* Plants should be selected to be natural looking and graceful. Plants should be chosen to be as mature as possible to attain their desired shapes in relatively short periods of time. Each shape has its own place in landscape design. For example, deciduous shrubs are usually upright, round or spreading. Deciduous trees are round, weeping, oval, vasselike, erect or columnar, and pyramidal. Evergreens are columnar, narrow pyramidal, broad pyramidal, round, spreading or creeping. Different shapes provide variety and interest by accenting the major type with other forms. This is recommended to avoid monotonous repetition.
- e. *Plant texture and color.* Color and texture are important qualities that should be considered along with the form of plants. The Planning Board expects that landscape architects will take special efforts to include the right balance of plant textures in the overall plant selection process. Texture is a plant feature that offers another chance to add variety and interest to a planting picture. Texture can be defined as the relation between foliage and twig size and the remainder of the plant. Close up, texture comes from the size, surface, and spacing of leaves and twigs at different seasons. At a distance, texture is the entire mass effect of plants and the quality of light and shadow. Patterns created by light and shade are an important part of texture. These patterns vary from season to season and even from hour to hour. The shadows cast by fine-textured plants are weak because of the spacing and size of the mass and because of light filtering through the foliage. The shadows cast by coarse-textured plants are strong because the foliage is large or dense and light is reflected from the surface. This play of light and shadows emphasizes the fineness

or coarseness of the texture of the plants. Landscape lighting is expected to highlight these features.

The Planning Board expects that the color of plants will be taken into account by the landscape architect to achieve the best overall design results.

The variety and location of landscaping should be appropriate for the environmental conditions, use, purpose and care that it will be subject to.

f. *Plant material and minimum sizes.* The following is a list of recommended plantings:

- 1) Evergreens (conifers and ornamentals)
 - Abies (fir)
 - Chamaecyparis (cypress)
 - Erica (heath)
 - Juniperus (juniper)
 - Picea (spruce)
 - Pinus (pine)
 - Pseudotsuga (fir)
 - Taxus (yew)
 - Tsuga (hemlock)
- 2) Broadleaf Evergreens
 - Buxus (boxwood)
 - Calluna (heather)
 - Euonymus (euonymus ever)
 - Ilex (holly)
 - Pieris (andromeda)
 - Rhododendron (rhododendron)
 - Rhododendron (azalea)
- 3) Deciduous Trees (shade and ornamental flowering)
 - Acer (maple)
 - Amelanchier (shadbush-service berry)
 - Betula (birch)
 - Carpinus (hornbeam)
 - Cercis (redbud)
 - Cornus (dogwood)
 - Crataegus (hawthorn)
 - Fagus (beech)
 - Gleditsia (locust)
 - Magnolia (magnolia)
 - Malus (flowering crabapple)
 - Prunus (flowering-cherry)
 - Pyrus (flowering pear)

- Tilis (linden)
- Syringa (tree lilac)
- 4. Deciduous Shrubs
 - Aronia (choke cherry)
 - Clethra (summersweet)
 - Cornus (dogwood)
 - Cotoneaster (contoneaster)
 - Deutzia (deutzia)
 - Forsythia (forshythia)
 - Hamamelis (witch hazel)
 - Ilex (holly)
 - Philadelphus (mock organe)
 - Spiraea (spirea)
 - Syringa (lilac)
 - Viburnum (viburnum)
 - Weigela (weigela)
- 5. Herbaceous Perennials including Daylilies, Hostas, Sedum and Fern
- 6. Ornamental Grass, Sedges, Reeds
 - Calamagrostis (feather reed grass)
 - Festuca (dwarf clumping grass)
 - Miscanthus (large clumping grass)
 - Panicum (switch grass)
 - Pennisetum (fountain grass)
- 7. Ground Covers
 - Ajuga (Bugleweed)
 - Euonymus (wintercreeper)
 - Hedera (English ivy, Baltic ivy)
 - Lonicera (halls honeysuckle)
 - Pachysandra (pachysandra)
 - Vinca (myrtle)

The following is a list of minimum sizes for the recommended Plant groups at the time of planting:

- Evergreen (conifer) 6' to 8'
- Evergreen (ornamental) 24" to 48"
- Broadleaf Evergreens 24" to 48"
- Deciduous trees (shade) 3" caliper
- Deciduous trees (ornamental flowering) 2" to 2½" caliper
- Deciduous Schrubs 18" to 48" or 2–3 gal.
- Herbaceous Perennials 1–3 gal.

Ornamental Grass 1–3 gal.
Ground Cover 2 year 2½" pot

All landscape plant material must meet the American Standard for Nursery Stock quality. All plant material must be No. 1 or heavy specimen quality grade.

All landscaping shall be installed and maintained to ensure growth. All landscaping materials shall be maintained free from disease, pests, weeds, and litter. The regular maintenance shall also include prompt replacement, where necessary, of any landscaping plantings that die, turn brown or defoliate. The replacement plantings shall be of the same size, species and quantity as shown on the approved plans. Substitutions shall be approved by the Town Planning Department and so noted on the approved drawings. A two-year maintenance bond or cash equivalent may be required to be posted with the Town if determined by the Code Enforcement Officer (CEO) to be appropriate.

The following trees/shrubs are considered undesirable in most applications. These plants have a tendency to become over-dominant, also are soft or brittle and tend to break during high winds or heavy snows.

Acer	Box Elder, Amur Maple, Silver Maple
Ailanthus	Tree of Heaven
Populus	White Poplar, Carolina Poplar, Lombardy Poplar
Salix	All willows
Prunus	Purple Leaf Plus
Elaeagnus	Russian Olive, Autumn Olive
Juniperus	Andorra Juniper, Hetzi Juniper
Thuja	All Arbor Vitaes
Juglans	All nut trees

Any changes to the approved landscape design, including variety and size of plants, must be made in writing to the Town CEO for change approval.

20. Applicant Submissions

Both conceptual site and conceptual building designs should be incorporated into the applicant’s plans, beginning with the applicant’s concept, or sketch plan, reviews submission. Subsequent submissions should include sufficient drawings, photos and text to clearly and thoroughly communicate the complete design intent of the project, to the satisfaction of the Planning Board. The applicant is encouraged to have a pre-planning submission conference with the CEO, the Director of Planning and Development and the landscape consultant. Submission information to the Planning Board shall include, but not be limited to the following:

Conceptual/sketch Plan:

- a. All drawings should have a scale that is indicated on the drawing, along with the direction of north and each sheet should be numbered and dated.
- b. The design character of the building(s) should be shown on the plan along with a three-dimensional concept sketch indicating anticipated size, shapes, materials and relationship to the site.
- c. Generic landscape ideas and exterior space concepts should be included.

Preliminary Plan:

- a. Provide building plans and elevation drawings to scale that are numbered and dated. Provide a first-floor plan.
- b. All building elevations must be in color. All colors shown shall be the colors of the building to be constructed and identified by an objective manner, paint identification number or nomenclature, or similar material.
- c. Three-dimensional representations of primary building façades should be included that include roof forms, method of screening visible building equipment, trash and loading areas. These drawings shall indicate color and material representations.
- d. The Planning Board may request: a site profile incorporating a key building profile; an additional three-dimensional rendition or electronic 3-D walk-through; or even a mass model, if necessary to fully understand the three dimensional characteristics of proposed buildings.

Final Plan:

- a. Provide final design drawings that include final design refinements that incorporate Planning Board comments from prior submissions. Provide colored elevations of all building elevations, screening, light fixtures, roof penetrations, HVAC grilles, building-mounted lights, signs and canopies. Clearly identify all materials and colors, including exterior soffit materials.
- b. Provide colored exterior elevations of all sides of building and provide three-dimensional renditions, if requested by the Planning Board. Provide a first-floor plan and a roof plan. Provide elevations of exterior screen walls.
- c. Provide a “hardscape” plan at least 1/8"–1' 0" in scale indicating: pedestrian paving materials; surface patterns; control and expansion joint locations; key dimensions and location of landscape accessories; and all site accessories. This plan shall include all dimensioning necessary for accurate layout of all paving including control and expansion joint locations.

- d. Final grading plans and landscape planting plans shall be prepared and sealed by a Licensed Landscape Architect.
- e. Provide a written list of all exterior building materials with samples of each material. A sample of glass will be required if anything other than clear glass is being proposed.
- f. Provide catalog cuts with color selections of site lighting fixtures and landscape accessories including: fencing, tables, benches, trash containers, tree grates, tree guards, pedestrian walkway light fixtures, landscape lighting fixtures, bollards, fountains, clocks and bicycle racks, etc. Provide material and color samples of unit paving materials. Lighting fixture submittals shall indicate type of lamp and wattage per fixture.
- g. Provide a signage package including drawings to scale of all site signage, including building-mounted signs, site signage including vehicular traffic control signs. This material shall clearly indicate the graphic layout, dimensions, colors, type of illumination, lamp wattage.
- h. Provide finished grading plans and landscape plans. Finish grading and landscape plans shall be prepared and sealed by a NYS licensed landscape architect. Final landscape drawings shall include a plant schedule that clearly keys each plant type to the site. This schedule shall include the Latin name, common name, plant group, height, ball size, quantity and caliper required. See landscape section for additional requirements.

21. Terminology

For the purposes of these Guidelines, the following shall serve to clarify the meaning of special terminology included in this text:

- a. *Earth Forms*: This term describes the three-dimensional character of subtle earth mounds or depressions which may be used to aesthetically enhance the locations of site plan features such as pedestrian walkways, pedestrian gathering areas, paved parking areas, locations of featured plant groupings, signage or landscape elements, among other things. Irregular earth forms are preferred. This term refers to visually soft, curvilinear earth shapes that undulate in both the vertical and horizontal planes. Earth forms where possible, should be interconnected into groups, the tops of which might vary from 12 inches to 30 inches and in special cases, higher or lower. The slope of grades used in defining earth forms could be gradual enough to allow for the mowing of sloped surfaces.
- b. *Hardscape*: This term describes that portion of a finished landscape design which includes, but is not limited to, the dimensional layout of pedestrian

paving materials and patterns; the location of paving score lines and expansion joints; the location of landscape accessories including but not limited to bicycle racks, tables, benches, trash containers, tree grates, tree guards, bollards, trellises, gazebos and decorative walkway lighting; and the location of raised planters, curbed plant beds and decorative fountains. Landscape elements are any of the above listed landscape accessories that are used to enhance the overall landscape design.

- c. *Pedestrian Friendly:* This term describes the positive aesthetic character of exterior space design that is likely to be inviting, interesting and enjoyable to pedestrians. Design components that impact on the pedestrian friendly and pedestrian scale of spaces include: pedestrian paving materials and their colors, textures and patterns; plant material including seasonal variety and color; subtle earth forming; size and character of pedestrian signage; use of park-like landscape accessories such as plant beds, benches, tree grates, tree guards, bollards and decorative lighting, to mention a few. It is important to note that pedestrian scale spaces can and should be inviting to passing motorists as well.
- d. *Sense of Place:* This term describes the ambiance of exterior spaces that are designed to have a personality that is inviting and attractive to pedestrians. Such spaces are best located between parking areas and building entrance façades, between buildings or between building wings.

BE IT FURTHER RESOLVED that the Planning Board does hereby adopt the above regulations as the official Site Design Guidelines for applications located within the mapped MTOD and MSOD zoning overlay districts, for the calendar year 2022.

BE IT FINALLY RESOLVED that a certified copy of these Guidelines is to be filed with the Town Clerk’s Office, posted on the Town’s website and distributed to members of the Planning Board, Town Development Staff, Town Engineer and made available to the general public upon request.

■ The above resolution was offered by MR. BELLIS and seconded by MR. DELUCIA at a meeting of the Town of Farmington Planning Board held on May 18, 2021. Following discussion thereon, the following vote was taken and recorded in the Official Minutes of the Planning Board.

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

Motion carried.