

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, November 15, 2023 • 7:00 p.m.

MINUTES—APPROVED

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

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

R = *Attended via remote video conference.*

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

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

Attending:
Kim Boyd, Chairperson, Farmington Environmental Conservation Board
Betsy B. Brugg, Woods Oviatt Gilman LLP, 1900 Bausch and Lomb Place,
Rochester, N.Y. 14604
Justin Mirando, Development Manager, Whitestone Development Partners LLC,
1170 Pittsford–Victor Road, Suite 260, Pittsford, New York 14534
Jess Sudol, P.E., President, Passero Associates, 242 West Main Street, Suite 100,
Rochester, N.Y. 14614—**R**

1. MEETING OPENING

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

2. APPROVAL OF MINUTES

Minutes of November 1, 2023:

■ A motion was made by MR. DELUCIA, seconded by MR. SWEENEY, that the minutes of the November 1, 2023, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

None.

4. OTHER BOARD ACTIONS

**A. Whitestone Development Partners LLC Incentive Zoning Project—
Planning Board Report and Recommendation to the Town Board:**

On November 9, 2023, Mr. Brand submitted the following memorandum to Edward Hemminger, chairperson of the Planning Board, regarding the rezoning of land from Planned Development (PD) and Major Thoroughfare Overlay District (MTOD) to Incentive Zoning (IZ) for the proposed Whitestone Incentive Zoning Project:

To: Edward Hemminger, Chairperson, Town of Farmington
Planning Board

From: Ronald L. Brand, Town Director of Planning and
Development

Date: November 9, 2023

RE: Rezoning of land from PD Planned Development and
MTOD Major Thoroughfare Overlay District to IZ
Incentive Zoning and MTOD, for the proposed Whitestone
Incentive Zoning Project.

At the Planning Board meeting held on Wednesday, November 1, 2023, the Board tasked me to prepare a draft report and recommendation to the Town Board, in accordance with the provisions contained in Chapter 165, Article IV, Section 34.1 of the Farmington Town Code, for the above referenced rezoning action. As part of preparing the draft report and recommendation, I have provided the following background information for the Planning Board's consideration. In addition, I have drafted the attached report and recommendation for the Board's consideration. Finally, I have drafted the attached Planning Board resolution accepting the draft report and recommendation, which directs you to sign and to submit it to the Town Board for its consideration at their November 28, 2023, meeting.

I have read the 10-page cover letter for this project and concur with most of the conclusions listed. I have reviewed the Town Project Review Committee Meeting Minutes for July 6, 2023, and November 2, 2023, where this incentive rezoning concept was discussed with Town staff. I have reviewed the October 24, 2023, Town Board meeting minutes where this request was formally received. I have also reviewed the Town Staff comments received on Wednesday, November 8, 2023. Finally, I have reviewed the provisions contained in the above referenced Chapter of the Farmington Town Code.

The site is within the southwest quadrant of the Town, the defined Community Center and located along the east side of New York State Route 332, the Gateway Corridor from Interstate-90 to Ontario County and to the Finger Lakes Region of New York State. The project involves the remaining portion of the former Glacier Lakes Water Park Planned Development Site. It has remained dormant now for several years, since 2007, while awaiting a proposal to develop a water park and related site improvements in the manner identified in the original rezoning resolution.

The site is also one of a few remaining large tracts of land fronting along State Route 332 which now is being proposed for development based upon a revised concept plan prepared for the entire 65-acre site. There is a benefit to the community associated with one overall site developer, as opposed to other individual site proposals without connectivity between sites. The Town has been diligent in designing connectivity between adjacent sites along the corridor and will be able to continue the practice with this project.

The proposed development concept includes specific types of regional (four story chain hotel) and local scale commercial land use

fronting along State Route 332. Then transitioning easterly into a single-family townhouse development that is set back from the major highway and other adjacent residential uses. Also, another part of this project is a limited industrial use (a site with a proposed climate controlled self-storage building and related cold storage buildings) located on a single parcel of land along the south side of County Road 41 and adjacent to other developed Limited Industrial types of use. This portion of the site has always been considered for Limited Industrial types of land use.

There has been, over the years, other expressions of interest in developing portions of the PD site, but when faced with opposition to fragmented development of this area along the State Route 332 frontage those plans never materialized. One exception to rezoning portions of the original water park site involved land located in the far eastern portion of the original site which was rezoned approximately six-years ago from PD Planned Development to RMF Residential Multi-Family use. The decision to rezone this portion of the site was based in part upon the finding that the eastern portion of the PD site had always been identified for multi-family types of use and that the rezoning included the reconstruction of Quentonshire Drive to Town Highway Standards for dedication. The first phase of the rezoned portion of the site has now been developed for the Pintail Crossing Apartment Project, located at the southern end of Quentonshire Drive. A portion of that project included the stub turn around to the remaining Whitestone Property which is now proposed to connect to a new east–west Town Road shown on the concept plan.

As previously referenced, one of the more important benefits to the community inherent with the present proposed project is that it is under common ownership and under the IZ Incentive Zoning provisions development will be subject to specific land uses within specified areas of the site. Other benefits to the community include contributions to implementing sections of the Town’s Sidewalk Master Plan across state owned land connecting to existing sidewalks at Farmbrook Drive and the Dental Office south of Farmbrook Drive.

The proposed concept plan also provides an internal Town highway network with separated pedestrian sidewalks and pedestrian trail links to nearby residential neighborhoods. Other amenities include construction of a planned signalized intersection of two proposed Town roads located within the site with State Route 332. The future intersection will be designed to provide an additional link between

development located along both sides of the state's major four lane highway.

The proposed concept plan design identifies a mix of land uses that are divided among commercial, limited industrial and residential, that are well defined and separated throughout the site. These uses relate to adjacent commercial, limited industrial and residential uses. The Applicants are proposing a list of zoning amenities, which except for public sidewalks along the State Route 332 frontage, are viable incentive zoning amenities providing improvements that will benefit the community. In addition to the amenities proposed, the Planning Board may want to consider recommending the addition of a cash contribution to the Town for the Beaver Creek Sanitary Sewer Force Main Capital Project, as has been identified as amenities for other Incentive Zone Projects (e.g., Farmington Market Incentive Zoning Project and Power Incentive Zoning Project).

A review of the site coverages proposed for the mix of land uses finds for the most part that they are less dense than otherwise would be allowed under the separate zoning district regulations (e.g., GB General Business, LI Limited Industrial and RMF Residential Multi-Family).

In addition to the above I find other benefits to the community associated with the proposed concept plan, most of which are referenced in the ten-page cover letter accompanying this rezoning request. These benefits include:

1. A concept design that is somewhat like that previously proposed for the former Glacier Lakes Waterpark Planned Development Project (e.g., a large regional scale hotel, commercial sites (oriented for both a larger regional scale service area and daily highway commuters) and a single limited industrial site located along the south side of County Road 41.
2. A concept design identifying transportation improvements to the Town's Officially adopted Highway Corridor Plan for State Routes 96 and 332 that meets the State Department of Transportation's long-standing policy restricting signalized intersections along State Route 332 to only Town and/or County Highway intersections.
3. A concept plan that identifies the installation of future sections of sidewalks, along both State Route 332 and County Road 41 frontages that are consistent with the Town of

Farmington's adopted Sidewalk/Trail Connections Master Plan.

4. A concept plan that identifies a partial contribution by the Town to meeting the County's Housing Needs Assessment Report. This need is evidenced in the November 2, 2023, Town Project Review Committee Meeting minutes, where the developer of the nearby townhouse rental project located within the Hathaway's Corners Incentive Zoning Site identified that all their 158 rental townhouse units have now been built and occupied. In addition, the 88 apartment units now under construction within the Hathaway's Corners Site have two buildings nearing completion for which there is already a waiting list of persons wanting to lease. This information supports that there continues to be a market in this area of the County for the type of residential dwelling units being proposed with this incentive rezoning application.
5. Another proposed concept is the relatively low density of commercial development along the State Route 332 frontage. Currently, a large portion of the site's frontage has established mature trees and natural topographic features that are being incorporated into the concept plan for the site. This design is different from the more common dense commercial sites (e.g., strip highway commercial patterns of development) that normally are proposed along major highways.

Finally, Town Development Staff were asked to review the concept plan and provide comments for the Planning Board's consideration. At this time, I have no additional concerns identified that are associated with the drawings submitted.

In conclusion, the Town has been waiting several years now for a complete project, such as the one now under consideration. Town staff have twice reviewed the concept plan designs for this project which have been amended from the first submission. Based on the above review comments I have prepared the attached draft report and recommendation from the Planning Board to the Town Board for its consideration at next Wednesday evening's meeting.

RLB:btb
Attachments

- c: Town Highway and Parks Superintendent
Town Water and Sewer Superintendent
Town Code Enforcement Officer
Town Fire Marshall
Town Construction Inspectors

Town Engineer, Lance S. Brabant, CPESC, MRB Group
Applicant, Whitestone Development Partners
Applicant's Engineer, Passero Associates, Attn: Jess Sudol
Applicant's Attorney, Woods, Oviatt, Gilman, PLLC, Attn: Betsy Brugg

Mr. Mirando, Development Manager of Whitestone Development Partners; and Ms. Brugg of Woods Oviatt Gilman attended in the meeting room. Mr. Sudol of Passero Associates attended via remote video conference.

Mr. Brand said that the Town Board requested a report and recommendation on this application in advance of the Town Board's determination whether to proceed with a formal application and rezoning process for the proposed Incentive Zoning project. He said this is a standard request from the Town Board and is made for every Incentive Zoning application. Mr. Brand said that the Town Board last night (November 14, 2023) agreed to provide additional time for the Planning Board [to issue the report and recommendation] if needed.

Mr. Brand said that he prepared a draft report and recommendation which identified what he described as a very unique situation. He said that the project site is a large tract of land which has been under one ownership and has been zoned for a specific use [a water park] for the past 20 years, and for which the property owner has had no "bites."

Mr. Brand said this entire site is zoned Planned Development involving a specific use [the proposed Glacier Lakes Water Park Project] and that the eastern portion of this site was originally identified for residential use. He said that about six years ago in 2017 the Town Board rezoned a portion of the PD site to a residential multi-family classification which resulted in the Pintail Crossing apartment project and the reconstruction of Quentonshire Drive to Town standards.

He said that right now the applicant is seeking Incentive Zoning on approximately 65 acres of land and is offering amenities to the Town which include improvements to the sanitary sewer utility capital project to be located along the east side of Beaver Creek Road.

Mr. Brand said this evening's meeting is to discuss his memorandum to the Planning Board and the draft report and recommendation to the Town Board, and for the Planning Board to determine if this report is ready to go or not.

Mr. Hemminger said that the Town Board is not looking for the Planning Board to say "yes" or "no" to the Incentive Zoning application. He said that the Town Board is looking for feedback from the Planning Board to determine if the application meets the Town's Incentive Zoning criteria. He said that the Planning Board is not here to talk about specific site plan design, incentives or proposed amenities at this stage. He said that the Planning Board is here to talk about the Incentive Zoning project and to provide feedback to the Town Board.

Mr. Delpriore said that the Town staff completed a top-level review of the application and that the comments of the staff were forwarded to Mr. Brand for preparation of his drafts.

Mr. Brand said that a major concern of the Town staff was for the Planning Board to consider the proposed amenities and to determine if they are amenities or if they should be considered as requirements of a Preliminary Site Plan.

Mr. Brabant said that he met with the Town staff and provided engineering comments which were also forwarded to Mr. Brand for his drafts.

Mr. Hemminger asked Mr. Mirando and Ms. Brugg if they had any comments. Ms. Brugg acknowledged that they both received Mr. Brand's drafts and that they have no issues with them, including the requested sanitary sewer amenity.

Mr. Hemminger said that the Town Board will take the proposed amenities into consideration. He said that the construction of sidewalks within the site will not be considered as amenities and that he thinks that the Planning Board needs more time to think about the draft report and recommendation.

Mr. DeLucia said that he read all of the materials which had been provided to the Planning Board, including the staff comments. He said that he is in agreement with what has been drafted, including the report and recommendation from Mr. Hemminger to the Town Board. Mr. DeLucia said that he does not feel as though that he needs additional time and that he is okay with it [the material as submitted].

Mr. Viets asked if some of the amenities should be considered requirements of the applicant, such as the sanitary sewer utility work on Beaver Creek Road. Mr. Brand said that the project will be connecting directly to the sanitary sewer trunk main. Mr. Brabant said that as such the proposed cash contribution should be considered an amenity contribution to the overall town sanitary sewer work for the Town.

Mr. Viets said again that he is concerned about items which are not amenities but which are requirements, but that it would be good to have an amenity contribution [toward the sanitary sewer utility].

Mr. Viets also said that there is a reference in Mr. Brand's draft to the minutes of the Project Review Committee (PRC) of November 2, 2023. He said that the PRC minutes just came out this evening and that he has not yet had a chance to review them.

Mr. Sweeney said that from what he read he is good with moving forward on this. He said that he has no other comments at this time.

Mr. Bellis said that he is up in the air about the size of the proposed commercial space. He said that he feels as if it [the commercial space] should be larger. He said that he does not yet know if he is fully on board with this application.

Mr. Hemminger said that he also has not yet had a chance to read the PRC minutes and that he will need a little more time to review them.

Mr. Hemminger said that overall the project may seem a little dense, but that this issue is more for the Town Board to address. He said that he thinks that it fits into the *Comprehensive Plan* land use recommendations for this area of the Town and that it is his thought that commercial space today is smaller than what it has been in the past.

That being said, Mr. Hemminger said that a larger strip mall or other larger commercial buildings could be considered, and that if that is what the Town Board envisions for State Route 332, so be it. He said that this is a Town Board issue instead of a Planning Board issue and that the Planning Board's role is to make it the best project as possible if the Incentive Zoning application is approved [by the Town Board].

Mr. Hemminger suggested that the Planning Board take some time to read the PRC minutes, to consider if the proposed density is tight, and whether a larger commercial space is needed.

■ **CONSENSUS:** It was the consensus of the board with no objections that the Planning Board report and recommendation to the Town Board on this application be held over to the next meeting on December 6, 2023.

B. Comprehensive Plan Review: 2023 Update Report to Town Operations Committee:

Mr. Brand said that he is working with the Town Operations Committee preparing a report on the status of the implementation actions in the *2021 Edition of the Town of Farmington Comprehensive Plan*, and specifically the Plan Maintenance Record which was most recently amended by the Town Board on March 14, 2023.

He said that he will prepare a status report for review by the Planning Board in time for the next meeting on December 6, 2023.

Mr. Brand said that an additional goal of the *Comprehensive Plan* will be the 2024 update to the Town's Parks and Recreation Master Plan. He said that this update will include a townwide survey which will be distributed to residents after the first of next year.

Mr. DeLucia asked if it is the Planning Board's charge to update the Plan Maintenance Record of the *Comprehensive Plan* every year. He said that he has reviewed the Plan and has concentrated on Chapter 5 ("Sustaining and Implementing the Plan's Actions") which specifies what needs to be done. Mr. Brand said that it is not the Planning Board's charge [to update the Plan Maintenance Record] each year. Instead, the Town Operations Committee provides the annual report which identifies the status of the identified implementation actions that have been completed, and which focuses on which of the identified goals will be carried over to the next year [2024].

Mr. Hemminger requested that the clerk send the most recent version of the Town Operations Report on the Plan to board members and Town staff.

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

C. Review of 2024 Planning Board Submittal Dates and Meeting Dates:

Mr. Delpriore said that he is working on the 2024 list of Planning Board submittal and meeting dates. He said that the list will be ready for board review at the next meeting on December 6, 2023.

Mr. Hemminger said that there is a question of Planning Board meeting dates which may coincide with holidays. He also said that the list of dates will include submittal dates and meetings of the Ontario County Planning Board and the Town Project Review Committee.

Mr. Delpriore said that the Ontario County Planning Board meeting schedule has not yet been released.

D. OPEN SPACE INDEX PRESENTATION

Kim Boyd, who is the chairperson of the Farmington Environmental Conservation Board, provided an overview of the draft of the Town's Open Space Index [OSI] 2023 update.

She said that this update includes a review of agricultural lands, Federal and State wetlands, creeks and floodplains (i.e., stormwater runoff), drumlins, public open spaces, and commercial open spaces (i.e., Winged Pheasant Golf Links, Finger Lakes Casino and Racetrack, and KOA Campground).

Ms. Boyd said that the committee reviewed all Town open spaces parcels on the Oncor website and through field research.

Mr. Hemminger asked if the report will include a percentage of the open space in the Town. Ms. Boyd said yes and that the report will have a summary table with this calculation.

Ms. Boyd said that the agricultural section of the report has been updated with information from Hal Adams, who is the chairperson of the Town Agricultural Advisory Committee and with data for Ontario County's Consolidated Agricultural District #1. She said that the OSI update will include references to Federal and State wetlands based upon data from the U.S. Army Corps of Engineers and New York State Department of Environmental Conservation regulations.

Ms. Boyd said that there are currently 40 structures in the identified Flood Hazard Zone (1983 Flood Insurance Rate Maps) and that references to the new 2024 FEMA Flood Insurance Panels data will be included in the update, as well as revisions to the MS4 Program stormwater sections.

Mr. Brand said that the Environmental Conservation Board is now at a full complement of members which should enable the Board to more efficiently maintain the Open Space Index in future years.

Mr. Sweeney asked how often the Index is updated. Ms. Boyd said that it is updated every 10 years.

Mr. Hemminger and Mr. Brand said that the Planning Board welcomes comments and feedback from the Environmental Conservation Board on applications. They both said that the Board should not be shy in providing comments to the Planning Board and suggested that a member of the Environmental Conservation Board would be welcome to sit with the Town staff at Planning Board meetings to discuss the environmental concerns with applications. Mr. Brand also said that history has shown that over the years several members of other Environmental Conservation Boards have moved on to subsequent service on the Planning Board.

Mr. Brand said that Farmington is very fortunate to have Ms. Boyd as the chairperson of the Environmental Conservation Board; and that he and the Town Staff appreciate everything which she does in her role on the Board.

E. Loomis Road Industrial Park—Letter of Credit Establishment:

■ 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:

**TOWN OF FARMINGTON PLANNING BOARD
LETTER OF CREDIT ESTABLISHMENT FOR CONSTRUCTION OF JETMAN DRIVE,
UTILITIES AND LOT #4 SITE IMPROVEMENTS**

LOOMIS ROAD INDUSTRIAL PARK PROJECT (FILE #PB 0506-23)

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated November 8, 2023, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, to approve the amount specified for establishing a Letter of Credit for the above referenced project; and

WHEREAS, the Planning Board has also received and reviewed the Project Engineer’s Estimate of Values, dated November 8, 2023, prepared by Sean Condon, P.E., DDS Companies; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineer, does hereby recommend that the Town Board approves the request for establishing a Letter of Credit for the above referenced Project in the total amount of \$1,150,617.64.

BE IT FINALLY RESOLVED that copies of this resolution are to be provided to the Farmington Town Board, Farmington Town Clerk, Town Development Staff, the Applicant and the Applicant’s Engineers.

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	Aye

Motion carried.

F. RG&E Substation #127: Letter of Credit Release #1 (Final):

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT—RELEASE #1 (FINAL)
RG&E STATION #127 PROJECT, PHASE 1**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated November 8, 2023, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, to approve the final release of funds (Release No. 1) from the established Letter of Credit for site improvements completed as part of the above referenced project; and

WHEREAS, the Planning Board has also received and reviewed the Project Engineer’s Estimate of Values, dated March 9, 2023, prepared by Mary Steblein, P.E., Project Engineer, LaBella Associates, along with the completed Town Surety Release Forms G-1.1, G-11.0 and G-2.0 dated November 8, 2023; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineer, does hereby recommend that the Town Board approves the request for the final release of funds (Release #1) from the established letter of credit in the total amount of \$111,168.34.

BE IT FINALLY RESOLVED that copies of this resolution are to be provided to the Farmington Town Board, Farmington Town Clerk, Town Development Staff, the Applicant and the Applicant’s Engineer.

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

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

Motion carried.

G. Hathaway’s Corners, Phase 1, Utilities: Letter of Credit Release #7 (Final):

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT—RELEASE #7 (FINAL)
HATHAWAY’S CORNERS INCENTIVE ZONING PROJECT, PHASE 1—UTILITIES**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated November 8, 2023, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, to approve the final release of funds (Release No. 7) from the established Letter of Credit for site improvements completed as part of the above referenced project; and

WHEREAS, the Planning Board has also received and reviewed the Project Engineer’s Estimate of Values, dated October 3, 2023, prepared by Thomas Danks, Project Manager, BME Associates, along with the completed Town Surety Release Forms G-1.1, G-11.0 and G-2.0 dated November 8, 2023; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineer, does hereby recommend that the Town Board approves the request for the final release of funds (Release #7) from the established letter of credit in the total amount of \$754,194.35.

BE IT FINALLY RESOLVED that copies of this resolution are to be provided to the Farmington Town Board, Farmington Town Clerk, Town Development Staff, the Applicant and the Applicant’s Engineers.

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	Aye

Motion carried.

5. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand provided the following information:

- The 1816 Farmington Quaker Meetinghouse Museum has been awarded a consolidated funding grant from New York State, and with a previous Federal award the restoration project should now be able to move forward. Mr. Delpriore serves on the museum’s advisory board.

- Preliminary engineering cost estimates are being reviewed for the Town's Transportation Alternatives Program (TAP) and Congestion Mitigation and Air Quality (CMAQ) Improvement Project. Mr. Brand said the Town now awaits the formal bidding process to verify what, if any, sections of planned improvements may be jeopardized. He said that the grant was written in 2021 and that since then inflation, shipping delays and the cost of labor were not as high then as they are today. He said that the Town will take a hard look at the construction bids to determine what can and cannot be done on all of the originally identified areas of work. Previously, Mr. Brand said that the Town used an estimate of \$55 per foot for construction of the sidewalks when preparing the TAP Grant Application in the fall of 2022. He also expressed concern over the recent increases [inflation rates] affecting materials, labor and delays in concrete deliveries which are being experienced throughout the private and public sectors. He said that these circumstances will most likely result in somewhat shorter length of sidewalks being installed as part of this project.
- The Ontario County Planning Board has recommended approval of Local Law #10 of 2023 regarding amendments to the remaining five lots located within Phase 3 of the Redfield Grove Incentive Zoning Project. The Town Board will consider the adoption of this law at the next meeting on November 28, 2023. A list of suggested uses for the existing single-family dwelling located on proposed Lot #1 has been reviewed by Mr. Delpriore, who finds no issues with what is being proposed. Mr. Delpriore said that the structure could be used as a doctor's office, a hair dressing salon, or similar use. Mr. Hemminger said that the selected use should be minimized to avoid on-site parking issues.
- No additional information has been provided from the applicant or his engineer regarding the Farmington Market Center Incentive Zoning application. Mr. Brand said that a representative of Mavis Discount Tire, which plans to construct a store on the Farmington Market Center site, has approached the Town staff regarding submitting a Preliminary Site Plan application. Mr. Brand said that the representative was advised to contact the property owner. Mr. Sweeney asked if Mavis Discount Tire was locked in [on this site]. Mr. Brand said that nothing is locked in at this point. Mr. Hemminger said that this is an Incentive Zoning application and that right now everything remains up in the air. Mr. Brand said that anything which is built on the Farmington Market Center site must be brought up to Town Code standards including the installation of sidewalks and landscaping on the property.
- The drawings for the Power Incentive Zoning application, which now is identified as "Paddock Landing," have been received. A Public Hearing on the Overall Preliminary Subdivision Plat and Site Plan will be convened by the Planning Board on December 6, 2023. The applicant proposes a total of 186 single-family residential lots and three commercial lots (having a total of 50,000 square feet of buildings) on a total of 147.7 acres on property which is generally located along the north side of State Route 96, east of Fairdale Glenn, south of Collett Road and west of County Road 8.

- The Town is still awaiting the requested additional information for the Fowler Family Trust Preliminary Three-Lot Re-Subdivision Plat application (Pheasants Crossing subdivision). The established deadline for this information at 12:00 p.m. today (November 15, 2023).
- The survey for the 2024 update of the Town's Parks and Recreation Master Plan will be distributed to Town residents early next year.
- A public open house was held by FEMA, DEC and County Planning on November 9, 2023, at which residents could learn more about FEMA's revised Flood Insurance Map Panels in Ontario County. Mr. Brand said that the Town sent 88 letters to Farmington property owners informing them that FEMA has deemed it necessary to include portions of their properties in the Zone A Category (delineated flood hazard areas without any base flood elevations provided). From comments which have been received, Mr. Brand said that some residents in the Calm Lake area of the Town realize now that they should have attended this open house [to learn about the FEMA revised insurance rate maps].
- The Town has received reports from the fire chief and the president of the Farmington Volunteer Fire Association that identify enhancement projects to their existing Station No. 2 facility. The projects will become part of the County's Hazard Mitigation Plan update. Mr. Brand said that projects listed in the County's Hazard Mitigation Plan will receive higher scoring than those not listed. The projects to be selected are intended to improve the efficiency and longevity of the existing fire facilities. Some of the enhancements being considered include a separate decontamination room, separate rooms for the storage of turnout gear, enhanced security improvements for the communications center, and identifying needs to allow for the use of the facilities as a shelter for residents during weather-related events and/or extended power outages. Mr. Brand said that this will be a broad list of enhancements to be included in the County's Hazard Mitigation Plan and that without such a list any application for Federal [FEMA] funding will not be successful.
- Regulations in Town Code Chapter 126 regarding onsite wastewater treatment systems have been referred to the Ontario County Soil and Water Conservation District for comments.
- Agreement has been reached between the landowner and a developer for the completion of the last two sections of the Farmbrook Subdivision Sections 7A and 7B. Mr. Brand said that the Canandaigua Development Corporation has been awarded the agreement and that Schultz Associates of Spencerport, N.Y., has been retained for engineering services needed for preparing Preliminary and Final Site Plan drawings.
- Trees have been planted along the tops of the berms on the Canandaigua–Farmington Town Line Road and New Michigan Road, as part of the Monarch Manor Subdivision Section 2 Project. Mr. Brand said that all the trees are of one species

when they should be different species and the developer's engineer Walter Baker said at the Project Review Committee meeting on November 2, 2023, that he was looking into this.

Code Enforcement Officer:

- No additional information, which had been requested by the Planning Board at their November first meeting, has been received by today's deadline, regarding the Fowler Family Trust application for a Preliminary Three-Lot Re-Subdivision Plat for Lots R5A and R5B located within the Pheasants Crossing Subdivision Tract. Mr. Brand said that the Planning Board may wish to soon make a decision on establishing an end date for this application. He also said previously that according to established Rules of Procedure the Planning Board could deny the application without prejudice. The current application was initially presented to the Planning Board on July 19, 2023 (PB #0702-23) and to the Zoning Board of Appeals on July 24, 2023 (ZB #0301-23). The Public Hearings have been continued by the Zoning Board of Appeals to Monday, November 27, 2023, and by the Planning Board to Wednesday, December 6, 2023.
- A Public Hearing will be opened at the next meeting of the Planning Board on December 6, 2023, for the Overall Preliminary Subdivision Plat and Site Plan for the Power Incentive Zoning Project on 147.7 acres which are generally located along the north side of State Route 96, east of Fairdale Glenn, south of Collett Road and west of County Road 8. The State Environmental Quality Review (SEQR) 30-day coordinated review period and declaration of intent for being designated lead agency is expected to begin following the meeting on December 6th.
- Other agenda items for the Planning Board meeting to be held on December 6th include:
 - The continuation of the Fowler Family Trust Preliminary Re-subdivision application (PB #0702-23).
 - The Final Site Plan for the Christopher Ossont application on the east side of County Road 28 (PB #1203-23).
 - The continuations of the Planning Board's deliberations upon the Whitestone Incentive Zoning Project report and recommendation to the Town Board, and the report to the Town Operations Committee on the 2021 Edition of *The Town of Farmington Comprehensive Plan*, implementation actions.
 - The review of 2024 Planning Board submittal dates and meeting dates.
- Construction on the Dollar General store on the south side of State Route 96 is moving forward quickly. The parking lot has been paved and the owner would like

to open in mid-December. An allowance has been provided to the owner that the landscaping and the installation of three new streetlights to meet the Main Street Overlay District (MSOD) design criteria must be completed by May 31, 2024.

- There is a delay in the installation of the oil/water separator at Electric Car Corner site located on the north side of State Route 96 across from the Farmington Market Center. Mr. Delpriore said that the oil/water separator is on back order and that a Conditional Certificate of Occupancy will be issued to enable automobile sales to begin. The company can begin vehicle service upon installation of the oil/water separator. Also, about half of the required landscaping package has been planted. The remainder of the landscaping will be planted in the spring (by May 31, 2024).
- The planting of the landscaping around the “Welcome to Farmington” signs on State Route 96 and on State Route 332 has been postponed until spring by the Farmington Chamber of Commerce which is responsible for the landscaping. Mr. Delpriore said that he will emphasize to the president of the Farmington Chamber of Commerce that the landscaping must be planted by May 31, 2024.

Town Engineer:

Mr. Brabant said that the final version of the update to the Farmington Site Design Criteria has been submitted to the Town staff. He anticipates adoption of this document by the Town Board in 2024. Mr. Brabant said that several other municipalities are interested in the Farmington site design criteria. He commended Farmington for this work.

Mr. Brabant said that the Town’s MS4 Plan will be reviewed in 2024 in advance of receiving the revised New York State Department of Environmental Conservation regulations.

He also said that the 2024 schedule of the monthly Municipal Boot Camp training programs will be announced soon. The programs will again be presented by MRB Group, and Hancock and Estabrook. Mr. Brabant said that Mr. Delpriore is expected to offer an in-person training session.

Public Comments:

None.

Board Members’ Comments:

Mr. Hemminger said that he continues to work with the Town staff when requested.

Mr. Bellis asked if the Victor Central School District could handle an increase in the number of students which could occur from the proposed residential units in the Whitestone

project which was discussed this evening. Mr. DeLucia, who serves on the Victor Board of Education, said that recent evaluations of student population indicate that enrollment in the district is flat. He said that the district cannot add facilities unless enrollment increases. Mr. Bellis expressed concern about the potential stresses on the school district which could be created by new residential developments. He said that he would not want to increase stress [on the school district] because of a Planning Board decision. Mr. DeLucia said that school board cannot act until the data shows that the student enrollment is increasing. He also said that the district superintendent meets regularly with Supervisor Ingalsbe on this.

Mr. Hemminger said that recent report from Ontario County indicates that there is a critical need for housing in this area. Mr. DeLucia asked if this was a reference to affordable housing. Mr. Hemminger said that the housing proposed in the Whitestone project will be market rate.

Mr. Brand said that the Victor superintendent of schools receives the Town's biweekly Town Operations Report and that the superintendent appreciates these updates which keep him to date. Mr. Brand said that he expects that the Victor superintendent would advise the Town if a new residential development were to adversely affect the school enrollment.

Mr. Sweeney asked if there are Town regulations on the height and width of spoils piles. Mr. Delpriore said that spoils piles are okay if they are stable and if a contractor is not working the pile. Mr. Brabant said that the New York State Department of Environmental Conservation has regulations regarding the maintenance of spoils piles, and height and slope requirements. He said that most of the spoils piles here are actively worked and as such as under different regulations.

Mr. Hemminger requested that board members review the Project Review Committee minutes of November 2, 2023, regarding the Whitestone application. He expressed concern about the need for adequate storage areas in each residential unit. He also said that the internal roads in the development will be private and will not be dedicated to the Town, and as such residents could park in the road.

Mr. Brand asked if Supervisor Ingalsbe sent photos of the Whitestone developer's other project sites to board members. Mr. Hemminger said no. Mr. Brand said that he will request Supervisor Ingalsbe to provide these photos to the board.

6. PUBLIC COMMENTS

None.

7. TRAINING OPPORTUNITIES

■ New York Planning Federation Recorded Webinars:

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

■ **General Code e-Code**

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

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

■ **Future Training Opportunities Online:**

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

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

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

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

8. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 8:00 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, December 6, 2023, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, and this meeting will also be available via remote video conference.

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

Respectfully submitted,

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