

# Town of Farmington

1000 County Road 8  
Farmington, New York 14425

**PLANNING BOARD**  
**Wednesday, September 7, 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  
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  
Tim Ford, Town of Farmington Highway and Parks Superintendent

**Attending:**

Aaron Beyler, Design Engineer, BME Associates, 10 Lift Bridge Lane East,  
Fairport, N.Y. 14450  
Michael C. Bogojevski, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, N.Y. 14450  
Christine Bellomo, D.C., 86 Hook Road, Farmington, N.Y. 14425  
Ryan T. Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, N.Y. 14450  
Tim Hannan, 676-B Crowley Road, Farmington, N.Y. 14425  
Bob Hurlbutt, 86 Hook Road, Farmington, N.Y. 14425  
Connor Kilmer, Project Engineer, The DDS Companies, 45 Hendrix Road,  
West Henrietta, N.Y. 14586  
Chief Phil Robinson, Farmington Volunteer Fire Association

Mark Stevens, S. B. Ashley Management Corporation, 700 Powers Building,  
16 West Main Street, Rochester, N.Y. 14614

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**1. MEETING OPENING**

The meeting was called to order at 7:00 p.m. by Chairperson Edward Hemminger.

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on February 2, 2022.

**2. APPROVAL OF MINUTES**

**A. REGULAR MEETING AUGUST 17, 2022**

■ A motion was made by MR. BELLIS, seconded by MR. SWEENEY, that the minutes of the August 17, 2022, regular meeting be approved.

Motion carried by voice vote.

**B. WORKSHOP MEETING AUGUST 30, 2022**

■ A motion was made by MR. BELLIS, seconded by MR. SWEENEY, that the minutes of the August 17, 2022, workshop meeting be approved.

Motion carried by voice vote. Mr. DeLucia abstained due to his absence from the workshop meeting on August 30, 2022.

**3. LEGAL NOTICE**

None.

**4. CONTINUED PUBLIC HEARING: CONTINUED PRELIMINARY SITE PLAN**

**PB #0703-21                      Continued Public Hearing:  
Continued Preliminary Site Plan Application**

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

**Location:**                         North side of Loomis Road between the New York State Thruway  
and Loomis Road

**Zoning District:** GI General Industrial and MTOD Major Thoroughfare Overlay District

**Request:** Preliminary Site Plan Approval to erect a 12,600-square-foot building upon Lot #4 of the Loomis Road Industrial Park Sub-division and related site improvements including a new Town road, stormwater control facilities, landscaping, site lighting and building elevation. The property is located on the northside of Loomis Road between the New York State Thruway and Loomis Road.

On July 7, 2021, and on July 6, 2022, the Planning Board approved the Final Re-Subdivision Plat with conditions for this project (PB #0702-21).

The State Environmental Quality Review (SEQR) 30-day coordinated review period for this application was conducted from July 8, 2021, to August 9, 2021.

On August 18, 2021, the Public Hearing on the Preliminary Site Plan was opened.

On September 15, 2021, the Public Hearing was reconvened. The Planning Board determined that the Action will not result in any significant adverse environmental impacts. The Public Hearing was continued to October 20, 2021.

On October 20, 2021, the Public Hearing was reconvened. The Public Hearing was continued to November 17, 2021.

On November 17, 2021, the Public Hearing was reconvened. The Public Hearing was continued to January 19, 2022.

On January 19, 2022, the Public Hearing was reconvened. The Public Hearing was continued to March 16, 2022.

On March 16, 2022, the Public Hearing was reconvened. The Public Hearing was continued to April 20, 2022.

On April 20, 2022, the Public Hearing was reconvened. The Public Hearing was continued to July 20, 2022.

On July 6, 2022, the accompanying Final Re-Subdivision Plat was approved with conditions (PB #0702-21; *see also* PB #0702, July 7, 2021).

The Planning Board meeting of July 20, 2022, was cancelled due to lack of a quorum.

On August 3, 2022, the Public Hearing on the Preliminary Site Plan was rescheduled for August 17, 2022. The Legal Notice for this rescheduled Public Hearing was published in the Canandaigua *Daily Messenger* newspaper on August 10, 2022.

On August 17, 2022, the Public Hearing was reconvened. The Public Hearing was continued to September 7, 2022 (the meeting this evening).

Also on August 17, 2022, the accompanying Special Use Permit for the Loomis Road Industrial Park, Lot #4, to operate a motor vehicle service facility was approved by the Planning Board (PB #0804-21).

Mr. Hemminger reconvened the Public Hearing on this application.

Mr. Kilmer (The DDS Companies) presented this application.

He asked if this application involved only Lot #4 or if it included the Town-dedicated road to be known as Jetman Drive. Mr. Hemminger said that the way the Public Hearing was presented is that this application is for the roadway and the development of Lot #4, and that subsequent Preliminary and Final Site Plan applications will be considered for each of the other lots [in the industrial park].

Mr. Kilmer said that Jetman Drive will come off from Loomis Road to serve the 10-lot subdivision. He said that the sanitary sewer and water main extensions will be located within the road right-of-way. The regional stormwater management facility which will be constructed as part of this application will provide water quality and quantity measures for the entire subdivision.

Mr. Kilmer said that Lot #4 will border the New York State Thruway. The proposed use of the lot is for an automobile enhancement business in which high-end vehicles will be made higher end.

Mr. Brand requested that Mr. Kilmer clarify for those in the meeting room that the application will include the regional stormwater management pond in addition to the construction of the road and the installation of the sanitary sewer and water utilities. Mr. Kilmer said that the stormwater management pond will be part of Lot #4 and will be located inside Jetman Drive's inner road loop. The total area of Lot #4 is 4.672 acres. The north portion of the lot will be 2.311 acres. The south portion of the lot in which the stormwater management pond will be located is 2.361 acres.

Mr. Brand said that there are two parts to this application, i.e., the structure which is proposed for construction on Lot #4 and the stormwater management facilities for the entire 10-lot subdivision. He said that part of the Preliminary Site Plan approval this evening involves a number of conditions which must be addressed prior to consideration of the Final Site Plan application, such as the design of the Town-dedicated Road, the installation of the sanitary sewer and water utilities, and the design of the stormwater management pond and stormwater facilities.

Mr. Brand said that the State Environmental Quality Review (SEQR) has been completed [on September 15, 2021] and that although this project had been moving slowly it looks

like now that it is gaining momentum. He said that a draft resolution has been prepared for the board's consideration this evening for Preliminary Site Plan approval with conditions.

Mr. Brand said that the draft Preliminary Site Plan resolution with conditions was provided to the Planning Board, to the Town staff and to the applicant prior to the meeting. He said that the draft resolution also was posted on the Town website for public review.

Mr. Delpriore said that the application this evening is for Preliminary Site Plan approval and that the applicant must work through the conditions of approval with the Town staff prior to submitting a Final Site Plan application. He also said that the Preliminary Site Plan includes Lot #4, the road, and the infrastructure and the regional stormwater management pond which will serve the entire subdivision and all of the lots.

Mr. Ford asked how Lot #4 could receive approval prior to the construction of the Town-dedicated Road to the binder stage. Mr. Hemminger said that building permits will not be issued until the road is constructed to the binder stage and accepted for dedication.

Mr. Delpriore confirmed that the Town procedure is that a road must be constructed to the point of a binder course prior to the issuing of building permits. He also said that a project must be at the level of dedication of the road and all utilities to the Town prior to the issuing of Certificates of Occupancy.

Mr. Brand reviewed the steps which will be involved prior to acceptance of the road and the utilities by the Town Board. These include approval of the road by the Highway Superintendent and filing of the surety for the construction of the road and utilities. He said that these steps will be followed by the filing of a Letter of Credit and the scheduling of a Pre-Construction Meeting prior to the issuing a notice to proceed or building permits.

Mr. Hemminger said that Mr. Kilmer will be more successful in moving the project forward by having regular communication with the Town staff.

Mr. Hemminger asked if Mr. Ford has discussed the proposed stone dust walking trail with the applicant. Mr. Ford said no. Mr. Kilmer said that the proposed walking trail will be in the road right-of-way on the perimeter of the inner loop of the road. Mr. Hemminger said that the purpose of the trail is to provide a safe walking surface for the employees working within the industrial park instead of anyone having to walk along the road surface.

Mr. Brand said that the draft Preliminary Site Plan resolution includes Condition #1 (d) that “. . . the six-foot-wide stone dust walking facility around the stormwater facility shown on a portion of Lot #4 is to be owned by the owner of Lot #4 and maintained in accordance with approved design plans.” He said that there are no sidewalks in the area and that there are no plans to connect sidewalks because of the nearby County Railroad and other constraints. Mr. Brand said that the applicant is required to consider pedestrian/vehicular separation as part of the Major Thoroughfare Overlay District (MTOD) in which this site is located. He suggested that the Planning Board waive the requirement for the installation

of sidewalks [in this application] and provide a walking trail for the employees who will be working here.

Mr. Brabant said that MRB Group engineering comment letters were issued in 2021 and on August 5, 2022. He said that most of the comments were technical in nature and that as part of the subdivision application each of the industrial and commercial lots [in the industrial park] will have to provide some sort of stormwater design as the lots are built out.

Mr. Brabant said that the current application includes the roadway, all utilities for the entire subdivision and the design of the regional stormwater management pond which will be constructed on a portion of Lot #4. He said that the responsibility for the stormwater maintenance agreement for the pond has been attached to the owner of Lot #4.

Mr. Brabant said that the applicant will be required to provide a standard easement to the Town for access to the stormwater management pond in case of emergencies but that the owner of Lot #4 will be responsible for maintaining the pond.

Chief Robinson said that the main concerns of the fire department are access [to the site] and a viable water supply. Mr. Kilmer said that a turning radius analysis has been provided for Lot #4 and that large trailers will be able to maneuver [on the site]. Chief Robinson asked about access to Lot #4. Mr. Kilmer said that access to the lot will be from the new Town-dedicated Jetman Drive off from Loomis Road.

Mr. Brabant asked about the construction of hammerhead turnarounds on the lots [to accommodate vehicles]. Mr. Kilmer said that the industrial lots will accommodate large vehicles. Mr. Delpriore reminded everyone that the buildings will be fully sprinklered.

Mr. Brand referred to draft Preliminary Site Plan Condition #1 (p) which indicates that there shall be no commercial speech advertising signs on any side of the structure on Lot #4 which would be legible from along the New York State Thruway. He said that this condition has been included in the resolution because the applicant would not be able to maintain the required 660-foot separation from the Thruway.

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

Mr. Kilmer asked about receiving a building permit for Lot #4 without the binder course on Jetman Drive. He also asked if site work could begin prior to the installation of the binder course on the road. Mr. Delpriore said that a grading permit could be considered and that it would make sense to install the utilities during grading [to avoid having to excavate a second time].

Mr. Viets expressed concern about site clearing and the proximity of the residential homes on Loomis Road. He asked if a buffer strip will remain between the industrial park site and

the nearby homes. Mr. Kilmer said that the existing vegetative buffer will be maintained. He reviewed this and the site clearing limits on the drawing which was displayed in the meeting room.

Mr. Brand said that the board will discuss the landscaping at the Final Site Plan stage for Lot #4. He also said that Final Site Plan applications must be submitted for development of each of the other lots.

Mr. Brabant asked about the extent of the grading at this stage of the project. He asked if final grading is part of this application, and if any site work for the remaining lots is being proposed now. Mr. Kilmer said that they are planning on rough grading, but not final grading, at this time. He said that their intent is to have the entire sites made ready close to a building-pad condition.

Mr. Brabant said that he wants to make sure that the clearing limits are shown as part of the plan. Mr. Viets again expressed concern about the proximity of the homes [on Loomis Road]. Mr. Brabant said that the clearing limits should be maximized for now, and that the Planning Board can consider more appropriate clearing of the remaining lots [during the review of subsequent site plans]. Mr. Kilmer said that they will take another look at the proposed clearing. He said that they want to attract tenants as soon as possible and that they will take another look at the grading plan.

Mr. Viets asked about the maintenance of the stone dust walking trail. Mr. Brabant said that the trail is expected to be privately owned and maintained. Mr. Viets expressed concern about the location of the trail which will be tight next to the area of the stormwater pond. He said that some of the banks of the pond will be steep and that the pond's depth will be approximately 20 feet deep. He also expressed concern that a vehicle could go over the edge of the road and into the pond, and that it would be appropriate to have a guardrail installed around the pond.

Mr. Viets asked about the intent of the slope [of the pond] and if it will be mowable grass. Mr. Kilmer said that a more dense grass is being considered which would not have to be mowed like a residential lawn. He said that they are planning to have a thicker lawn with the use of special seed for the embankments of the pond.

Mr. Viets said that he would like to see the topsoil pile leveled off and graded to avoid having mounds of dirt sitting around.

Mr. Sweeney asked who will own and maintain the stone dust walking trail. Mr. Kilmer said that the owner of Lot #4 will be responsible for the trail. He also said that the trail will be within the road right-of-way.

Mr. Sweeney asked about the 50-foot-wide Empire Pipeline easement which runs across the north boundary of Lot #4 and its relation to the location of an existing berm in this area. Mr. Kilmer said that berm will remain. He said that the top of the berm will be four feet higher than the building elevation and that there will be a 15-foot drop [from the top of the

berm to the Thruway property line]. Mr. Sweeney asked if any vegetation will be required [to screen the structure on Lot #4 from the Thruway]. Mr. Kilmer said no. He said that vehicles [on the Thruway] would not be able to see any of that.

Mr. Sweeney asked about elevation renderings of the proposed structure on Lot #4. Mr. Kilmer displayed the north and south elevation drawings in the meeting room. These depicted the views of the structure from the Thruway and from Jetman Drive.

Mr. Hemminger said that the board is considering the structure on Lot #4 and the road this evening. He asked if all of the lots are going to be graded at this time.

Mr. Brabant said that the application this evening is for the structure on Lot #4, site grading, the installation of sanitary sewer and water utilities, and the construction of the town road, stormwater management pond and stormwater facilities.

Mr. Delpriore said that the applicant's comments on clear cutting are included in the board's packets on this application.

Mr. Brand said that the stormwater pond cannot be designed if the grading plan is not known.

Mr. Hemminger said that subsequent applications [for development of the remaining lots] would then just require a final approval from the board. He confirmed that the application this evening is the approval of the structure on Lot #4, the road, the installation of all utilities, and the grading of all lots. He said that the board will then consider final applications for each of the remaining lots.

Mr. Bellis said that this will be similar to the board's approval of the GLN Farmington Realty application [on the south side of State Route 96, east of the Farmington Market Center] in which the infrastructure for the overall site has been installed and that the board will consider individual final site plans [when the applicant has tenants for the lots].

Mr. Kilmer asked if the Final Site Plan application will include the roadway. Mr. Brand said yes. Mr. Hemminger said that the road, the installation of the utilities, grading, and the stormwater management pond are part of the current application and that once all of these site improvements have been dedicated, then each of the remaining lots will require only a final site plan application.

Mr. Hemminger again encouraged Mr. Kilmer to work closely with the Town staff.

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

■ A motion was made by MR. VIETS, seconded by MR. BELLIS, that the Public Hearing on this application be closed.

Motion carried by voice vote. The Public Hearing on PB #0703-21 was closed.



Mr. Hemminger asked Mr. Kilmer if he received the draft resolution prior to the meeting and if he agreed with the conditions. Mr. Kilmer said that he received the draft resolution prior to the meeting and that he agreed with the conditions.

**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  
PRELIMINARY SITE PLAN APPLICATION**

**PB #0703-21**

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

**ACTIONS: Preliminary Site Plan approval, Lot #4, Loomis Road  
Industrial Park, in accordance with the provisions in Chapter  
165, Article VIII, Section 100 of the Farmington Town Code.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Board) has tonight continued the Public Hearing upon the above referenced Action for Preliminary Site Plan Approval for Lot #4, Loomis Road Industrial Park; and

**WHEREAS**, the Board has been designated the lead agency under the provisions of the State Environmental Quality Review Act (SEQRA), completed a coordinated with the involved agencies and has made a Determination of Non-Significance upon the Action identified as the Loomis Road Industrial Park Project; and

**WHEREAS**, the Board has given consideration to Ontario County Planning Board Referral #149 of 2021, dated July 14, 2021; and

**WHEREAS**, the Board has received testimony that has been entered into the Public Hearing record; and

**WHEREAS**, the Board has given consideration to the Public Hearing record that has been created upon this Action.

**NOW, THEREFORE, BE IT RESOLVED** that the Board does hereby move to approve the Preliminary Site Plan Application for Lot #4 of the Loomis Road Industrial Park with the following Conditions of Approval:

1. Preliminary Site Plan Approval is based upon the drawings prepared by DDS Companies, identified as Project Number 72200193, and entitled “Property Devel-

opment Plans Proposed For: Loomis Road Industrial Park, Preliminary Site Development, T.A. #17.00-1-62.132,” as are hereby directed to be further amended as follows:

- a. The Title of all drawings that are to be submitted for signatures, as part of this application for preliminary site plan approval, are to be amended to read . . . “Preliminary Site Plan, Lot #4, Loomis Road Industrial Park.” These amendments are to be made to Drawing Numbers 72200193 CO, C1, C6,C7, C9, C10, C12 and C15–21.
- b. The Cover Sheet, CO, Table of Contents is to be amended to include only those drawings listed above herein.
- c. The Applicant’s Engineer is to amend the appropriate Preliminary Site Plan drawings to provide the necessary information identified within Chapter 165, Section 100. C. of the Farmington Town Code. Some of these changes to be made, but not all, include the Cover Sheet to distinguish that this Action is for only Lot #4, which consists of two areas located within the Loomis Road Industrial Park Subdivision Tract, and the overall preliminary site plan approval for storm water compliance, town road dedication, dedication of water lines and sanitary sewer lines, streetlights and overall site landscaping for Lot #4. In addition, the boundaries of the Lot #4 property involved, is to be plotted to scale with dimensions of each of the two (2) sites and the separate total acreage of the Park Project.
- d. There is to be a note added to the drawing identifying that the six foot wide stone dust walking facility around the storm water facility shown on a portion of Lot #4 is to be owned by the owner of Lot #4 and maintained in accordance with approved design plans.
- e. The stone dust walking trail is to have at least three (3) points of stone dust access from Jetman Drive shown on the Final Site Plan drawing for Lot #4.
- f. There is to be three (3) benches installed along the stone dust trail to be installed and maintained by the owner of Lot #4.
- g. The Preliminary Site Plan drawing is to be amended to show the design and location for the Public Safety Sign for this site.
- h. All Detail Sheets are to be amended to include the latest date 2022.
- i. Signature Blocks are to be added to any drawing not having these and they are to be located in the location identified in the Town’s Site Design and Development Criteria Manual.

- j. All on-site parking spaces are to be double stripe design and shown on the most recent update to Appendix H-16.0 of the Town's Site Design and Development Criteria Manual.
- k. Appendix H-11 is to be added to the landscape drawing.
- l. Additional landscaping is to be provided across the frontage of the Building Site (Lot #4) and along the stone dust trail. The Applicant is to work with Doug Viets and Aaron Sweeney, Town Planning Board Members, on making these adjustments.
- m. The proposed building will be sprinklered and appropriately sized water lines are to be shown.
- n. There is to be a note added to the Utility Drawing that reads the building will have an addressable fire alarm system.
- o. There is to be a note added to the Preliminary Site Plan Drawing that no vehicles being worked on shall be parked outdoors overnight.
- p. There is to be a note added to the Preliminary Site Plan Drawing that there shall be no Commercial Speech Signage allowed on any side of the Building on Lot #4 that would be legible from along the New York State Thruway, I-90.
- q. There is to be notes added to the Preliminary Site Plan Drawing that reads as follows:
  - (i) A Knox Box is to be installed at a location to be approved by the Town Fire Marshal.
  - (ii) A fully engineered sprinkler system with FDC to be provided in a location approved by the Town Fire Marshal.
  - (iii) The Building's floor plans are to show a fully engineered and addressable fire alarm system.
  - (iv) There shall be a detail added to the Preliminary Site Plan Drawings which identifies the fire apparatus turning radius design.
- r. All drawings submitted for Preliminary Site Plan Signatures are to include changes identified in the Town Engineer's August 5, 2022, Letter to the Town's Director of Planning and Development before being signed by the Town Engineer.

**BE IT FURTHER RESOLVED** that Preliminary Site Plan Approval is hereby granted with the Condition that all of the above listed Conditions of Approval are to be shown on revised drawings having revisions noted in each drawing's revision box.

**BE IT FURTHER RESOLVED** that Preliminary Site Plan Approval is Conditioned upon the Applicant and the Applicant's Engineers proceeding with and providing documentation of obtaining approvals from the New York State Department of Environmental Conservation for the sanitary sewer connections, the New York State Department of Health, Geneva Regional Office, for the public water line extensions, the Town Board's acceptance of dedication of the proposed Jetman Drive, the Town Highway Superintendent's acceptance of said Highway for Public Use, the Town Water and Sewer Superintendent's acceptance of the design for the proposed water lines and sewer lines, the Town Engineer's and Town Construction Inspector's approval of a proposed Letter of Credit for the construction of all site improvements to be dedicated to the Town, and the Town Code Enforcement Officer's and Town Engineer's acceptance of the Stormwater Facilities and easements for said facility.

**BE IT FURTHER RESOLVED** that an application for Final Site Plan Approval will be accepted by the Planning Board, at a future date and time once all of the above listed Conditions of Preliminary Site Plan Approval have been addressed.

**BE IT FURTHER RESOLVED** that the Applicant and the Applicant's Engineer are hereby given notice that no Building Permit(s) shall be issued by the Town Code Enforcement Officer until a Final Site Plan Approval has been granted by the Planning Board, a Letter of Credit for approved site improvements (including the construction of Jetman Drive) has been filed with the Town Clerk, and a Pre-Construction Meeting has been conducted with the Applicant and the Applicant's Engineer.

**BE IT FURTHER RESOLVED** that the Applicant is hereby notified that Building Permits shall not be issued for Lot #4 until the Tax Map Identification Number for Lot #4 has been provided by the County Real Property Tax Service Agency.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be provided to the Applicant and the Applicant's Engineer.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be provided by the Clerk of the Board to: the Development Office Administrator; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Construction Inspector; the Town Code Enforcement Officer; the Town Director of Planning and Development; and the Town Engineers.

**BE IT FINALLY RESOLVED** that this Preliminary Site Plan Approval with Conditions shall be valid for a period of 180 days from today and shall automatically expire unless signed drawings have been completed and filed with the Town Development Office and Town Staff listed.

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. NEW FINAL SUBDIVISION**

**PB #0906-22 New Final Subdivision Application**

**Name:** Hathaway Corner LLC, 700 Powers Building, 16 West Main Street, Rochester, N.Y. 14614

**Location:** Savalla Boulevard

**Zoning District:** IZ Incentive Zoning

**Request:** Requesting Final Subdivision approval of Phase 2A of Hathaway’s Corners Incentive Zoning Project to erect 43 single-family residential homes.

On September 19, 2018, the State Environmental Quality Review (SEQR) determination of significance (no significant adverse environmental impacts) and the Preliminary Subdivision Plat for the Hathaway’s Corners Incentive Zoning Project were approved by the Planning Board (PB #0703-18 and PB #0704-18, respectively).

On October 3, 2018, the Preliminary Overall Site Plan for Hathaway’s Corners was approved by the Planning Board (PB #0704-18).

On February 20, 2019, the Final Subdivision Plat for Phases 1A and 1B were approved by the Planning Board (PB #0201-19 and PB #0204-19).

Prior to the meeting this evening, Mr. Destro (BME Associates) provided the following summary of the current application for Phase 2A:

The Hathaway’s Corners, Phase 2A Single-Family lots received Preliminary Subdivision approval from the Planning Board on September 19, 2018. The Final subdivision plans are consistent with the 43 single-family lot layout which received Preliminary Phase 2A subdivision approval. The area for Phase 2A is approximately 16.5 acres.

The property is zoned IZ—Incentive Zoning and the subdivision plans are in conformance with the conditions of the Hathaway’s Corners Incentive Zoning Resolution dated May 8, 2018. The bulk area requirements for set-backs, building height and other factors were established with the Incentive Zoning Resolution and are listed on the final subdivision plat.

Phase 2A is designed to be served by two (2) public roads: Osburn Lane and Cooper Place. Osburn Lane will be extended from its termination point within Phase 1B to a new connection to the existing Savalla Boulevard. Cooper Place will have a new connection to Savalla Boulevard and connect internally with the extension of Osburn Lane. An internal public pedestrian concrete sidewalk network serving Phase 2A is also proposed along the Osburn Lane and Cooper Place rights-of-ways, with connections to the existing public sidewalk system along the west side of Savalla Boulevard.

Phase 2A is proposed to be served via extensions of the existing public watermain, public gravity sanitary sewer and public storm sewer systems located onsite within Hathaway's Corners. The water and sanitary sewer demands are consistent with the approved preliminary subdivision design, as the number of single-family lots is proposed to remain the same. The stormwater management pond serving Phase 2A was installed as part of the Hathaway's Corners, Phase 1A and 1B construction. Therefore, no new stormwater management ponds are required to serve the proposed 43 single-family lots within Phase 2A.

Additional amenities proposed to serve Phase 2A include the associated landscape and lighting improvements which are in substantial conformance with the approved Preliminary subdivision plans.

—Ryan T. Destro, P.E., BME Associates, August 11, 2022

Mr. Destro and Mr. Beyler (BME Associates), and Mr. Stevens (S. B. Ashley Management Corporation), presented this application.

Mr. Destro said that this application also includes a public concrete sidewalk system with a connection to the Auburn Trail.

Mr. Destro said that he received the draft approval resolution and that he has no concerns with the conditions of approval.

Mr. Brand said that he would like to point out that a portion of the area in Phase 2A, located near and along Beaver Creek is going to become Town-owned property and will enable construction of a stone dust walking/biking trail between the future pedestrian bridge crossing of Beaver Creek on the south side of County Road 41 and the Auburn Trail. This trail facility is part of planned construction being financed by the recently awarded TAP grant to the Town. Mr. Brand said that at the Project Review Committee meeting which

was held on September 1, 2022, the Town was informed that the applicant has no concerns with turning over this remaining portion of the project to the Town at the appropriate time. He said that this will avoid having to obtain easements which would otherwise have been required for the trail construction in this area.

Mr. Destro then displayed the location of the Beaver Creek bridge crossing and the locations of the connections to the Auburn Trail on the drawing in the meeting room.

Mr. Delpriore said that the Town staff has reviewed the plans and that there are no issues. He said that they are good to go.

Mr. Ford said that he is aware of the location of the stone dust trail and that he has no issues [with this application].

Mr. Brabant said that an MRB Group engineering comment letter has been issued. He said that most of the comments involved stormwater management and were generally technical in nature.

Mr. Brand requested the public record identifies that the Hathaway's Corners project has evolved in record time when compared to some other projects. He said that this is attributed to the applicant for all of the front-end investments and site work, and to the applicant's engineering firm which understands the Town's desires and has met them. He said that whenever issues did arise there were solutions created which were accomplished in a timely manner. He complimented and thanked both Mr. Stevens and Mr. Destro for a great project located along a major portion of the gateway to Ontario County. He said that the Town now looks forward to the build out of the commercial portion of the project.

Mr. Sweeney asked about the location of the topsoil pile on Existing Conditions Drawing #3. Mr. Destro said that the intent is that the topsoil pile will be reduced during construction. He said that the remaining portion of the topsoil pile would then be used for mass grading. Ultimately, he said that it will either be spread over this area or removed prior to the issuing of Certificates of Occupancy for the homes.

Mr. Hemminger asked Mr. Destro if he received the draft resolution prior to the meeting and if he agreed with the conditions. Mr. Destro said that he received the draft resolution prior to the meeting and that he agreed with the conditions.

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

■ 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  
HATHAWAY'S CORNERS INCENTIVE ZONING PROJECT, PHASE 2A  
FINAL SUBDIVISION PLAT—SINGLE-FAMILY LOTS**

**APPROVAL WITH CONDITIONS**

**PB # 0906-22**

**APPLICANT: Hathaway Corner LLC, 16 West Main Street, Suite 700, Rochester, N.Y. 14614**

**ACTION: Final Subdivision Plat Phase 2A—43 Single-Family Lots Hathaway’s Corners Incentive Zoning Project**

**WHEREAS**, the Town of Farmington Planning Board has previously reviewed, made findings and a determination of non-significance upon the Hathaway’s Corners Incentive Zoning Project, which the above referenced Action is a part thereof, thereby satisfying the procedural requirements under the provisions of § 617 of NYCRR, article 8, New York State Environmental Conservation Law for this Action; and,

**WHEREAS**, the Planning Board, has conducted tonight a public meeting upon this Action; and

**WHEREAS**, the Planning Board has given consideration to the public record that has been created upon this Action.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby approve of the Final Subdivision Plat application with the following conditions:

1. Final Subdivision Plat Approval is based upon the set of drawings prepared by BME Associates, dated August 10, 2022, Project No. 2540D, Drawing Numbers 01 through 12 and entitled “Final Phase 2A Subdivision Plat Hathaway’s Corners,” as is further hereby amended by the conditions of approval contained below herein. All affected drawings are to be revised and changes are to be identified in the drawings revision boxes.
2. Drawing Number 08, Landscape & Lighting Plan, is to be amended as follows:
  - a. Lot 8 is to be provided a street tree, the location for which is to be shown on this drawing.
  - b. Lot 63, because of its large frontage along Osburn Lane, is to be provided two (2) additional street trees, the locations for which are to be shown on this drawing.
  - c. There is to be a streetlight located at the north east corner of the intersection of Osburn Lane and Cooper Place, the location for which is to be shown on this drawing.



- d. Streetlight Illumination patterns, at the intersections of Cooper Place and Savalla Boulevard and Osburn Lane and Savalla Boulevard are missing from this drawing. This information is to be added to this drawing.
3. Street Name Signs and Stop Signs do not appear on any of the drawings and are to be added.
4. All final plat subdivision comments contained in the MRB Group letter, dated September 1, 2022, are to be addressed in writing and any changes made to the drawings prior to the drawings being signed by the Town Engineer.
5. The following Town Construction Inspector's comments are to be addressed and shown on revised final plat drawings:
  - a. The Utility Plan shows multiple sanitary/storm laterals and water service connections at the mains that are located within the proposed driveways. This is to be avoided where possible and the connections relocated accordingly.
  - b. Item 20 in the Utility Notes on the Utility Plan should reference 3000 psi concrete instead of the 2500 psi concrete. Please change this note.
  - c. A note should be added to the Lateral Plan referencing the installation of end sections/rip rap for the three storm sewer laterals that discharge directly to the Storm Water Management Facility.
  - d. The Utility Plan shows the SE invert at sanitary sewer manhole SB-6.4 to be 657.91, and the SW and NE inverts to be 658.37. This design will not flow and adjustments are to be made accordingly.
6. Once all of the above conditions of Final Subdivision Plat Approval have been made on the drawings, one (1) paper copy of these drawings is to be submitted to the Town Code Enforcement Officer for his review and acceptance. Once accepted, then a mylar set of revised final plat drawings is to be submitted to the Town for signing. Once the mylar has been signed then paper copies of the signed Final Subdivision Plat drawings are to be provided to: the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Ontario County Department of Public Works; the Town Engineer; and the Town Development Office. If additional copies of the signed Final Plat drawings are deemed necessary, then those copies are to be provided by the Applicant's Engineers. Once all signatures have been affixed to the Final Subdivision Plat Drawings then the Final Subdivision Plat Map is to be filed in the Office of the Ontario County Clerk within 62 days of the date listed for the Town Planning Board Chairperson.
7. Final Subdivision Plat Approval is valid for a period of 180 days and shall expire unless renewed, or signatures have been placed on to the revised drawings.

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.

**6. NEW FINAL SITE PLAN**

**PB #0904-22 New Final Site Plan Application**

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

**Location:** Crowley Road

**Zoning District:** RR-80 Rural Residential

**Request:** Final Site Plan approval to erect a single-family two-story residence including site improvements to grading, drainage and utilities.

On May 18, 2022, the Planning Board approved the State Environmental Quality Review (SEQR) classification for the accompanying Two-Lot Subdivision application (Unlisted Action), determined that the two-lot subdivision will not result in any significant adverse environmental impacts and approved the Preliminary Two-Lot Subdivision with conditions (PB #0503-22).

On July 6, 2022, the Planning Board approved the Final Two-Lot Subdivision with conditions (PB #0701-22), the SEQR classification for the site plan, and the Preliminary Site Plan with conditions (PB #0702-22).

Mr. Bogojevski (BME Associates) presented this application.

He said that the application this evening is the Final Site Plan for construction of Mr. Bowerman’s proposed home. Mr. Bogojevski said that he has been in contact with Mr. Brabant and that MRB Group had no additional engineering comments.

Mr. Bogojevski said that there have been no changes to the site plan from the preliminary approval in July. He acknowledged receipt of the draft Final Site Plan approval resolution. He said that the proposed conditions of approval are minor in nature, and that they will be addressed on the Final Site Plan which will be submitted for signatures.

Mr. Brand said that there are only a few conditions of Final Site Plan approval which is reflective of the applicant’s engineering firm addressing the previous conditions of approval of the Preliminary Site Plan.

Mr. Hemminger asked Mr. Bogojevski if he received the draft resolution prior to the meeting and if he agreed with the conditions. Mr. Bogojevski said that he received the draft resolution prior to the meeting and that he agreed with the conditions.

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

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

**FARMINGTON PLANNING BOARD RESOLUTION  
FINAL SITE PLAN APPROVAL**

**PB #0904-22**

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

**ACTION: Final Site Plan Approval, Lot #1, Crowley Road, Bowerman  
Property**

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

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

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

1. Final Site Plan Approval is based upon Drawings No. 2799-07 through -11, parts of Project No. 2799, titled “Final Site Plans, Lot #1 Crowley Road, Bowerman Property” having the latest revision date July 12, 2022.
2. A Signature Block is to be added to the Final Detail Sheet, Drawing #11, in accordance with the Town’s Site Design and Development Criteria.
3. A Signature Block is to be added to the Final Detail Sheet, Drawing #10, in accordance with the Town’s Site Design and Development Criteria.
4. The note on the Final Detail Sheet, drawing #10, located in the bottom right corner that states . . . “Not Approved.” This note is to be removed before signing.

- 5. The note on the Final Detail Sheet, drawing #09, located in the bottom right corner that states . . . “Not Approved.” This note is to be removed before signing.
- 6. Final Detail Sheet, drawing #08, is to be revised to show the meter pit located outside of the right-of-way for Crowley Road.
- 7. Final Detail Sheet, drawing #08, is to be revised to show the curb box for the water service is to be installed on the Town right-of-way as part of the watermain tap.
- 8. Final Detail Sheet, drawing #08, shows a 1.5" water service tap and a 2" water service connection from the meter pit. Both dimensions are to be the same.
- 9. The Cover Sheet is to add a Signature Block in accordance with the Town’s Site Design and Development Criteria.
- 10. Final Site Plan Approval is valid for a period of 180 days from today and shall automatically expire unless the plan drawings have been signed by Town Officials.

**BE IT FURTHER RESOLVED** that the applicant’s Licensed Engineer is to submit an electronic copy of the above referenced Final site plan maps and one (1) paper copy to the Town Code Enforcement Officer (CEO) for his review and acceptance. Upon acceptance, the CEO shall have signatures affixed to the drawing and copies made for all signatures. The signed electronic copy will then be returned to the applicant’s engineer.

**BE IT FINALLY RESOLVED** that copies of this resolution are to be provided to the Applicant; the Applicant’s Engineer, 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	Aye

Motion carried.

**7. NEW FINAL SITE PLAN**

**PB #0905-22 New Final Site Plan Application**

**Name:** *Applicant:* Louis Sirianni, 792 Patty Lane, Webster, N.Y. 14580

*Owner:* Andrii Yanov, 68 Whitney Ridge Road,  
Fairport, N.Y. 14450

- Location:** West side of Hook Road, south of Allen Padgham Road
- Zoning District:** RS-25 Residential Suburban
- Request:** Final Site Plan approval to erect a new 1,775-square-foot two-story single-family residence on a vacant lot. Site improvements including grading, drainage and utilities.

On August 3, 2022, the Planning Board approved the State Environmental Quality Review (SEQR) classification for this project (Type II Action) and the Preliminary Site Plan with conditions (PB #0802-22).

The clerk informed Mr. Hemminger that the applicant’s engineer, Jonathan Jones of Marks Engineering, could not access the remote video conference this evening because he has attempted to call in from a location which is out of the country. Mr. Delpriore said that the remote video conference system will not accept calls from out of the country due to security reasons. He said that he spoke with Mr. Jones prior to tonight’s meeting and that Mr. Jones had no issues with the draft resolution granting Final Site Plan approval which was provided to him on September 1, 2022.

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

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

**TOWN OF FARMINGTON  
LOUIS SIRIANNI FINAL SITE PLAN—APPROVED WITH CONDITIONS**

**PB #0905-22**

- APPLICANT:** Louis Sirianni, 792 Patty Lane, Webster, N.Y. 14580
- ACTION:** Final Site Plan approval to construct a single-family dwelling and related site improvements on land located along the west side of Hook Road, south of Allen Padgham Road and north of Green Road.

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has reviewed the above referenced Action at tonight’s public meeting; and

**WHEREAS**, the Planning Board has considered the public comments made at tonight’s meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the Board does hereby move to grant Final Site Plan Approval with the following conditions:

- 1. The Approval is granted upon the site plan drawings prepared by Marks Engineering, Numbered C100, C200 and C300, dated 7/14/2022, Job Number #22-107, entitled “Final Site Plan, Louis Sirianni, Lot No. 1 Joseph C. Konwinski & Roksanna Sadeghi Subdivision Plat.”
- 2. Final Site Plan Approval is valid for a period of 180 days from today and shall automatically expire if signatures have not been placed on the drawings.

**BE IT FURTHER RESOLVED** that certified copies of this resolution are to be provided to town staff, the Town Engineer, 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.

**8. NEW FINAL SITE PLAN**

**PB #0907-22 New Final Site Plan Application**

**Name:** Christine Bellomo, D.C., 86 Hook Road, Farmington, N.Y. 14425

**Location:** 86 Hook Road

**Zoning District:** RS-25 Residential Suburban

**Request:** Requesting Final Site Plan approval to operate a chiropractic office to be located within the above cited residence and in accordance with the provisions in Chapter 165, Section 72, of the Town of Farmington Codes.

On August 17, 2022, the Planning Board approved the State Environmental Quality Review (SEQR) classification for this application (Type II Action) and the Special Use Permit to operate a licensed chiropractic service and office located within a portion of the existing single-family home at 86 Hook Road.

Dr. Bellomo was in attendance at the meeting.

Mr. Hemminger asked if there have been any changes to the application. Mr. Brand and Mr. Delpriore said that Dr. Bellomo received the draft Final Site Plan approval resolution on September 1, 2022, and that she has already addressed the conditions of approval which are shown on the drawing under consideration this evening.

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

■ 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  
FINAL SITE PLAN APPLICATION, 86 HOOK ROAD  
SEQR TYPE II CLASSIFICATION**

**PB #0907-22**

**APPLICANT: Dr. Christine Bellomo, D.C., 86 Hook Road,  
Farmington, N.Y. 14425**

**ACTION: SEQR Type II Classification for Final Site Plan approval to  
operate a Major Home Occupation, a chiropractic office, to be  
located within the single-family residence at the above  
referenced property.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received an application for Final Site Plan Approval to operate a chiropractic office located within the single-family dwelling located at 86 Hook Road; and

**WHEREAS**, the Planning Board has reviewed the Part 1 Short Environmental Assessment Form (SEAF) prepared by the Applicant; and

**WHEREAS**, the Planning Board finds the proposed Action is classified within 6NYCRR, Part 617.5 (c) (18) and (21), Article 8 of the New York State Environmental Conservation Law (ECL), the State's Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Planning Board, is the only Involved Agency for this Action.

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

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

**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	Aye

Motion carried.

■ 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  
FINAL SITE PLAN APPLICATION, 86 HOOK ROAD  
APPROVAL WITH CONDITIONS**

**PB #0907-22**

**APPLICANT: Dr. Christine Bellomo, D.C., 86 Hook Road,  
Farmington, N.Y. 14425**

**ACTION: Final Site Plan approval to operate a Major Home Occupation,  
a chiropractic office, to be located within the single-family  
residence at the above referenced address.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received an application for Final Site Plan Approval to operate a chiropractic office, located within the single-family dwelling at 86 Hook Road; and

**WHEREAS**, the Planning Board at tonight’s meeting has, under separate resolution, classified the above referenced Action as being a Type II Action, thereby satisfying the procedural requirements within the State Environmental Conservation Law; and

**WHEREAS**, the Planning Board has given consideration to the testimony presented at tonight’s meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby grant Final Site Plan Approval with the following conditions:

1. The Planning Board File Number (PB # 0907-22) listed above is to be added to the Final Site Plan drawing.



2. There is to be a note added to the Final Site Plan drawing that states . . . “Final Site Plan, to operate a Chiropractic Office, at 86 Hook Road, Farmington, New York.”
3. A Public Safety Sign is to be installed near the driveway in accordance with the design criteria shown on Appendix Form G-9.0.
4. There is to be a signature line and date added to the Final Site Plan drawing for the Planning Board Chairperson’s signing.
5. One copy of the signed Final Site Plan Drawing is to be provided to the Applicant and the other placed in the property file.
6. This Final Site Plan Approval does not include Final Sign Site Plan Approval.
7. Final Site Plan Approval shall automatically expire on the 180th day from today’s date unless the final drawing is signed by the Planning Board Chairperson and a copy is filed in the Town’s property file.
8. Any changes to be made to this Final Site Plan are first subject to review and approval by the Town Planning Board as part of a separate resolution.

**BE IT FINALLY RESOLVED** that the Board directs that certified copies of this resolution are to be provided to: Town Staff; and the Applicant.

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.

**9. PLANNING BOARD ACTION ITEMS**

**A. Hathaway’s Corners, Phase 2B Apartments: Letter of Credit Establishment:**

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
LETTER OF CREDIT ESTABLISHMENT— SITE IMPROVEMENTS**

**HATHAWAY’S CORNERS PHASE 2B APARTMENTS**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated August 4, 2022, from Lance S. Brabant, Director of Planning and Environmental Services, MRB Group, D.P.C., the Town Engineers, to accept a Letter of Credit for site improvements to be made within the above referenced Project, located along the west State Route 332 and the south side of Savalla Boulevard; and

**WHEREAS**, the Planning Board has also received and reviewed the Applicant’s Engineer’s Estimates of Value attachment thereto, dated July 29, 2022; and

**WHEREAS**, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render a recommendation to the Town Board whether to honor the requested establishment of the Letter of Credit or acceptable form of surety.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to establish a Letter of Credit in the total amount of \$537,641.91.

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.

**B. Blackwood Industrial Park, Lot #R-2 (Union Crossing Project):  
Letter of Credit Establishment**

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
LETTER OF CREDIT ESTABLISHMENT—SITE IMPROVEMENTS  
LOT #R-2 BLACKWOOD INDUSTRIAL PARK (UNION CROSSING PROJECT)**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated August 25, 2022, from Lance S.

Brabant, Director of Planning and Environmental Services, MRB Group, D.P.C., the Town Engineers, to accept a Letter of Credit for site improvements to be made within the above referenced Project, located along the west side of County Road 8 and the north side of County Road 41; and

**WHEREAS**, the Planning Board has also received and reviewed the Applicant’s Engineer’s Estimates of Value attachment thereto, dated August 11, 2022; and

**WHEREAS**, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render a recommendation to the Town Board whether to honor the requested establishment of the Letter of Credit or acceptable form of surety.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to establish a Letter of Credit in the total amount of \$816,921.92.

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.

**10. OPEN DISCUSSION**

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

- The Town Conservation Board is working on the update to the Open Space Index. Mr. Hannan, who is a member of the Conservation Board, was in attendance at the meeting this evening. Mr. Brand said that Mr. Hannan has been working with the Town Engineer on suggestions for the mapping of the open space parcels. Mr. Brand said that the State General Municipal Law requires that a municipal Conservation Board must report any changes to the Open Space Index on an annual basis. He said that the completion of the Open Space Index may lead to the preparation of a Town Open Space Plan. He extended thanks to Mr. Hannan for his efforts and help on this project.
- The process began last week for the selection of an engineering firm to begin the implementation of the Town’s 2021–2022 Transportation Alternatives Program

(TAP) and Congestion Mitigation and Air Quality (CMAQ) Improvement Program grant which was recently approved by New York State (*see* Planning Board minutes, July 6, 2022, pp. 21–22).

Mr. Brand said that fifteen (15) requests were sent to engineering firms that are on the New York State Department of Transportation (DOT) Region 4 list, and that six firms responded providing their expressed interest in this project. He said that he will be a member of the Town's TAP Ranking Committee, which is also comprised of Supervisor Peter Ingalsbe, Councilman Steve Holtz, Highway Superintendent, Tim Ford and Principal Account Clerk, Jeannine Marciano. The committee members will each rank the six responses and then report the summary of their rankings to the DOT. The selected firm will then negotiate the costs of the engineering and inspection services with the Town for the preliminary and final designs, survey work, public participation and right-of-way requirements. Mr. Brand said that the grant award identifies different categories such as engineering, administration, construction, etc., which evaluated and approved by the State prior to making an award. In regard to engineering services, these are professional services and, therefore, the selection of a firm is exempt from the Town having to accept the lowest bid. The key word is the lowest "responsible" bid.

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

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

Mr. Hemminger extended thanks to Mr. Brand and to Mr. Brabant of MRB Group. He said that this project will be a great move forward for the Town. Mr. Brand also extended appreciation to MRB Group for preparing the Sidewalk Trail Master Plan Map which is part of the 2021 update to the *Town of Farmington Comprehensive Plan* and which was one of the major components of the Town's TAP Grant application.

***Code Enforcement Officer:***

- Mr. Delpriore distributed photographs of the existing buildings at A Safe Place Self Storage, 6025 Denny Drive. He said that a condition of Final Site Plan approval of the applicant's expansion of the site (PB #0703-22, July 6, 2022) requires that the

Planning Board approve the design of the exterior of the new buildings. Mr. Delpriore said that the applicant has informed the Town staff that the new buildings will be constructed using the same design as the existing buildings, and as shown on the photographs which were presented this evening.

Mr. Viets asked about the plans which have been submitted for the expansion of the storage business. Mr. Delpriore said that this is a unique situation because the design of the new buildings will be identical to the existing buildings.

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

■ A motion was made by MR. BELLIS, seconded by MR. SWEENEY, that the Planning Board accepts the design of the exterior of the new buildings to be constructed at this second phase of A Safe Place Self Storage, 6025 Denny Drive; that the Planning Board Chairperson be authorized to sign the submitted photographs; and that the Planning Board file number and date of signing be affixed to the submitted photographs.

Motion carried by voice vote.

- Mr. Delpriore said that two Public Hearings will be scheduled for the next Planning Board meeting on September 21, 2022,:

PB #0902-22            Electric Car Corner: Requesting a Special Use Permit to use the existing building at 6162 State Route 96 for sales of new and used vehicles.

PB #0903-22            Electric Car Corner: Requesting a Special Use Permit to use the existing building at 6162 State Route 96 for a vehicle maintenance shop.

He said that although the applicant indicated at the Planning Board Workshop on August 30, 2022, that the State Route 96 site will be only for electric vehicles and would not have the typical service equipment of a gasoline-powered vehicle shop, the applications are under Town Code Chapter 165, Article IV, Sections 28 and Section 28 (D) and require Special Use Permits from the Planning Board.

Mr. Brand said that the Town Water and Sewer Department may require that an oil separator be installed.

Mr. Bellis asked if the applicant would be required to return to the Planning Board for an Amended Special Use Permit if the use of the property were to change. Mr. Brand said yes. He said that the current applications are strictly for the sales and service of electric vehicles.

Mr. Brabant said that a Special Use Permit is site specific and that any changes to the conditions would require the applicant to return for an amendment.

Mr. DeLucia said that it appears from the Planning Board Workshop minutes of August 30, 2022, that the applicant will accept trade-in vehicles. Mr. Delpriore said that any gasoline-powered vehicles which are traded in at the State Route 96 location should not remain on the lot and should be transferred to one of the applicant's other locations.

Mr. Brabant said that the applicant does not plan to resell trade-ins or to repair trade-ins at the State Route 96 site.

Mr. Delpriore said that these two Special Use Permit applications have been referred to the Ontario County Planning Board (Referrals #175-2022 and #176-2022) for their September 14, 2022, meeting.

He also said that the applicant must comply with the requirements of the Major Thoroughfare Overlay District (MTOD) and the Main Street Overlay District (MSOD) which the property on State Route 96 is located in. Among these requirements are details on sidewalks, streetlights, landscaping and benches.

#### ***Town Highway and Parks Superintendent:***

Mr. Ford said that the Highway Department is completing work on the installation of sidewalks along the west end of the Canandaigua–Farmington Town Line Road Project, that grass in this area is becoming stabilized, and that the Highway Department's staff is starting to prepare for the coming winter season.

Mr. Hemminger asked if there have been any additional drainage complaints from residents in the Phillips Landing subdivision. Mr. Delpriore said that he has not received any recent complaints from residents since the ponds and the areas around the homes have been cleaned and maintained by the Highway Department staff.

#### ***Town Conservation Board:***

Mr. Brand acknowledged that Tim Hannan is present tonight and that he is an active member of the Town's Conservation Board. Mr. Hannan and the Conservation Board have been working on the update to the *Town of Farmington Open Space Index*. Mr. Brand also reported that the Conservation Board will be preparing maps as part of the update on the Index. Finally, Mr. Brand reminded the Planning Board members of the two scheduled dates (Saturday morning October 8, 2022, starting at 9:00 a.m. or, if necessary, a rain date of October 15, 2022) for the Adopt-A-Highway trash clean-up work along a portion of State Route 332 by the Conservation Board and Planning Board members.

**Board Members' Comments:**

Mr. Hemminger asked about the fire department's plans for the redevelopment of the five-acre site and Station #2 at 1225 Hook Road. It was noted that this was discussed at Project Review Committee meetings on December 4, 2020; January 8, 2021; and February 5, 2021; and that the fire department had retained the Wendel Group for engineering services. Chief Robinson said that there has been some discussion by their committee about perhaps modifying the existing fire station to lower the costs of the project, but that no additional details have been decided upon.

Mr. DeLucia expressed interest in attending the Genesee/Finger Lakes Regional Planning Council's Fall Local Government Workshop on Thursday, November 3, 2022, from 8:30 a.m. to 5:00 p.m. at del Lago Resort, located in Waterloo, New York. Mr. Hemminger requested that Mr. DeLucia and any other board members who wish to attend should arrange their registrations with Ms. Daniels in the Supervisor's office (*see* additional information on p. 32).

**11. PUBLIC COMMENTS**

None.

**12. TRAINING OPPORTUNITIES****■ 2022 Municipal Bootcamp:**

Hancock Estabrook and MRB Group are offering a free annual training program to assist local governments, municipal officials, and planning and zoning boards. The program will include 10 hours of remote training designed to provide a comprehensive education that encompasses all aspects of municipal governance. Each program in the series will be provided remotely on the fourth Thursday of each month with subject matter experts from MRB Group and knowledgeable attorneys from Hancock Estabrook LLP. Topics will be 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, 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 and Association of Towns  
2022 Fall Planning and Zoning Schools (In Person Sessions)**

**Tuesday, September 13, 2022**

Wallace Center @ FDR Library and Museum

4079 Albany Post Road

Hyde Park, N.Y. 12538

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

**Wednesday, September 28, 2022**

New York Kitchen

800 S. Main Street

Canandaigua, N.Y. 14424

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

**Thursday, October 6, 2022**

Conference Center at Lake Placid

2608 Main Street

Lake Placid, N.Y. 12946

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

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

**Thursday, November 3, 2022**

8:30 a.m.–5:00 p.m.

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

Registration opens September 15, 2022

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

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

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

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

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

Introduction to Planning, Zoning and Land Use

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

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

The What, Why, and How of Site Plan Review

Common Mistakes and Mishaps in Site Plan Review

***Meeting Process and Communication:***

Enhancing Transparency Effectiveness in Planning Proceedings

Innovations and Best Practices for Planning/Zoning Boards

Engaging Diverse Communities and Dealing with Difficult People

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

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

Working with Developers to Foster Investment in the Community

Communication, the Media and Social Media

Open Government and Planning and Zoning Decision Making



■ **General Code e-Code**

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

Information:

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

■ **Future Training Opportunities Online:**

Ontario County Planning Department website now lists upcoming training:

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

**13. 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 8:10 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, September 21, 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 the front doors to the Town Hall were locked.

Respectfully submitted,

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