

Town of Farmington

1000 County Road 8
Farmington, New York 14425

ZONING BOARD OF APPEALS

Established July 15, 1957

Monday, March 28, 2022, 7:00 p.m.

MINUTES—Approved

The 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 Zoning Board of Appeals. 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 Zoning Board of Appeals adopted Rules of Procedure. The audio recording is retained for four months.

Board Members Present:

Jeremy Marshall, *Chairperson*
Thomas Yourch
Tod Ruthven
Kelly Cochrane
Jody Binnix

Staff Present:

John Weidenborner, Town of Farmington Zoning Officer
Ron Brand, Town of Farmington Director of Development
Dan Delpriore, Town of Farmington Code Enforcement Officer
Peter Ingalsbe, Town of Farmington Supervisor

Applicant’s Present:

Paul Gillette, 6025 Denny Drive, Farmington
Don Lewis, DH Lewis Engineering, PLLC
Jeff Berends, Meyer’s Finger Lakes RV

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Mr. Marshall.

The Pledge of Allegiance was recited.

Mr. Marshall said that the meeting would be conducted according to the Rules of Procedure approved by the Zoning Board of Appeals on January 25, 2021, as amended above.

This meeting was held both in person at the Farmington Town Hall and virtually on Zoom. The safety measures were implemented in accordance with the Governor's relevant Executive Orders regarding the COVID-19 pandemic. A sign-in sheet was not used to avoid contact with pens, pencils and papers. The names of those attending tonight's meeting is available for public tracing should it be deemed necessary. Hand sanitizers were available throughout the building. Public access was restricted to the lobby, the main meeting room, and the public restrooms.

2. APPROVAL OF MINUTES OF FEBRUARY 28, 2022

■ A motion was made by MR. YOURCH seconded by MS. COCHRANE, that the minutes of the February 28, 2022, meeting be approved.

Motion carried with MR. MARSHALL and MR. RUTHVEN abstaining.

3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on Sunday, March 20, 2022:

ZB #0301-22, MEYERS RV, 6200 NEW YORK STATE ROUTE 96, FARMINGTON, NEW YORK 14425:

The applicant requests an Area Variance to the provisions contained within Chapter 165, Article IV, Section 165-34.2 J (1) (a) of the Farmington Town Code. The applicant wishes to erect a one hundred eighteen (118) square foot (total sign area) building mounted commercial speech sign on the front building elevation facing State Route 96. The Town Code restricts the maximum size of a building mounted commercial sign to 48 square feet in sign area when facing State Route 96. The property is located at 6200 State Route 96 and is zoned GB General Business, MTOD Major Thoroughfare Overlay District, and MSOD Main Street Overlay District.

SAID BOARD OF APPEALS WILL MEET at said time and place to hear all persons in support of, or having objections to, such matters.

By order of:
Jeremy Marshall, Chairperson
Zoning Board of Appeals
TOWN OF FARMINGTON

4. CONTINUED PUBLIC HEARING

ZB #0201-22: A SAFE PLACE STORAGE, 6025 DENNY DRIVE, FARMINGTON, NY 14425

The applicant requests an area variance, in accordance with Chapter 165, Article VI,

Section 165-84.1 K of the Farmington Town Code. The applicant wishes to erect a 130ft wide x 131ft long mini-warehouse building [having a total square footprint of 16,929 square feet in area]. The Town Code states the maximum width for a mini-warehouse structure shall be 40 feet [with a maximum square footprint of 8,000 square feet in area]. The property is located at 6025 Denny Drive and is zoned LI-Limited Industrial.

Mr. Marshall continued the Public Hearing on this application.

Paul Gillette and Don Lewis both presented the above application. Mr. Gillette explains that due to the easement that goes through the middle of the property and the type of self-storage, which is climate controlled, they are looking to do a wider building. The building cannot be longer because of the easements that run through the middle of the property. The square building is more efficient for heating and cooling. They did receive two variances on width for the “original property” of the first phase. Customers are still looking for climate-controlled storage and they are looking to provide it.

Mr. Marshall then asks if anyone else would like to speak for or against this project.

Hearing none. Mr. Marshall then asks for questions from the board members.

Ms. Binnix asks Mr. Brand if the Town is looking to update the zoning regarding mini-storage for climate-control use.

Mr. Brand states that the Town is looking at some criteria for Special Use Permits. Copies of that were sent to the Board for review. He adds he can discuss that criteria later in the meeting if the Board would like.

Ms. Binnix says she was wondering if in relation to this variance, would you say that it is imminent that eventually this use would be allowed per the code.

Mr. Brand says hopefully it would go to the Town Board next month. The Town Board would decide to send it, or not, to the County for review. If they do, then you would be looking at the second meeting in May when the changes, whatever they are, would be in effect.

Mr. Delpriore adds that the Board members should keep in mind that like the solar application the Town had a moratorium in place but because the application was received prior to that moratorium the application had to be acted on by the Board. Even though legislation is coming this application would need to be reviewed under the current legislation. Yes, there is a process, as Mr. Brand stated, but it may be three months it may be six months we are unsure of the turnaround. We shouldn't hold up a decision based on legislation that we do not have a timeframe for.

Mr. Marshall explains to the applicant that the board is bound to grant the minimum relief possible. He asks Mr. Gillette to explain how this is the minimum relief.

Mr. Gillette explains that they have two front setbacks. One from Collett Road and the other from Commercial Drive. He adds that there is also an easement that runs right through the middle of the property. They made the building as long as they could between the front setback and that easement and then squared it off to make it as efficient as possible for the heating, cooling and sprinklers.

Mr. Marshall then asks for staff comments.

Mr. Delpriore would like to elaborate on Mr. Gillette's comments. He explains that the applicant is allowed to have a 200 foot by 40-foot building by code. Already the building is quite shorter at 130 feet because of the easements. The variance is only for one side of the building. The code does not state an exact allowed square footage, yes, it is implied by the 200 feet by 40 feet but is not a driving factor here.

Mr. Marshall then asks if there are any other staff comments.

Hearing none. Mr. Marshall then asks his board to review the draft resolution. There has been a lot of discussion over this resolution and what we are going to do with it. It is a little bit different than what we normally have. As you can see, we would need a motion to approve the variance, a motion to deny the variance, or a motion to table the variance.

Mr. Marshall then closes the public hearing for ZB #0201-22.

5. NEW PUBLIC HEARING

ZB #0301-22, MEYERS RV, 6200 NEW YORK STATE ROUTE 96, FARMINGTON, NEW YORK 14425:

The applicant requests an Area Variance to the provisions contained within Chapter 165, Article IV, Section 165-34.2 J (1) (a) of the Farmington Town Code. The applicant wishes to erect a one hundred eighteen (118) square foot (total sign area) building mounted commercial speech sign on the front building elevation facing State Route 96. The Town Code restricts the maximum size of a building mounted commercial sign to 48 square feet in sign area when facing State Route 96. The property is located at 6200 State Route 96 and is zoned GB General Business, MTOD Major Thoroughfare Overlay District, and MSOD Main Street Overlay District.

Mr. Marshall opens the public hearing on this application.

Jeff Berends is here to present the application. Mr. Berends explains that the renderings that were sent in were approved previously by the Planning Board.

Mr. Delpriore would like to give the board some background on this application. This project has been through the Planning Board and the rendering was on the elevations, but unfortunately the sign was never officially approved by the Planning Board. When the Building Department received the sign permit application it was greater than code allows.

With that being said, they discussed this at the Planning Board meeting and since this sign has been on all the elevations, they are in support of the size of the sign compared to the size of the building. Through the entire project, as the applicant has stated, this sign has been on the building. Unfortunately it was an oversight, but it is greater than code allows so we are going through the process.

Mr. Berends adds that although there are pine trees in front of the building, they are small now and will eventually be blocking the building, so a bigger sign would be better.

Mr. Marshall then asks for questions from the board members.

Hearing none. Mr. Marshall then asks for comments from Town staff.

Mr. Brand explains that the sign is about eighty-eight square feet, but when it was originally calculated it encompassed a lot of flat building area. This latest calculation actually helps the applicant because it significantly reduces the variance that is being requested. He adds that size alone isn't necessarily an indicator of concern to the character of the neighborhood or community. In this instance, the sign's message is very simple. It just says Meyer's RV with just the logo. The sign is easily identifiable to passing motorists and is not distracting. This is a good example of an application where a variance could be warranted. He adds that he believes it fits, as the Planning Board has determined, well with the rendering of the elevation of the building.

Mr. Marshall then closes the public hearing on ZB #0301-22.

6. BOARD BUSINESS—DELIBERATIONS AND DECISION

ZB #0201-22	A Safe Place Storage 6025 Denny Drive Farmington, N.Y. 14425	Area Variance
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■ A motion was made by MR. YOURCH, seconded by MS. BINNIX, that the resolution be approved with conditions.

Motion carried by voice vote.

**TOWN OF FARMINGTON
ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS AND DECISION**

APPLICANT: PAUL GILLETTE 6025 Denny Drive Farmington, New York 14425	File: ZB #0201-22 Zoning District: LI Limited Industrial and MTOD Major Thoroughfare Overlay District Published Legal Notice on: February 20, 2022 County Planning Action on: February 9, 2022 County Referral #: 29-2022
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Public Hearing held on: February 28, 2022, and
March 28, 2022

Property Location: 6025 Denny Drive, Farmington, New York 14425

Applicable Section of Town Code: Chapter 165, Article VI, Section 84.1 K.

Requirement for Which Variances are Requested: The Applicant requests an area variance to the above referenced Section of the Farmington Town Code. The Applicant desires to construct a 17,030 square foot single-story (conditioned) mini warehouse building with a width of 131 feet. The Town Code limits the width of a mini-warehouse structure to 40 feet. The property is located at the address identified above herein and is zoned LI Limited Industrial and MTOD Major Thoroughfare Overlay District.

State Environmental Quality Review Determination: The granting of an Area Variance for a building having a total square foot area of 17,030 square feet is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations. The Zoning Board of Appeals, by separate resolution, has classified the proposed Action as being an Unlisted Action. The Zoning Board of Appeals has also given notice, on February 28, 2022, to the Town Planning Board that the Board has no objection to the Planning Board serving as the lead agency for making the required determination of significance upon the granting of a requested area variance. The Planning Board, on March 16, 2022, declared lead agency, completed the review under SEQR and made a Determination of Non-Significance.

County Planning Referral Recommendation: County referral Number 29-2022, dated March 9, 2022, a Class 1 referral and was returned only with comments from all four (4) referrals. [Note: other referrals on this application include: 148-2021, 6-2022 and 17-2022].

FACTORS CONSIDERED AND BOARD FINDINGS

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the Area Variance.

Yes No

Reasons: The Board finds that the need for the proposed Area Variance is being driven by the Applicant's desire to construct a conditioned mini-warehouse structure of a certain size (on a 4.75-acre portion of the overall 9.76 acres of land that now comprises the "A Safe Place Storage" project. The Board finds that the public hearing record contains references made by the Applicant to other sites within the neighborhood which have large buildings and expresses his opinion that granting the requested Area Variance would not create an undesirable change in the character of the neighborhood or a detriment to nearby properties. The Board finds that some of these other cited buildings are located in different zoning districts which have different regulations for regulating land use.

The Board finds that previously, in 2011, the Zoning Board of Appeals did grant an Area Variance to allow a conditioned mini-storage warehouse building to be constructed, on what is now the

southern portion of this site, having a building width of 60 feet instead of the 40-foot width requirement at the time. The Board further finds that there is one other mini-warehouse storage site located within the Town that was approved by the Town Board, as part of an Incentive Zoning Project (Cerone Incentive Zoning) which approved two, three-story, climate-controlled (conditioned) mini-warehouse storage buildings, with each building having a footprint of 22,800 square feet for a total of 68,400 square feet in building area. The Board finds that one of these conditioned buildings has been constructed, however, at this time there has been no building permit issued for the second building.

The Board finds that there is another mini-warehouse site, located along the south side of State Route 96 at the Victor/Farmington Town Line, that recently received building permits to convert a portion of their structures to climate-controlled (conditioned) storage units. This project involved retrofitting of some of the existing structures.

The Board finds that the Town Board is currently making amendments to Chapter 165, Section 84.1, of the Town Code, creating additional criteria for climate-controlled (conditioned) mini-warehouse structures. The Board has received a working copy of these text amendments that are under review. The Board finds that a draft local law is intended to be introduced to the Town Board next month.

2. Whether the benefit sought by the applicant can be achieved by a feasible alternative to the requested variance.

X Yes ___ No

Reasons: The Board determines that the Applicant has provided adequate evidence of the existence of a practical difficulty with complying with the requirement in the Town Code for building width, and that granting a smaller area variance (one involving less building width) than what is being requested, is not feasible. The Board finds that the Applicant cannot construct a smaller sized climate-controlled (conditioned) mini-warehouse structure on this portion of the overall site which would then, in turn, allow the Board to grant an area variance involving the minimum relief necessary as they are obligated to find under New York State Town Law and the Farmington Town Code. The Board also finds that there are other mini-warehouse sites located within the Town that have revised their buildings designs changing them from uncontrolled to controlled units without seeking relief to the Town Code requirements.

3. Whether the requested variance is substantial.

X Yes ___ No

Reasons: The Board finds that the requested area variance to increase the maximum width of the proposed structure from forty (40) feet to one hundred thirty-one feet would involve granting an area variance of three hundred twenty-eight percent (328 %) to what is otherwise allowed by the Town Code. The Board has consistently found that granting an area variance which involves fifty percent (50%) or more of that allowed by the Town Code to be a substantial variance.

4. Whether the proposed variance will have an adverse effect or impact upon the physical environmental conditions in the neighborhood or district.

Yes X No

Reasons: The Board has been provided notice from the Town Planning Board that they have completed the SEQR review for the overall project, made a Determination of Non-Significance thereon, and has thereby satisfied the procedural requirements contained within the ECL.

5. Whether the alleged difficulty was self-created which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the Area Variance.

X Yes No

Reasons: The Board finds that the alleged difficulty is self-created in that the Applicant is proposing a building having a width which is larger than what is allowed by the Town Code.

**DETERMINATION OF THE ZONING BOARD OF APPEALS
BASED UPON THE ABOVE FACTORS**

The Zoning Board of Appeals, after reviewing the above five factors, finds:

The benefit to the applicant does outweigh the detriment to the community or neighborhood; and, therefore, the requested area variance to erect a proposed single-story climate-controlled (conditioned) mini-warehouse building on approximately 4.73 acres of the overall 9.76 acre site and having a building width of 131 feet, a length of 130 feet, for a total square foot area of 17,030 square feet is **Approved with the following conditions:**

1. The Applicant is hereby granted an Area Variance that allows for the construction of a proposed climate-controlled (conditioned) single-story mini-warehouse structure having a maximum width of 131 feet and a maximum total building area of 17,030 square feet to be placed upon the 4.75 acre portion of the overall 9.76 acre site shown on the drawing prepared by Donald H. Lewis, P.E., the Applicant’s Engineer, entitled “Variance Site Plan,” and having the latest revision date of 1/22/22, Sheet No. 2A, Project No. E-232; and
2. The Applicant is to obtain Final Site Plan Approval from the Town Planning Board which is to include the proposed single-story climate-controlled (conditioned) mini-warehouse structure to be located on this 4.75-acre portion of the overall 9.76-acre site, or this Area Variance is made null and void; and,
3. The Applicant is to obtain a Building Permit from the Town Development Office for the construction of the proposed building and related site improvements; and

Conservation Law (the State’s SEQR Regulations) for the above described Action, to make a determination of significance thereon; and

Whereas, the Zoning Board has conducted a public hearing upon said Action giving consideration to the comments provided; and

Whereas, the Zoning Board has reviewed and does hereby accept Part 1 of the Short Environmental Assessment Form, dated February 1, 2022, that was prepared by the Applicant; and

Whereas, the Zoning Board has completed and does hereby accept Parts 2 and 3 of the Short Environmental Assessment Forms that were prepared by the Town Director of Planning and Development, dated March 21, 2022, upon the above referenced Action; and

Whereas, the Zoning Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) (i) through (xii) of the SEQR Regulations.

Now, therefore, be it resolved that the Zoning Board does hereby accepts Parts 1, 2 and 3 of the Short Environmental Assessment Form, that has been prepared upon the above referend Action, as being complete along with supporting documentation which included the front building elevation and proposed sign design submitted with this application.

Be it further resolved that the Zoning Board has reasonably concluded the following impacts may be reasonably expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c) (i) through (xii):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems; and
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site that cannot be mitigated; and
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action; and
- (iv) the overall density of the site is consistent with the Town’s Comprehensive Plan land use recommendations; and
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site; and

- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed Action; and
- (vii) there will not be any hazard created to human health; and
- (viii) there will not be a change in the use of current active agricultural land; and
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the Action; and
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences; and
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related Actions which would have a significant impact on the environment.

Be it further resolved that based upon the information and analysis above and the supporting documentation referenced above, the Zoning Board finds the proposed Action WILL NOT result in any significant adverse environmental impacts.

Be it further resolved that the Zoning Board does hereby make a Determination of Non-Significance upon said Action; and directs the Zoning Board of Appeals Chairperson to sign and date the Part 3 of the Short Environmental Assessment Form.

Be it further resolved that a copy of this resolution and the Negative Declaration Form be provided to the Applicant.

Be it finally resolved that the Clerk of the Board is to file copies of the environmental record, Parts 1, 2 & 3 of the Short Environmental Assessment Form, and this Determination on Non-Significance Resolution with the Applicant and the Project File in the Town Development Office.

The above resolution was offered by MR. YOURCH and seconded by MR. RUTHVEN at a regular scheduled meeting of the Town of Farmington Zoning Board of Appeals on Monday, March 28, 2022. The following roll call vote was taken and recorded in the official minutes of the Zoning Board of Appeals for this date.

Kelly Cochran	Aye
Tod Ruthven	Aye
Jody Binnix	Aye
Tom Yourch	Aye
Jeremy Marshall	Aye

Motion carried

■ A motion was made by MR. YOURCH, seconded by MS. ATTARDI, that the reading of the complete Area Variance Permit Findings and Decision resolution be waived, and that the Chairperson read aloud the Determination of the Zoning Board of Appeals.

Motion carried by voice vote.

**TOWN OF FARMINGTON
ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS AND DECISION**

APPLICANT: MEYER’S FINGER LAKES RV
6200 State Route 96
Farmington, New York 14425

File: ZB #0301-22

Zoning District: GB-General Business
Major Thoroughfare Overlay District
and MSOD Main Street Overlay District

Published Legal Notice on: March 20,
2022

County Planning Action on: N/A

County Referral #: N/A

Public Hearing held on: March 28, 2022

Property Location: 6200 State Route 96, Farmington, New York 14425

Applicable Section of Town Code: Chapter 165, Article IV, Section 34.2 J. (1) (a).

Requirement for Which Variances are Requested: The Applicant request an area variance to the above referenced Section of the Farmington Town Code. The Applicant desires to place a building mounted commercial speech sign, containing a total of approximately eighty-eight (88) square feet on a portion of the Front Building Elevation (identified as the South Elevation of the commercial building located at the above referenced street address. The Town Code limits the size of a building mounted commercial speech sign in the MSOD District to 40 square feet. The property is located at the address identified above herein and is zoned GB-General Business, MTOD Major Thoroughfare Overlay District, and MSOD Main Street Overlay District.

State Environmental Quality Review Determination: The granting of an Area Variance for a building mounted commercial speech sign is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations. The Zoning Board of Appeals, by separate resolution, has classified the proposed Action as being neither of Type I Action or a Type II Action, and has classified it as an Unlisted Action. The Zoning Board of Appeals has reviewed and accepted the Parts 1, 2 and 3 of the Short Environmental Assessment Forms. The Zoning Board of Appeals, by separate resolution has determined the proposed Action will not result in any substantial adverse impact upon the environment, thereby precluding any further environmental review under article 8 of the New York State Environmental Conservation Law (ECL).

County Planning Referral Recommendation: N/A. Exempt Action by Ontario County Planning Board Bylaws, as it involves the granting of a single area variance not related to a subdivision or site plan.

FACTORS CONSIDERED AND BOARD FINDINGS

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the Area Variance.

Yes No

Reasons: The Zoning Board of Appeals (hereinafter referred to as Board) finds that the proposed building mounted commercial speech sign will be placed on the eastern portion of the current building's south elevation which is located along the north side of State Route 96. The Board finds that the proposed sign will occupy less than one-half of the South Elevation (Front Building Elevation) of the existing building. The Board further finds that the proposed sign contains the business logo, the owner's name, and the business name (Finger Lakes RV).

The Board further finds that the proposed commercial speech sign has been reviewed by the Town Planning Board (an application for Final Sign Site Plan Approval – PB # 1102-202). The Board further finds that the Planning Board has found the proposed sign to be: (i) attractive; (ii) a complement to the design of the existing building; and (iii) conveying essential information to the traveling public without creating an unnecessarily lengthy message which could contribute to an extended period of distraction by the passing motorists from along the highway.

The Board further finds that the Applicant's site has, except for the proposed over-sized sign, been developed in accordance with the Town's GB, MTOD and MSOD regulations. The Board further finds that the Applicant has made a significant contribution to implementing the Town's Main Street Planning Program with the construction of sidewalks, streetlights, benches and trash receptacles, along with driveway spacing and street landscaping within this redeveloping Main Street Corridor. The Board further finds that limiting the size of a building mounted commercial speech sign to the forty (40) square feet area contained in the Town Code would result in a smaller sized sign which could be less legible to the passing motorists and could adversely affect traffic safety along this heavily traveled major highway.

The Board, based upon these findings, determines that allowing the proposed building mounted commercial speech sign, having a total of approximately eighty-eight (88) square feet in sign area, would not create an undesirable change to the character of the neighborhood, nor will it be a detriment to nearby properties.

2. Whether the benefit sought by the applicant can be achieved by a feasible alternative to the requested variance. Yes No

Reasons: The Board determines that due to the site's layout, the building's design, the large size (length) of the building's front façade, and the Town's expressed desire to provide an attractive, adequate, yet legible sign message, that the Applicant has no feasible alternative to the requested variance.

3. Whether the requested variance is substantial. Yes No

Reasons: The Board finds that the requested size of the building mounted commercial speech sign would involve granting an area variance of forty-five point four percent (45.4%) to what is otherwise allowed by the Town Code. The Board has consistently found that granting an area variance involving fifty percent (50%) or more of that allowed by the Town Code to be a substantial variance.

4. Whether the proposed variance will have an adverse effect or impact upon the physical environmental conditions in the neighborhood or district. Yes No

Reasons: The Board has given consideration to the criteria for determining significance, as set forth in Section 617.7 of the SEQ Regulations. The Board finds that the proposed Action is classified as an Unlisted Action under Section 617 of article 8 of the New York State Environmental Conservation Law (ECL). The Board has, by separate resolution, made a determination of Non-Significance upon the Unlisted Action and has thereby satisfied the procedural requirements of the ECL.

5. Whether the alleged difficulty was self-created which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the Area Variance.
 Yes No

Reasons: The Board finds that the alleged difficulty is self-created in that the Applicant is proposing a building mounted sign larger than what is allowed by code.

DETERMINATION OF THE ZONING BOARD OF APPEALS BASED UPON THE ABOVE FACTORS

The Zoning Board of Appeals, after reviewing the above five factors, finds:

The benefit to the applicant does outweigh the detriment to the community or neighborhood; and, therefore, the requested area variance to erect the proposed building mounted commercial speech sign having a total square foot area of approximately eighty-eight (88) square feet which is to be placed upon the South Elevation of the existing building, located at 6200 State Route 96, is **Approved with the following conditions:**

5. The Applicant is to prepare a Final Sign Site Plan drawing showing the following information that is to be contained on the drawing provided by Vital Signs, last revised on 11/1/2021:
 - a. There is to be a Title Block added that reads... “Final Sign Site Plan South Elevation Meyer’s Finger Lakes RV, 6200 State Route 96.”
 - b. The drawing is to have a note that reads... “Area Variance ZB 0301-22, granted March 28, 2022.”
 - c. There is to be a signature line added for the Planning Board Chairperson to sign and date.

6. A copy of the signed Final Sign Site Plan drawing referenced above is to be placed in the property file with this area variance application.

7. A copy of this resolution is to be provided to the Planning Board, the Applicant and the Applicant’s Sign Company.

NOW, THEREFORE, BE IT RESOLVED that the Board in making this Decision has satisfied the procedural requirements under New York State Town Law, and the Town of Farmington Town Code.

BE IT FINALLY RESOLVED that the Board directs this Resolution be placed in the public file upon this Action.

The above resolution was offered by MR. YOURCH and seconded by MS. COCHRANE at a regularly scheduled meeting of the Zoning Board of Appeals held on Monday, March 28, 2022. Following discussion, the following roll call vote was recorded:

Kelly Cochrane	Aye
Tod Ruthven	Aye
Thomas Yourch	Aye
Jody Binnix	Aye
Jeremy Marshall	Aye

Motion carried.

7. OTHER BOARD MATTERS

Mr. Marshall confirmed that prior to the meeting the clerk provided the board members and Town staff with the draft 2022 Rules of Procedure.

Mr. Marshall asked if there were any amendments to the 2022 Rules of Procedure. No amendments were offered.

■ A motion was made by MS. COCHRANE, seconded MS. BINNIX, that the following resolution be approved:

**TOWN OF FARMINGTON ZONING BOARD OF APPEALS RESOLUTION
2022 RULES OF PROCEDURE**

ADOPTED—March 28, 2022

WHEREAS, the Town of Farmington Zoning Board of Appeals (hereinafter referred to as the Board) has given consideration to the need to adopt Rules of Procedure for conducting the business of the Board during the calendar year 2022; and

WHEREAS, the Board has determined that such Rules of Procedure are in the best interests of the Town; and

WHEREAS, the Board determines the action to adopt Rules of Procedure is a Type II Action, under Part 617.5 (c) (20) of the State Environmental Quality Review (SEQR) Regulations, in that it involves routine agency administration, not including new programs or major re-ordering of priorities that may affect the environment.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby adopt the 2022 Rules of Procedure as amended per this document appended to the minutes of the meeting of Zoning Board of Appeals on March 28, 2022:

Jody Binnix	Aye
Thomas Yourch	Aye
Tod Ruthven	Aye
Kelly Cochran	Aye
Jeremy Marshall	Aye

Motion carried.

8. PUBLIC COMMENTS—OPEN FORUM DISCUSSION

Supervisor Ingalsbe showed the board members the new “Welcome to Farmington” signs that Town and the Farmington Chamber are collaborating on. He also informed the board that the Town newsletter has gone out and should be in their mailboxes in the next day or two.

9. DIRECTOR OF PLANNING AND DEVELOPMENT UPDATE

- Working on amendments for a Local Law - Special Use Criteria for Mini-Warehouse Sites
- Reviewed the Incentive Zoning Application that the Town Board received for the Farmington Market Center.

10. ZONING OFFICER UPDATE

- Next Meeting will tentatively May 23, 2022
- Open Clerk of the Board of Position

11. 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 pro-

vided 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 lively, useful and—potentially as important—qualify for the education requirements for members of planning boards and zoning boards of appeal.

Sessions in 2022:

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

Here Comes the Sun: Shaping Solar and Battery Storage Projects

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

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

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

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

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

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

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

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

Thursday, October 27, 2022, 6:00 p.m. to 7:00 p.m.

A History Lesson: Managing Projects with Historic Significance

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

Santa’s Nice and Naughty List: The Best and Worst of 2022

Select this link for the 2022 Municipal Bootcamp information page. RSVP and registration tab are at the bottom of the website page.

<https://www.hancocklaw.com/events/the-2022-municipal-bootcamp/>

■ New York Planning Federation Recorded Webinars:

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

The Essentials of Planning and Zoning:

Introduction to Planning, Zoning and Land Use

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

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

The What, Why, and How of Site Plan Review

Common Mistakes and Mishaps in Site Plan Review

Meeting Process and Communication:

Enhancing Transparency Effectiveness in Planning Proceedings

Innovations and Best Practices for Planning/Zoning Boards

Engaging Diverse Communities and Dealing with Difficult People
 Working with Elected Officials and Understanding Everyone’s Role in Planning
 The Open Meetings Law for Zoning and Planning Boards, Part 2
 Working with Developers to Foster Investment in the Community
 Communication, the Media and Social Media
 Open Government and Planning and Zoning Decision Making

■ **General Code e-Code**

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

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

■ **Future Training Opportunities Online:**

Ontario County Planning Department website now lists upcoming training:

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

12. NEXT MEETING

The next regular meeting of the Zoning Board of Appeals will tentatively be held on Monday, May 23, 2022, at 7:00 p.m. at the Farmington Town Hall, 1000 County Road 8.

13. ADJOURNMENT

■ A motion was made by MR. YOURCH, seconded by MR. RUTHVEN, that the meeting be adjourned.

Motion carried by voice vote. The meeting was adjourned at 7:22 p.m.

Respectfully submitted,

 Sarah Mitchell L.S.
 Clerk *Pro Tem* of the Zoning Board of Appeals