

**TOWN OF FARMINGTON  
ZONING BOARD OF APPEALS MEETING MINUTES**

**APPROVED MINUTES**

The following minutes are a written summary of the main points that were made and the actions taken at the Town of Farmington Zoning Board of Appeals meeting held on January 25, 2010.

**Zoning Board of Appeals Members**

Edward Hemminger                      --Chairman  
Leslie O'Malley  
Raymond Ward  
Chris Dunfey  
Gary Scribner

**Board Officers**

Floyd Kofahl                              -Code Enforcement Officer  
Ron Brand                      Excused                      -Director of Development

**Also Present**

Chris Mahan                              -Thompson Health, 350 Parrish St., Canandaigua, N.Y. 14424  
Tom Ewing                              -Ewing Graphics

**Open Meeting**

Edward Hemminger called the meeting to order at 7:00 pm. He explained the emergency evacuation procedures and rules of procedures of the meeting and stated that copies of the evening's agenda and legal notices were available on the table by the door. He then asked those present to sign in if they had not already done so.

**Approval of Minutes**

Approval of the December 21, 2009 meeting minutes will be held over until the February 22, 2010 meeting.

**BOARD BUSINESS:**

**#ZB 0101-10                              THOMPSON HEALTH                              AREA VARIANCE**

**The applicant is requesting an area variance to the provisions of Chapter 165, Article V, Section 43. B. (1) ( c ) of the Farmington Town Code. The applicant wishes to erect an additional (a second) ground commercial speech business identification sign on their property. The Town Code allows for one two-sided ground commercial speech business identification sign. The property is located at 1160 Corporate Drive and is zoned PD Planned Development District.**

**#ZB 0102-10**

**THOMPSON HEALTH**

**AREA VARIANCE**

**The applicant is requesting an area variance to the provisions of Chapter 165, Article V, Section 43. B. (1) ( c ) of the Farmington Town Code. The applicant wishes to erect an 81 square foot additional ground commercial speech business identification sign on their property. The Town Code allows for one two-sided ground commercial speech business identification sign to have a maximum allowed square footage of 64 square feet. The property is located at 1160 Corporate Drive and is zoned PD Planned Development District.**

Edward Hemminger read the legal notice for #ZB 0101-10 and #ZB 0102-10 that was published in the Daily Messenger on January 18, 2010 requesting the area variances.

Chris Mahan stated that this is a not-for-profit organization and not a commercial enterprise. We are trying to draw attention and recognition to an urgent care center. Urgent care centers are critical assets to the community to keep patients out of the emergency rooms in the hospitals and are meeting a public good. We cannot put the Urgent Care sign on the same sign as Thompson Health because our other tenants would want to be listed also. That is the reason for two signs. Our current signage at night is not visible.

Floyd Kofahl stated that one of the neighbors called, a Mr. Weston, saying he is not supporting this application because of the lighting and the size of the one sign.

Edward Hemminger reminded the applicant that dark sky conditions would be required if the application is approved. Ed also stated that when driving down Route 332, because of the reconstruction, the berm prevents the current sign from being seen until you get almost on top of it.

Chris Dunfey said he has a problem with all the empty space on the Thompson Health sign and asked if the two signs could be combined into one sign and eliminate one variance.

Tom Ewing said he would rather lower the height of the main sign than put more verbiage on the main sign and make it less recognizable to people.

Edward Hemminger stated that the Ontario County Planning Board made a recommendation of denial.

Leslie O'Malley stated that the Board has tried very hard to keep within what the code allows and if we approve this others will be coming back to us for variances.

Edward Hemminger said he understood the reason for the height of the Thompson Health sign but has a problem with the second sign with the tenants listed.

Gary Scribner said he would like to see the street number more prominent on the sign.

Chairman Hemminger announced that this is a Public Hearing and asked if there is anyone present who wishes to speak for or against this application. No one responded. A motion was made by Gary Scribner and seconded by Chris Dunfey to close the Public Hearing at the January 25, 2010 meeting. There were five (5) Ayes. The Public Hearing was closed at 7:34 pm.

#### **AREA VARIANCE FINDINGS & DECISION**

After discussion of the factors to be considered the Board will ask staff to draft a resolution of acceptance for #ZB0102-10 and a resolution of denial for #ZB0101-10 and a resolution to override the county for #ZB 0102-10.

The above resolution was offered at a meeting of the Town of Farmington Zoning Board of Appeals held on Monday, January 25, 2010. After discussion, the following roll call vote was taken:

Gary Scribner - Aye  
Chris Dunfey - Aye  
Leslie O'Malley - Aye  
Raymond Ward - Aye  
Ed Hemminger - Aye

**Public Comments:**

There were no Public Comments.

**Other Board Matters:**

- a. Edward Hemminger was appointed for another five year term as Chairman of the Zoning Board.
- b. A motion to approve the Rules of Procedure for 2010 was made by Raymond Ward and seconded by Leslie O'Malley. The following roll call vote was taken:

Gary Scribner - Aye  
Chris Dunfey - Aye  
Leslie O'Malley - Aye  
Raymond Ward - Aye  
Ed Hemminger - Aye

**Director of Development Update:**

- a. The filing of Local Law #6 of 2009 has been done.

**Code Enforcement Officer Update:**

Floyd Kofahl

- a. The Park Place Restaurant is scheduled to open on February 15, 2010.

**Next Meeting:**

The next Zoning Board of Appeals meeting will be held on February 22, 2010. Chris Dunfey made a motion to adjourn the meeting at 8:15pm. Gary Scribner seconded the motion. The motion was passed with a voice vote of five (5) ayes.

Minutes were respectfully submitted by Patricia Eddy, Clerk of the Board.