

TOWN OF FARMINGTON PLANNING BOARD

February 16, 2011

APPROVED MINUTES

The following minutes are written as a summary of the main points that were made and the actions taken at the Town of Farmington's Planning Board Meeting. .

MEMBERS:

David Degear, Chair
Meg Godly
Ron Herendeen
Scott Makin
Mary Neale

Also present: Town of Farmington Director of Development and Planning, Ron Brand; Town of Farmington Code Enforcement Officer, Floyd Kofahl; Town of Farmington Engineer Lance Brabant, MRB Group, P.C.; John Kasper, Chair, Conservation Board; Chris Dunfey, Zoning Board of Appeals; Matt Newcomb and John Stapleton, Marathon Engineering; Dave Kavanagh, Ryan Homes; Larry Glazer, Buckingham Properties

OPEN MEETING:

The meeting was called to order at 7:04 p.m. After everyone recited the Pledge of Allegiance, Chairman Degear made the introductions of Planning Board members and staff. He explained the emergency evacuation procedures and said that copies of the evening's agenda and legal notices are available on a table by the door. Mr. Degear also asked that all present set their cell phones on vibrate.

APPROVAL OF THE MINUTES OF THE JANUARY 22ND AND FEBRUARY 2ND MEETINGS:

Mr. Makin moved to approve the Minutes of the February 2nd Board meeting with Ms. Godly seconding. The motion passed by a voice vote of five ayes.

Ms. Neale moved to approve the Minutes of the January 22nd Organizational Meeting. Mr. Herendeen seconded. The motion passed with a voice vote of four ayes. Ms. Godly abstained because she had been excused from that meeting.

The Minutes for the February 14th Board Workshop were held over.

LEGAL NOTICES: *None required.*

SITE PLAN APPROVAL:

PB 0201-11, PRELIMINARY SITE PLAN APPLICATION
NAME: BUCKINGHAM PROPERTIES, 1 S. WASHINGTON ST., STE. 200, ROCHESTER, NY 14614
LOCATION: 5829 COUNTY RD 41
ZONING DISTRICT: PD
REQUEST: To construct a 13,000 square foot addition expansion used for manufacturing, storage and office space

Matt Newcomb and John Stapleton from Marathon Engineering and Larry Glazer from Buckingham Properties appeared for this application.

Mr. Newcomb began by saying that Badger Technologies on County Road 41 is expanding and bringing a division here from another county. They have a 25,000 square foot building at present and wish to add a 13,000 square foot addition on back. There will be 92 parking spaces on the front, side and back of the enlarged structure. Their plans meet all zoning requirements. Revisions to the plans were made in accordance with comments from the PRC (Project Review Committee).

The applicant pointed out on the plans the new location for 34 parking spaces and five reserved parking spaces as well as the new area for the loading dock with an at-grade garage door. The utilities will be extended into the new addition. Three new light poles with Code compliant fixtures will be located to the rear. The light packs on the building wall will be shielded to meet the Town Code.

Mr. Newcomb also said that they will add landscaping which will buffer the view from the front and west side. The topsoil pile presently in the back will be removed.

When the applicant finished, the Chair asked for staff comments.

Mr. Brand said this application requires an Unlisted Action SEQR with a determination of non-significance. He has drawn up a resolution for the Board's consideration. In adding landscaping and bringing site lighting into conformity with the Code, the site is more attractive now and the enlarged business a benefit to the Town.

Mr. Kofahl said that the site use remains the same: manufacturing and storage. They are bringing another operation into Farmington.

In response to a question about the manufacturing, Mr. Glazer explained that this firm assembles panels and boards for computers and electronic devices. It is a clean operation.

The Code Enforcement Officer (CEO) continued by saying that they have a valid Certificate of Occupancy and passed all required inspections. There is 30.8% green space on the site which meets Code requirements. The number of parking spaces meets Code requirements for use and occupancy.

In response to a question from the Board, the applicants explained that the reserved spaces are for handicapped parking and are not banked spaces. They agreed to indicate this on the final plans and to have them paved and striped.

Mr. Kofahl requested that removal of the topsoil pile be added as a condition for approval. The applicants agreed to remove the pile before the Certificate of Occupancy is granted.

Mr. Brabant said the applicants have addressed the PRC comments. They have addressed his comments but he has not yet had time to write a response. The drainage system installed meets all MS4 regulations. All run off is captured. He asked that a note about the drainage be added to the plans. The SWPPP will come.

Mr. Degear inquired about site maintenance. Mr. Kofahl said there have been no issues. He added that the tax map has been corrected and the water and sewer lines are adequate.

In response to a question from the Chair, the applicants said that the dumpster will be in the loading dock area up against the wall. They showed the site on the map. Ms. Godly asked how they will prevent windblown debris. Mr. Glazer explained that they do not have paper trash, just wire and plastic. The dumpster itself is heavy metal, not light plastic. Mr. Kofahl commented there were no problems when the dumpster was located in the back where the prevailing winds blow. The new location is sheltered from these winds. He pointed out that he can enforce the rules if there is a problem. Mr. Glazer assured the Board that any problems with the dumpster will be addressed.

Next, the Chair requested Board comments.

Mr. Makin complimented the engineers for their professional plans. Mr. Degear agreed.

Ms. Godly asked about solder used and how the lead is handled. Mr. Glazer said they use solder in an automated system under negative air pressure. All lead is recaptured and recycled.

Mr. Glazer also reported that this firm is growing. The Chair said he is glad to hear it.

There was a discussion on the need for a SWPPP report. Mr. Kofahl said one is required by the State for the pre-construction meeting. Mr. Brabant explained that the applicants are supplementing what is already on the site. All erosion control has been shown on the plans. The SWPPP will provide a narrative.

The CEO commented that site drainage and erosion control are two different considerations. The Town Engineer said both are shown on the plans. All details and sequencing of construction are provided. The addition area will have a preconstruction inspection.

Mr. Stapleton explained that the original structure's construction was below the SWPPP threshold. Now this information must be provided for the Final Site Plan.

Returning to Board comments, Mr. Herendeen said this site looks good. He is glad a Farmington business is expanding.

Ms. Neale said she has been concerned about the current lack of site landscaping and is happy it will be improved.

The Chair asked about the aesthetics of the site. Mr. Newcomb explained the color rendering is not ready but the addition will match the existing building. Mr. Degear requested this information for final approval. Mr. Newcomb agreed.

Mr. Makin moved to waive the reading of the Unlisted Action SEQR with a determination of non-significance. Ms. Godly seconded. All five Board members voted aye in a voice vote and the motion was carried. Ms. Neale then moved to approve the SEQR with Mr. Makin seconding. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Scott Makin—aye

Mary Neale—aye

David Degear—aye

The Unlisted Action SEQR resolution was adopted by a unanimous aye vote of all five Board members. Mr. Degear, as Chair, signed Part II of the Environmental Assessment Form.

At the Chair's request, Clerk O'Malley read aloud a draft Preliminary Site Plan resolution with the following conditions:

1. *Preliminary Site Plan Approval is based upon the information shown on the drawing entitled "Preliminary Site Plan, Building Expansion, 5829 County Road 41," prepared by Marathon Engineering, job number 0262-10 and identified as Drawing No. C2.0, having the latest revision date of February 8, 2011. Two copies of these drawings are to be signed by the Planning Board Chairperson prior to the submission of Final Site Plan drawings for Final Site Plan Approval of this application.*
2. *Final Site Plan drawings are to be prepared and submitted to the Town Development Office for approval by the Planning Board at a future Planning Board Meeting in either March or April of this year. The Final Site Plan drawings are to have a revision box note that changes were made consistent with the Planning Board Action for Preliminary Site Plan Approval at tonight's meeting.*
3. *A note is to be added to Drawing No. C4.0, that identifies all landscaping shown shall be installed on or before October 1, 2011; or, if not possible by that date, a Landscaping Bond, in the full amount to cover all of the proposed landscaping, is required to be issued to the Town prior to obtaining a Certificate of Occupancy. In any event, all landscaping is to be completely installed on or before May 31, 2012 or the Planning Board's condition of Final Site Plan Approval shall be made void.*
4. *A note is to be added to the Final Site Plan Drawing that identifies where all the lawn areas are to be located.*
5. *All site lighting shall be compliant with the Town's Lighting Regulations, Chapter 165, of the Town Code prior to the issuance of the Certificate of Occupancy.*

6. *The Final Site Plan shall show the location of all dumpsters. If the Planning Board decides to waive the requirement for these units to be enclosed, then that will be a condition of Final Site Plan Approval and shall be so noted on the Final Site Plan Drawing prior to signing by the Planning Board Chairman.*
7. *Preliminary Site Plan Approval is valid for a period of 180 days from today and shall expire unless the Preliminary Site Plan has been signed and filed in the Town Development Office, or extended by the Planning Board at a later date and by separate resolution.*
8. *There shall be no development permitted on the site until Final Site Plan Approval has been granted and all permits have been obtained from the Town Code Enforcement Officer.*
9. *All handicapped parking spaces shall be shown on the final plan.*
10. *The Top Soil Pile on the site shall be removed and this area reclaimed prior to the issuance of a Certificate of Occupancy.*
11. *All Town Engineer's comments are to be identified on the Final Site Plan and addressed as required.*

Mr. Glazer said he understood and agreed to the conditions. Ms. Godly moved to approve the resolution with the conditions. Mr. Herendeen seconded. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Scott Makin—aye

Mary Neale—aye

David Degear—aye

The Preliminary Site Plan resolution was adopted by a unanimous aye vote of all five Board members. Mr. Glazer thanked the Board and said it is a pleasure doing business in Farmington. The Chair signed the plans later on in the meeting.

PB 0203-11, FINAL SITE PLAN APPLICATION

**NAME: RYAN HOMES OF NY, 400 AIRPARK DR, STE 30,
ROCHESTER, NY 14614**

**LOCATION: 1786 SPARTAN, LOT #208 AUBURN MEADOWS
SECTION 2**

ZONING DISTRICT: IZ

**REQUEST: Final Site Plan approval, per PB 0305-07 resolution condition #11,
dated February 20, 2008**

PB 0204-11, FINAL SITE PLAN APPLICATION

**NAME: RYAN HOMES OF NY, 400 AIRPARK DR, STE 30,
ROCHESTER, NY 14614**

**LOCATION: 1780 SPARTAN, LOT #211 AUBURN MEADOWS
SECTION 2**

ZONING DISTRICT: IZ

**REQUEST: Final Site Plan approval, per PB 0305-07 resolution condition #11,
dated February 20, 2008**

PB 0205-11, FINAL SITE PLAN APPLICATION
NAME: RYAN HOMES OF NY, 400 AIRPARK DR, STE 30,
ROCHESTER, NY 14614
LOCATION: 1772 SPARTAN, LOT #215 AUBURN MEADOWS
SECTION 2
ZONING DISTRICT: IZ
REQUEST: Final Site Plan approval, per PB 0305-07 resolution condition #11,
dated February 20, 2008

PB 0206-11, FINAL SITE PLAN APPLICATION
NAME: RYAN HOMES OF NY, 400 AIRPARK DR, STE 30,
ROCHESTER, NY 14614
LOCATION: 1784 SPARTAN, LOT #209 AUBURN MEADOWS
SECTION 2
ZONING DISTRICT: IZ
REQUEST: Final Site Plan approval, per PB 0305-07 resolution condition #11,
dated February 20, 2008

PB 0207-11, FINAL SITE PLAN APPLICATION
NAME: RYAN HOMES OF NY, 400 AIRPARK DR, STE 30,
ROCHESTER, NY 14614
LOCATION: 1782 SPARTAN, LOT #210 AUBURN MEADOWS
SECTION 2
ZONING DISTRICT: IZ
REQUEST: Final Site Plan approval, per PB 0305-07 resolution condition #11,
dated February 20, 2008

PB 0208-11, FINAL SITE PLAN APPLICATION
NAME: RYAN HOMES OF NY, 400 AIRPARK DR, STE 30,
ROCHESTER, NY 14614
LOCATION: 1776 SPARTAN, LOT #213 AUBURN MEADOWS
SECTION 2
ZONING DISTRICT: IZ
REQUEST: Final Site Plan approval, per PB 0305-07 resolution condition #11,
dated February 20, 2008

The Board members agreed to approve all these applications in one group.

David Kavanagh of Ryan Homes appeared for the six applications. He explained that they are asking for final site plan approval for six homes: three of which have already sold and three not yet sold. Some site clearing is required although they will save as many trees as possible. The site of the sold homes was walked by the Town Engineer and the Code Enforcement Officer and the trees to be removed have been marked.

Mr. Kofahl confirmed this, saying that the three sold home sites (# 208, 211 and 215) will have two trees added in front. In place of the trees being removed, Ryan Homes is

proposing to add an equal number of trees to the buffer area along Town Line Road. The Chair responded that the Board members want more trees there. Ms. Godly asked if the land along the berm would be built up. Mr. Kavanagh said he does not have any information on the elevation. Mr. Kofahl offered to go over to the buffer area and see what could be done since the Board members were concerned about a flat berm. The Board members agreed to this.

Mr. Kofahl recalled that the Board members asked about accessory structures at their workshop on Monday night. Mr. Kavanagh said yes, there will be accessory structures on the sold sites since this is why trees must be removed. A sun room or accessory structures are likely to be added on the unsold sites. All sites are conventional, not patio home sites.

Mr. Brand and Mr. Brabant had no comments.

The Chair asked for Board comments.

Ms. Neale said she would like to see more trees in the berm area.

Mr. Herendeen commented that additional trees will help the site appearance along Townline Road.

Ms. Godly asked how many trees are involved. Mr. Kofahl said seven trees have been marked for removal. Nine will be added to the berm for the sold lots. The number of trees to be removed and added to the buffer for the unsold lots will be determined when they sell. It will be up to what style of house and accessory structures are chosen by the buyers.

Mr. Makin and Mr. Degear had no additional comments.

Mr. Makin then moved that the Board act on these six applications in one block vote. Mr. Herendeen seconded. All five Board members voted aye in a voice vote.

Next, Mr. Makin moved to waive the reading of the six Type II Action SEQRs and Mr. Herendeen seconded. The motion passed by a voice vote of five ayes. Ms. Godly made a motion to approve the six SEQRS with Ms. Neale seconding. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Scott Makin—aye

Mary Neale—aye

David Degear—aye

The SEQR resolutions were adopted by a unanimous aye vote of all five Board members.

Since all six resolutions had the same conditions, the Clerk read them aloud at the Chair's request:

1. *The title of the drawing is to read "Final Site Plan Lot #208 (or 209, 210, 211, 213 or 215) Auburn Meadows Subdivision, Section 2, South."*

2. *The Final Site Plan is to contain a note that reads ... “All trees shown on this site plan are to be of a native species acceptable to the Town Engineer.”*
3. *The Final Site Plan has been reviewed by the Town Engineer and the Town Highway Superintendent who have determined the number of trees and the appropriate locations for the proposed trees on this Lot are to be located outside the Town Highway right-of-way as shown on the submitted drawing.*
4. *All street trees are to be planted within 30 days of the issuance of the Certificate of Occupancy, or before October 15th of the year a Building Permit is issued, or before June 1st of the year following the issuance of the Certificate of Occupancy.*
5. *Final Site Plan Approval is valid for a period of 90 days from today and shall expire unless the Final Site Plan(s) have been signed and filed in the Town Development Office or extended by the Planning Board at a later date and by separate resolution.*
6. *The Final Site Plan must have a signature block provided for the Town Planning Board Chairperson’s signature.*
7. *Once all conditions of Final Site Plan Approval have been met, the Planning Board Chairperson’s signature must be affixed to the drawings and filed in the Town Development Office. One (1) additional signed copy is to be provided to the property owner, the Town Highway Department and the Town Code Enforcement Officer.*
8. *Third party inspections may be required by the Town C.E.O. at the expense of the owner/developer. A note to this effect is to be placed on the Final Site Plan.*
9. *All trees removed from this site shall result in an equal number of trees being added along the north side of Canandaigua-Farmington Townline Road.*

Mr. Kavanagh asked about the 90 day clause since they do not know when these homes will sell. Mr. Brand said it refers to receiving the drawings, not selling the homes. The applicant said he understood the conditions and agreed to them. Mr. Makin moved to approve the six final site plans with the conditions. Ms. Neale seconded. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Scott Makin—aye

Mary Neale—aye

David Degear—aye

The six resolutions with the conditions were adopted by a unanimous aye vote of all five Board members.

PB 0202-11 FINAL SITE PLAN APPLICATION Phase I

FINAL SIGN SITE PLAN APPLICATION

**NAME: 1816 FARMINGTON QUAKER MEETINGHOUSE, P. O. BOX
25053, FARMINGTON, NY 14425**

**LOCATION: SOUTHWEST CORNER OF SHELDON RD & CO RD #8
ZONING DISTRICT: GB**

REQUEST: Final site plan approval to locate a 2,760 sq ft museum, Phase 1

No one was present to speak for this application. Mr. Brand said that he would do so. The Preliminary Site Plans have been signed by the Chair this week and a copy was provided for the Board to see. The Director of Planning and Development said he has prepared a resolution with conditions for the Board’s consideration tonight.

Mr. Degear commented that the Board members were concerned because this work was listed on the plans for completion in 2010. Mr. Brand said this was merely a guide for the applicants' use and of no importance to the Board tonight. We need to deal with access to the site, parking for workers and moving the museum building onto a pad on the site.

The Chair asked about the driveway. Mr. Kofahl said it will be on the same site as the future permanent one. It has been marked but the markings are hard to see. He pointed it out on the plans. It is marked "future blacktop." During construction, it will be stoned to keep mud off the roadway. Later, this will be the base for the final driveway. It is in the only safe location. The Board members thanked him, saying this is now clear to them.

Mr. Degear asked for staff comments.

The CEO reminded everyone that tonight's approval is only for Phase 1.

Mr. Brabant had no comments.

There were no Board comments.

At the request of the Chair, Clerk O'Malley read aloud a draft Final Site Plan resolution with the following conditions:

1. *Final Site Plan Approval is based upon the information shown on the drawing entitled "Final Site Plan Phase 1, 1816 Farmington Quaker Meetinghouse Museum," prepared by John G. Waite Associates, PLLC, dated January 26, 2011 and identified as Commission Number 2917.C.*
2. *Final Site Plan Approval is only for the Phase 1 work identified on the above referenced Final Site Plan map and includes the construction of a temporary access point and on-site parking to be used by workers on the project and by the applicant. Access to this site will require a permit from the Town Highway Superintendent.*
3. *All site lighting shall be compliant with the Town's Lighting Regulations, Chapter 165 of the Town Code, prior to the issuance of the Certificate of Occupancy.*
4. *All areas of the site that are to be excavated for the building location shall be graded and seeded prior to October 1, 2011.*
5. *The building, once relocated to this site, shall remain secured at all times.*
6. *There shall be no materials associated with the relocation of the 1816 Museum Building left outside on the site. All such materials shall be stored within an enclosed structure that may be located on the site.*
7. *All areas of the site are to be maintained by the owner(s), including period mowing of the field area.*
8. *All erosion control measures shall be installed, inspected by the Code Enforcement Officer and maintained by the owner.*
9. *Final Site Plan Approval is valid for a period of 180 days from today and shall expire unless the Final Site Plan drawings have been signed and filed in the Town Development Office, or extended by the Planning Board at a later date and by separate resolution.*

10. *There shall be no development permitted on the site until Final Site Plan Approval has been granted and all permits have been obtained from the Town Code Enforcement Officer.*
11. *Third party inspections may be required by the Town Code Enforcement Officer at the expense of the owner/developer. A note to this effect is to be placed on the Final Site Plan*

In the absence of the applicant, Mr. Degear said silence is agreement. The Director of Planning and Development said he emailed the resolution to Judy Wellman who was pleased with it.

Ms. Godly moved to approve the resolution with the conditions and Ms. Neale seconded. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Scott Makin—aye

Mary Neale—aye

David Degear—aye

The Final Site Plan resolution with the conditions was adopted by a unanimous aye vote of all five Board members. The Chair signed the plans.

The Board members agreed to take a short break at 8:11 p.m. Chairman Degear reconvened the meeting at 8:16 p.m.

DISCUSSION

OPEN DISCUSSION

Report:

Director of Development

1. Outdoor Wood Burning Boiler Local Law

Mr. Brand reported that the DEC (Department of Environmental Conservation) has new regulations for outdoor wood burning boilers. He handed out copies of a local law drawn up by the Town Attorney, the CEO and the Director of Planning and Development. The Town Board will be considering it at their February 22nd meeting. Previous Town conditions will still apply.

Mr. Brand continued by saying that the seller and the Town now have to issue five year renewable permits. The five year time frame for each will coincide. He then asked the Board members for comments.

The Chair asked Mr. Kofahl for comments. The CEO responded that this change means the regulation of emissions will be done by the State and not Code Enforcement Officers.

Ms. Godly asked how the State will make sure the owners renew in five years. Mr. Kofahl said the DEC has an enforcement system. They will notify the Town.

2. Reaffirm Site Design Guidelines 2011

There was no Board discussion on the Site Design Guidelines. Mr. Makin moved to approve the Guidelines for 2011 and Mr. Herendeen seconded the motion. The resolution was adopted by a unanimous aye voice vote of all five Board members.

Code Enforcement Officer

Mr. Kofahl apologized for his past absences and said everyone in his family is now doing well.

He went on to say that his year-end report is on the Town website. He can provide copies to any Board members who want it. Permits were granted for 69 new single-family home and 118 townhouses. This is a record for Ontario County and the surrounding counties. It represents \$28 million in construction costs.

Town Engineer

Mr. Brabant had no report and was excused at 8:25 p.m.

Chairman of Planning Board

1. Comprehensive Plan Update

Mr. Degear explained that he invited members of the other Boards involved with the Update of the Comprehensive Plan to attend tonight's meeting. He introduced Chris Dunfey, a member of the Zoning Board of Appeals, and John Kasper, Chair of the Conservation Board. He pointed out that he asked Ms. Neale to summarize the discussion at the last CPU Committee meeting for the other Board members at Monday night's workshop. He wanted them to hear an accurate and unbiased report.

At this point in the meeting, 8:26 p.m., Mr. Kofahl was excused.

Mr. Brand pinned up draft copies of the Existing and Future Land Use Maps. He explained that several changes are being discussed for the Future Land Use Map:

1. Two residential lots along the north side of County Road 41 near Wood Drive will be shown as commercial.
2. The Herendeen property south of Collett Road's intersection with Hook Road will be shown as residential for homes between 10,000 and 20,000 square feet. The classification of 25,000 square feet or less has been eliminated. This is clearer.
3. North Farmington's agricultural lands will remain that way. There will be no rezoning until the Town has a developer willing to do a study of the sewer capacity there. Priority will be given to existing homes for sewer hook ups.
4. He then stated his belief that the Mandrino Farm property along the west side of New Michigan Road should be shown as single family residential. He pointed out that he spoke today with a developer interested in getting Incentive Zoning to build quality patio homes across from the Mandrino property on land owned by Ernie Ackerman. There will be site amenities such as sidewalks and an extension to the culvert. Mr. Brand noted that development is being concentrated in this Southwest

Quadrant of Town. A commercial site will be shown on the corner of Townline Road and New Michigan Road.

He concluded by saying that the CPU Committee is asking for the Planning Board's input. The Director of Planning and Development added that he wants this location available for upper end housing to take the stress off other agricultural sections of Farmington. Within the next 20 years, this land could still be farmed if the owners so choose even if the map shows it as planned for future single family housing. The Town does not want to get into the issue of purchasing development rights.

Ms. Godly asked how often the Comp Plan is updated. Mr. Brand explained that the vision is for a 20 year timeframe. The Town planned updates every five years but did not meet that goal. Updating now will be by annual reports to the Town Board. There are implementation plans for different timeframes: one year, five year etc.

Ms. Godly commented that the market will probably drive the decision. Mr. Brand responded that the Update is being done this year because the Herendeens asked to rezone their property from Limited Industrial to residential. New York State Law says zoning must complement the Comprehensive Plan. The Update should have taken place in 2008 but government is slow because procedures must be followed.

Mr. Brand stated that the committees involved agree that change is coming. In response to a question about the Bowerman property, he said that developers are interested in North Farmington because there is a sewer system for Stonewood there. However, State Ag and Markets restricts sewers in agricultural districts. We also do not know if capacity is sufficient to serve all the existing homes there. There are only Town roads in North Farmington. They would need rebuilding for a greater volume of traffic.

Mr. Makin asked about Incentive Zoning for the Mandrino property. The Director of Planning and Development replied that this does not apply to active agricultural areas.

Ms. Godly asked about the process to be followed if the future map shows this land as agricultural and the owners decide to sell. Mr. Brand referred to the process needed to rezone the Herendeen property. The Town Board had to request an update to the Comprehensive Plan. This takes time and money which needs to be budgeted. The Update must consider the entire Town. We are talking about four to eight months or possibly longer. By the then, the prospective developer may not be interested.

Ms. Godly inquired about the impact of the annual updates. Mr. Brand explained that we know the Southwest Quadrant has been developing under Incentive Zoning. Another trend is that it is becoming more urban. Mr. Makin asked about an RR Zoning District and was told that it has water and sewer so this is not possible. Ms. Godly concluded by asking if there is any reason to believe the property owners would change their minds.

Mr. Dunfey said he is representing himself, not the ZBA, and thinks the area should be shown as yellow for residential rather than green for agricultural. He is basing this on the concentration of development in the Southwest Quadrant. The Mandrinos have reported getting weekly calls from developers asking if they will sell. Changing the future map to

yellow still allows the land to be farmed. From a conservation standpoint, this is an opportunity to plan for “smart growth.” Farmington is a growing community. We need to acknowledge this growth in the Comprehensive Plan.

Ms. Godly said that Ms. Neale did well in covering the discussions at the last CPU meeting. We have now received exciting new information about another development under consideration.

Mr. Makin asked about the input from the other ZBA members. Mr. Dunfey explained that he forgot to discuss the Future Land Use Map at the January meeting. Some of those present commented that there will be no ZBA meeting in February. Ms. Godly and Mr. Makin asked about a special meeting of the ZBA to be called to discuss this. Mr. Dunfey said he will ask the Board Chair, Ed Hemminger. However, he expressed concern that this would delay the updating process. Ms. Godly and Ms. Neale praised Chairman Degear for his involvement of the entire Planning Board in the Update.

Mr. Brand asked Mr. Kasper to speak for the Conservation Board. Mr. Kasper said they agree the Northwest Quadrant should remain agricultural since there are State restrictions on extending the sewer and sewer capacity should be used for existing homes first. Septic systems in that area of Town are approaching the end of their life expectancy. Regarding the Herendeen property, this Board agrees to a change to residential provided the woodlots and drumlins are preserved and a buffer is created for existing homes. This buffer could also extend to the industrially zoned area.

Regarding the Mandrino property, Mr. Kasper explained that the Conservation Board would like to see it remain agricultural as long as possible. This is good farmland and they wish to support the Town’s agricultural industry.

Mr. Brand commented that Mr. Kasper told him the Conservation Board members might have changed their minds if they were at the CPU meeting. Mr. Kasper clarified this by saying that he and Ms. Hilton explained the issue to the other Board members and invited them to come tonight. He does not know how they would respond if they heard tonight’s discussion. However, the fact that development is coming on the Canandaigua side of the Town Line might be a factor.

Ms. Neale pointed out that this land is up against the Town of Victor’s Agricultural Preservation Area.

Mr. Brand responded that developer Ernie Ackerman owns land on the Canandaigua side and is interested in developing it. Mr. Degear responded that he has been told that there is opposition to this in Canandaigua.

Mr. Herendeen said that he understands the need for thinking about the future and that growth is inevitable. The Mandrino land can still be farmed even if the future map shows it as residential. He himself farms land zoned Limited Industrial. He agreed that growth will come to the Southwest Quadrant. He can envision changes not anticipated now happening by 2020.

Ms. Neale said the land should remain agricultural as long as the owners wish. This is prime farmland.

Mr. Dunfey asked that, if the Mandrino land is not identified for future growth, where should development come in the next ten years? Mr. Kasper responded that we know residential growth is coming and we need to plan for it. How do we do this? If it is an either/or situation, either in the Southwest Quadrant or rural areas, it is better to put it in the Southwest Quadrant but it does not have to be on the Mandrino land.

Ms. Godly said we should respect the owner's wishes. Mr. Herendeen pointed out that the Mandrinos do not wish to sell at this time. Ms. Godly asked about development in the Southeast Quadrant. Mr. Dunfey said this should remain active agriculture. It is preferable to develop in the Southwest Quadrant.

Chairman Degear commented that we are planners looking ahead. Ms. Neale thanked Mr. Brand for his input. He explained that he wishes to preserve farmland and does not want a farmer to be forced to sell. Mr. Herendeen noted that a farmer's land may fund his retirement. Other farmers cannot afford to buy farms in Farmington if a developer is bidding against them.

Ms. Godly suggested development could be east of Farmbrook. Mr. Brand replied that this is an active agricultural area. Ms. Godly pointed out that land in Victor next to the Mandrino property is in an Agricultural Protective Area.

The Chair asked for the Board members' opinions. Mr. Makin again asked about a Rural Residential designation. Ms. Neale pointed out that land use, not zoning, is under discussion. Mr. Brand urged a planned neighborhood community.

Mr. Degear requested a vote on the future mapping of the Mandrino property. Ms. Neale said to leave it green (agricultural). Mr. Herendeen pointed out that there will be an application for development of this area within the next 20 years. He said to show it as residential (yellow) since the owners can continue to farm it as long as they wish. Ms. Godly said that, since updates are being done to the Comp Plan each year, it can remain green for now. Mr. Makin reluctantly said that the Town needs to control growth. Since it will become residential in the near term, he votes for yellow.

Mr. Degear noted that the vote is tied. He said he will reserve his decision to see which way the CPU Committee decides. Mr. Brand invited everyone to attend the meeting on Thursday, February 24.

Ms. Godly asked Mr. Dunfey to take a straw poll of the ZBA members before then. He agreed to do so.

2. Field Changes

Mr. Degear reminded the Board members that they had expressed concerns about field changes at the Organizational Meeting. He attended a meeting of the Construction Inspector, the Water and Sewer Superintendent, the Highway Superintendent, members of the Town Board's Government Ops Committee and the Director of Planning and

Development to resolve these issues. It was a good discussion.

The Chair reported that the Planning Board is correctly following procedures. In future, the Department Heads have agreed to notify Mr. Brand about any field changes and he will contact the Planning Board.

Another issue raised at that meeting, Mr. Brand reported, is that past Letters of Credit never got to the Development Office which resulted in issues for developers and additional time for their release. The Development Department needs to see these records in order for the Planning Board to act on them.

Mr. Degear then said that the “As Built” records do not go to the Development Department. Mr. Brand pointed out this is a problem and can increase engineering costs if developers cannot consult these records. The Town Code specifies that these should be filed in the Development Department. The Director of Planning and Development ended by saying all present agreed changes are needed.

Since it was late, the Board members agreed to discuss the format for Board Workshop Minutes at their next Workshop.

6. PUBLIC COMMENTS—*none*

7. ADJOURNMENT OF MEETING

The next meeting of the Planning Board will be at Town Hall on Wednesday, March 2, 2011 at 7 p.m.

Mr. Makin made a motion to adjourn with Ms. Neale seconding it. In a voice vote, all Board members voted aye to adjourn at 9:32 p.m.

These minutes were taken and respectfully submitted by

Leslie C. O'Malley, Ph.D.
Clerk of the Board