

TOWN OF FARMINGTON PLANNING BOARD

November 3, 2010

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;
John Keiffer, PO Box 187, Newark NY 14513

Excused: Town of Farmington Code Enforcement Officer, Floyd Kofahl; Town of Farmington Engineer, Lance Brabant, MRB Group, P.C.

OPEN MEETING:

The meeting was called to order at 7:00 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 to those present 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 OCTOBER 20, 2010 MEETING:

Mr. Makin moved to approve the Minutes of the October 20th Board meeting. Ms. Neale seconded. In a voice vote, Ms. Godly, Ms. Neale and Mr. Makin voted aye. Mr. Herendeen and Mr. Degear abstained because they had been excused from that meeting.

LEGAL NOTICES:

At the Chairman's request, the Clerk read aloud the legal notices which were published in the October 27, 2010 Daily Messenger.

PUBLIC HEARINGS:

**PB# 1101-10, SPECIAL USE PERMIT RENEWAL
NAME: JOHN KEIFFER, P.O. BOX 187, NEWARD, NY 14513
LOCATION: 1390 BEAVER CREEK ROAD
ZONING DISTRICT: GB**

REQUEST: To renew special use permit to continue a mini-storage facility

John Keiffer appeared for his application. He reported that his business is doing well and that there are no changes. The Board members complimented him on his attractive site.

Chairman Degear read aloud the Code Enforcement Officer's memo regarding this application: *"There are no issues or complaints in the file. The last Fire inspection found everything to be in compliance."*

The Director of Planning and Development reported that the usual conditions of approval would apply. The Board's usual practice, he pointed out, is to do a three year renewal for all third and subsequent renewals. He had no other issues.

Chairman Degear 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 replied. He then repeated his question and, again, no one replied. Next, the Chairman asked for a motion to close the public hearing. The motion was made by Ms. Godly and seconded by Mr. Herendeen. In a voice vote, all Board members voted aye to close the public hearing at 7:07 p.m.

The Chairman then requested Board comments.

Ms. Neale said she drove by the site and all her expectations were met.

Ms. Godly commented that the applicant has done what he said he would do. Mr. Herendeen, Mr. Makin and Mr. Degear agreed.

Ms. Godly moved to waive the reading of the Type II Action SEQR resolution. Ms. Neale seconded. All five Board members voted aye in a voice vote. Next, Mr. Herendeen made a motion to approve the SEQR. Ms. Neale seconded his motion. 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 motion was carried by a unanimous aye vote of all five Board members.

At the Chairman's request, Clerk O'Malley read aloud a draft Special Use Permit resolution with the following conditions:

1. *The application has been determined to be consistent with the provisions of Chapter 165, of the Town Code.*
2. *The Special Use Permit is issued for the continued use of the existing mini-warehouse storage units on the site. In addition, the permit provides for the parking of employee vehicles while working on the site and for others who have rented space within the complex while visiting the site. There shall be no outdoor*

- storage of any vehicle or materials. Said Special Use Permit is further conditioned upon the approved Site Plan for said use and shall be made null and void with any change in either use or site plan components.*
3. *There shall be no on-street parking for any vehicles associated with the mini warehouse operation.*
 4. *There shall be no outdoor storage or display of any equipment, materials, or supplies associated with this Special Use Permit that is not identified upon an approved Site Plan.*
 5. *All site lighting shall be compliant with the Town Code, Chapter 165 requirements.*
 6. *The Special Use Permit is valid for a period of 3 years and shall expire on November 3, 2013 unless renewed.*

The applicant said he understood and agreed to the conditions. Ms. Godly moved to approve the resolution with the conditions and Mr. Makin 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 Special Use Permit with the conditions was carried by a unanimous aye vote of all five Board members.

The Board members briefly discussed the process for approving Special Use Permits, saying they would return to this subject at a later time to determine if the process could be made simpler for the applicant.

OPEN DISCUSSION:

DIRECTOR OF DEVELOPMENT REPORT:

Letter of Credit Release No. 10 Auburn Meadows Subdivision, Section 3

Mr. Brand provided packets about this request to the Board members prior to the meeting. He explained that the resolution was drawn up with the condition that the Town Board must first accept a second maintenance bond on Section 3 before authorizing the release of the Letter of Credit amount. The Planning Board draft resolution also gives notice that it will not take action to grant final approval for the release of funds for elements in Section 3 until a written response has been received from the Town Engineer to their September letter to Councilman Casale.

Chairman Degear said he visited the site and it does not meet the Planning Board's requirements. He is asking for a report from Jim Peet. He noted that there is no hammerhead and questioned the sidewalk. The Chairman asked for Board comments.

Mr. Herendeen reported that it does not look like native stone was used.

Ms. Neale said she is not satisfied. No improvements have been made since the last time the Board considered this request.

Ms. Godly referred to photographs provided by the Highway Superintendent and pointed out that the guard rail is wood, not steel with a wood veneer as was agreed upon.

Mr. Degear moved to lay the request over to the next meeting. The Board members agreed by consensus. They asked Mr. Brand to contact Jim Peet for his comments, noting that he does not need to attend that meeting.

The Director of Development returned to his report. Plans are underway to update the Comprehensive Plan. The Town Board would like a small committee of six to eight members to work with staff on this. He asked for two members from the Planning Board. Mr. Degear and Ms. Godly volunteered.

Mr. Brand continued by saying they would like a revised document ready by March, 2011. The funds available from this year's budget can be carried over. He asked Secretary O'Malley to edit and type it. Lu Engineers will be assisting the Town on this project.

CODE ENFORCEMENT OFFICER REPORT: *Written report on tonight's applications provided to the Board prior to the meeting.*

CHAIRMAN OF PLANNING BOARD REPORT:

Chairman Degear suggested that the Board adjourn to go over the new Case Law information provided by Mr. Brand for training. The Board members agreed.

PUBLIC COMMENTS: *None*

ADJOURNMENT:

The next meeting of the Planning Board will be at the Town Hall on Wednesday, November 17, 2010 at 7 p.m.

Mr. Makin made a motion to adjourn with Mr. Herendeen seconding it. In a voice vote, all five Board members voted aye to adjourn at 7:25 p.m.

These minutes were taken and respectfully submitted by

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