

TOWN OF FARMINGTON PLANNING BOARD

August 3, 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

Staff: Town of Farmington Director of Development and Planning Ron Brand; Town of Farmington Engineer Lance Brabant, MRB Group, P.C.

Excused: Town of Farmington Code Enforcement Officer, Floyd Kofahl

Applicants: John Shields, Pooler Development; Mr. and Mrs. Paul Gillette

Public: John Keiffer, Beaver Creek Mini-Storage

OPEN MEETING:

The meeting was called to order at 7:03 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 JULY 20, 2011 MEETING:

Mr. Makin moved to approve the Minutes from the July 20th Planning Board meeting. Ms. Godly seconded. The motion was carried by a voice vote of five ayes.

LEGAL NOTICES: *None required*

PUBLIC HEARINGS: *None scheduled*

SITE PLAN APPROVAL: *None scheduled*

OPEN DISCUSSION:

Informal Discussion: 332 Industrial Park, LLC, P. O. Box 436, 783 County Rd 42, Victor, NY 14564: Collett Rd Industrial Park Lots 1 and 2 rezoning application from LI to LI w/Incentive Zoning

John Shields from Pooler Development and Mr. and Mrs. Paul Gillette appeared for this application. Mr. Shields explained that the owner purchased this property in 2001 and subdivided it into three lots. One lot was developed. Mr. Gillette now wants to purchase Lot #2 and put up mini-storage units. Mr. Shields and Mr. Gillette met with staff and the

Planning Board Chair to discuss the concept. At present, there is no prospective purchaser for the third parcel, Lot #1.

The Town of Farmington needs to have Commercial Drive extended and sidewalks installed there. Incentive Zoning, Mr. Shields said, is one way to get this done so both the applicants and the Town benefit. The applicants met with the Town Board on July 12th to present their ideas. The Town Board members were interested and have asked the Planning Board to make a referral for this concept.

The engineer presented the Planning Board with a list showing the Town Code requirements pertaining to Lots #1 and #2 and the requested relief under Incentive Zoning (IZ) including:

1. *Allowing a proposed storage facility within 1300 feet of an existing mini-warehouse site,*
2. *Allowing units with only 50 square feet,*
3. *Allowing structures up to 60 feet wide,*
4. *Allowing an 80-foot front setback with no storefront,*
5. *Allowing flexibility regarding alternative materials for exterior walls,*
6. *Not requiring a connecting sidewalk on the east side of Commercial Drive,*
7. *Broadening the definition of mini-storage to include units without separate outdoor access.*
8. *Allowing all Special Permit Uses to become permitted uses,*
9. *Allowing 20% rather than 30% green space,*
10. *Allowing 30 foot front and rear setbacks and a 20 foot side setback,*
11. *Allowing one parking space per 500 feet of industrial/manufacturing use.*

For Lot #2, the prospective site of the mini-storage, there would be six 30-foot **long** buildings with traditional cold storage and entry doors from the outside. There would be a mix of units sized 5' by 10', 10' by 10' and 10' by 20'. In addition, there would be two 60-foot buildings with interior walkway access and climate-controlled storage. The exteriors would not be the required stone or brick. Commercial drive would be extended past Denny Drive where it now ends.

Mr. Gillett then discussed the rationale for his project. He has a moving company and receives requests for storage and, in particular, climate-controlled storage, from his clients. There is no climate-controlled storage in this area. The climate would be kept between 55 degrees and 75 degrees along with humidity control so that antiques, art, collectibles etc. could be safely stored. The unit owners can sort through their possessions in comfort. The units would be manufactured by the same company who constructed Beaver Creek Mini-Storage.

Chairman Degear commented that the Beaver Creek project is a model—it is well kept and always looks good. It is fenced, paved, landscaped and has sufficient green space. At this point, John Keiffer in the audience identified himself as the owner of the Beaver Creek storage. He informed Mr. Gillett that there are climate-controlled units on School Street in Victor.

Mr. Degear asked the applicants to explain the four different site concepts shown. Mr. Shields said they discussed the site with real estate brokers to get an idea of what might be needed in this area and came up with four different concepts for Lot #1:

1. The design for IZ 1 requires no variances.
2. The design for IZ 2 shows one large building 30 feet from Collett Road rather than the required 80-foot setback. There would be a 30-foot setback from Commercial Drive.
3. The design for IZ 3 has three different buildings placed to work around a force main running through the property. They would need relief from Code setback requirements.
4. The design for IZ 4 shows one large warehouse building but with less parking (one space per every 500 square feet) than required by the Code.

When the applicants finished their presentation, the Chair asked for staff comments.

The Director of Planning and Development explained that the Town Code allows for the amendment of the official zoning map for Lots #1 and 2 under Incentive Zoning. The Planning Board must respond to the Town Board's request for a recommendation either for or against the proposal as it fits the Comprehensive Plan. The next Town Board meeting is August 9th.

Mr. Brand advised looking at the plans and asking what would benefit the Town. Lot #1 has constraints. What public works improvements will be provided? Utilities are already there. Is it a benefit that the Town no longer has to mow and maintain the overall site? Sidewalks would make the Town healthy and safe. What about street lighting? These are possible incentives to allow greater site density. The Town did not have these goals when the original subdivision was done. The Planning Board can provide this information to the Town Board by the end of this week or ask the Town Board for an extension.

Mr. Brand noted that the plans include a small office and asked for more information. Mr. Gillett said it would be for his use. The primary site use will be the mini-storage.

The Director of Planning and Development went on to remind the Board members that they will still get to see a site plan. He pointed out that, although no County referral is needed, the Board has the option of asking their advice. A Type I SEQR with a new EAF needs to be done since more than 10 acres will be disturbed. There are new SEQR forms. The applicants will have to discuss the full impacts of this project regarding drainage, traffic and site physical appearance.

Mr. Brand concluded by saying that the Planning Board can help the Town choose between the four options for Site #1 by saying what the Board likes and dislikes about each one.

Mr. Brabant had been asked by the Chair to attend and provide input. He discussed the MS4 State drainage requirements and the need for green infrastructure. Open space must be preserved. Buffer areas are necessary. The goal is to filter site water on site rather than piping it away. Drainage is a matter of quantity and quality. A regional water

retention facility may not meet today's requirements. Design technology such as swales, green gardens, landscaping or rain gardens may be utilized.

The Chair then invited Board input.

Mr. Makin said he had concerns about this application but tonight's discussion has made it more attractive. The site looks poor now. Improvements would appeal to him. Will this complete Commercial Drive? Mr. Brand responded that the DiFelice family owns the site to the south of Lot #2. Mr. Kofahl has made Frank DiFelice aware that Commercial Drive could be extended to their north property line. He had no issues with the extension. Farash and Chrisantha own nearby land. Extending Commercial Drive would provide access to all these sites. If completed, the Town could remove truck traffic from residential Hook Road by posting weight limits. Hook Road residents have asked for this.

Mr. Makin went on to say that the front part of the property MUST be maintained. Promises have been made but not kept. He has concerns about site density on Lot #2 but the gains to the Town are attractive.

Ms. Godly pointed out that the four plans have the same design for Lot #2. The differences are in the use of Lot #1. All plans are guesswork since there is no buyer for Lot #1. She said she sees no point in choosing one plan over another for Lot #1. She supports rezoning to IZ when it brings in needed services. But, in her opinion, the services offered are insufficient. Sidewalks are a normal requirement for development.

The Board member continued by praising the work that went into the four plans. However, the Town Code should be consulted before drawing up a site plan. She encouraged the applicants to read the Minutes of past meetings to learn about Board processes and procedures regarding landscaping, site lighting and safety. The Board's concern, she stressed, is not to set a precedent. Rezoning only makes sense if it provides needed services.

Mr. Shields disagreed with Ms. Godly, saying that these incentives would attract a buyer for Lot #1. He said they want Lot #1 developed as much as the Town does.

Mr. Herendeen agreed with Ms. Godly. He asked if there are enough amenities to warrant Incentive Zoning. To him, a major concern is site drainage. He asked that the water be slowed down so it does not drown nearby farmland. Mr. Brabant commented that the State also requires less volume and rate of flow of site water. The Board member asked where the ponds would be located. The Town Engineer responded that they are not part of the Incentive Zoning application.

Ms. Neale expressed concern about having green infrastructure. The planned lack of green space is not acceptable. Chairman Degear stated that the Board will stand firm on the 30% requirement.

Mr. Shields asked if they could meet the 30% requirement by adding together the green space for both lots. Mr. Makin commented that this idea had occurred to him. The Chair said that the density issue must be addressed.

Mr. Brand noted that lot coverage is a more important issue than the size of the storage units. They must demonstrate that there is sufficient parking if many renters come at

once. It is an evolving process and more answers are needed. As he understands it, the Board accepts the concept of Incentive Zoning but understands that the drainage must work. Combining the green space for the two lots to meet the 30% requirement could be possible.

The Director of Planning and Development also asked if the Town right-of-way would be a swale or lawn. Poor maintenance sends a negative message. He praised the good maintenance for the Beaver Creek site.

Ms. Godly said she is concerned if there is a large difference in green space between the two lots. She also would like the County Planning Board to provide advice.

Mr. Shields said that Lot #2 would have 26% green space. The problem is that Denny Drive is asphalt and located on their property so they are penalized. Mr. Makin suggested taking 4% from Lot #1. He also inquired about using porous paving. Would this help towards the needed green space? Mr. Brabant said open space requirements must be achieved by using soil and a vegetative area, not paving even if it is pervious. The goal is to let the water go into the ground rather than being piped elsewhere. Chairman Degear asked the applicant for other options, possibly smaller, fewer buildings.

Mr. Shields responded that the driving factor is meeting the State DEC (Department of Environmental Conservation) requirements. Incentive Zoning will provide flexibility in how to do this.

Mr. Makin asked the applicants to go back to the drawing board and think these issues through.

Ms. Godly said they need to reconsider such issues as green space, density, buffering and landscaping. These are her concerns.

Mr. Shields argued that engineering comes later in the application process. Mr. Makin responded that the Board is not asking for engineering tonight. They are simply raising questions that will need to be answered in site plan review. The applicants' engineer noted that they have to meet State standards anyway. Mr. Makin suggested that they prepare two drawings as other applicants have done: one without Incentive Zoning and one with. This would allow the Board to evaluate the differences.

Mr. Brand said that most site plans need variances. How can this plan be achieved? Should it be submitted to the ZBA? In his opinion, the Planning Board is better qualified to evaluate the site plan because they have procedures in place. The applicant has not submitted any MS4 calculations, he noted. The Planning Board can ask the Town Board to request them as part of the SEQR process.

The Director of Planning and Development pointed out that he does not want to stall the process and lose the applicant. The Board can work with this. The project will allow development in this section of Town which is sorely needed. He would like the landowners, not the Town, to maintain the roadside. Ms. Godly commented that this is an enforcement issue. If not maintained, will the Town come in, do it and bill the owner? Mr. Brand said this can only be done on private property, not the right-of-way. Ms. Godly repeated that it is an enforcement issue.

Chairman Degear said that the Town recognizes the need for more mini-storage units. The question is where to locate them. Is this the right site? How important are the amenities being offered? The Board members agreed that this is a good site for a mini-storage.

Mr. Brand noted that traffic and drainage will be SEQR issues. The Planning Board will be an involved agency. We need to consider the project's impact and how it can be mitigated. This will be done prior to a Town Board decision on Incentive Zoning. He offered to draft a report to the Town Board for the Planning Board to review. The Chair added that more time can be requested if changes are needed.

Mr. Brand expressed concern about sending this application to the County Planning Board (CPB). Ms. Neale, Farmington's representative on that Board, answered that the County encourages Town Planning Boards to consult them for advice and comments. They are greatly concerned with green infrastructure on site plans.

The Chair and the Director of Planning and Development thanked the applicants for their presentation. Various details still need to be worked out.

DIRECTOR OF PLANNING AND DEVELOPMENT REPORT:

Mr. Brand reported that the Town Board has adopted the updated Comprehensive Plan with little comment. He will provide new inserts for everyone who has a binder. It will also be on the Town website.

The Conservation Board has started work on the Open Space Index.

The Trails Committee will be meeting in Farmington Town Hall on Thursday, August 25, at 6:30 p.m.

CODE ENFORCEMENT OFFICER REPORT:

Although there was no report from Mr. Kofahl, Mr. Brand said that the organic farm application came in today.

CHAIRMAN OF PLANNING BOARD REPORT:

It was noted that the haul road for Auburn Meadows needs maintenance. Mr. Brabant and Mr. Brand will check on it.

Mr. Degear asked Ms. Neale to report on last week's ground breaking for the 1816 Quaker Meeting House. She expressed satisfaction that the project is moving along. Mr. Herendeen added that they are still working on the details for moving the building across his land.

PUBLIC COMMENTS:

Mr. Keiffer inquired about an extensive environmental review for his mini-storage site in Canandaigua since he did not have as many procedures in Farmington. Mr. Brabant explained that, if it is located in an area designated by SHPO (State Historic Preservation Office), an archaeological survey must be done. Mr. Degear added that State agencies tell the Towns what procedures to follow for a given site.

ADJOURNMENT:

The next meeting of the Planning Board will be at the Town Hall on Wednesday, August 17, 2011 at 7 p.m.

Mr. Makin made a motion to adjourn with Ms. Neale seconding it. In a voice vote, all five Board members voted aye to adjourn at 9:02 p.m. Mr. Degear locked the building.

These minutes were taken and respectfully submitted by

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