

**TOWN OF FARMINGTON PLANNING BOARD**

**March 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.; Greg McMahon, McMahon LaRue; Tom Reed, Leonard Express

**OPEN MEETING:**

The meeting was called to order at 7:02 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 MARCH 2, 2011 MEETING:**

Mr. Makin moved to approve the Minutes of the March 2<sup>nd</sup> meeting with Mr. Herendeen seconding. In a voice vote, Mr. Herendeen, Mr. Makin, Ms. Neale and Mr. Degear voted aye. Ms. Godly abstained because she was excused from that meeting.

**SITE PLAN APPROVAL:**

**PB 0302-11 PRELIMINARY SITE PLAN APPLICATION**

**NAME: LEONARD'S EXPRESS, 6070 COLLETT RD, FARMINGTON, NY  
14425**

**LOCATION: SAME AS ABOVE**

**ZONING DISTRICT: GI**

**REQUEST: Approval for a 15,000 square foot addition used for manufacturing, storage and office space.**

Greg McMahon from McMahon LaRue and Tom Reed from Leonard's Express appeared for this application. Mr. McMahon put up the plans for all to see while Mr. Reed explained that this is the second addition they are putting on their warehouse.

Mr. McMahon pointed out that there are three buildings on this site now. The addition is planned for Building #3. The millings will be replaced with paving. An 8" water main and two hydrants will be added to meet fire regulations. The main will be dedicated to the Town. They are working with the Water and Sewer Superintendent, Jim Crane, on the exact location. There will be no additional traffic on the site. The warehouse addition will replace storage presently located in trailers on the site.

The Chair asked about the materials being stored in the warehouse. Mr. Reed said he provided a list to the Code Enforcement Officer (CEO), Mr. Kofahl. Mr. McMahon added that the items meet Code and do not require sprinklers. They are installing a stub for a future sprinkler system in case there are any changes in materials stored.

Ms. Godly asked what types of products are being stored. Mr. Reed responded that they are boxed or canned food items. Mr. Kofahl explained that these have no spillage issues or fire hazards.

Mr. Degear inquired about the project's time frame. The applicant said they hope to start in late April and finish by the end of August. The Chair then asked if there will be fewer trailers on the site. Mr. Reed replied that the trailers will be the same but will be empty until loaded. They are usable trailers, not scrap. The CEO added that they do the loading in stages and then the trailers leave the site.

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

The Director of Planning and Development, Mr. Brand, noted that there is a discrepancy between the Preliminary Site Plan and the Building Elevation Plan regarding the wall packs used for lighting. The two plans must be corrected so they agree. He also pointed out that the sidewalk easement crosses the berm. It should be relocated into the right-of-way to avoid the berm. A filed easement must be shown on the plans if there is any relocation.

Chairman Degear asked when the sidewalk will be installed. Mr. Brand explained that either the Board waives the requirement for a sidewalk or it should be installed by a certain date. This is up to the Planning Board. There are sidewalks already installed to the west of this property. It is important to keep people off the shoulder of the road since the hill creates a blind spot.

The Director of Planning and Development also commented that additional landscaping is needed although the MTOD (Major Thoroughfare Overlay District) regulations will not apply since the site is already partially landscaped. The amount and location of the additional landscaping is also up to the Board.

Mr. Brand added that there are 14 conditions for approval and he reviewed them with Mr. McMahon prior to this meeting.

The Code Enforcement Officer then explained that the draft resolution covers most of his concerns. However, he strongly urged the Board members waive the sidewalk installation. This

site, he pointed out, differs from American Equipment and Rochester Lumber to the west because they have less traffic and clear visibility. He stressed that he has serious concerns for life safety in placing a sidewalk on this property. The type of traffic that this site generates creates safety concerns for pedestrians crossing where there are so many trailer trucks.

Mr. Reed commented that the residential areas are on the south side of Collett Road, not the north, so it is not likely there will be pedestrian traffic on the north side of the road. Mr. Degear responded that the Board is concerned about people walking on the shoulder of the road.

The Town Engineer, Mr. Brabant, reported that he issued two letters on this application, one on March 3<sup>rd</sup> and the second on March 15<sup>th</sup>. The issues raised on March 3<sup>rd</sup> have been addressed. The March 15<sup>th</sup> letter dealt with site drainage. He asked if this project will increase existing storm water on the site. Is the present pond adequate with this addition? How is it maintained? He noted that it is overgrown in areas and wants to make sure water is not backing up into the parking lot. The volume needs to be checked.

Mr. McMahon agreed to go over it with the Town Engineer and CEO. The Chair noted that there were maintenance problems with the pond under previous site owners. Mr. McMahon explained that the vegetation is there for a purpose but he will check the flow to make sure there is no sediment or other obstruction. Mr. Reed also agreed to take care of any issues.

Mr. Brabant concluded by saying that there is no need for an NOI or SWPPP (Storm Water Pollution Protection Plan). The area to be disturbed is under the threshold for these.

The Planning Board members were asked to comment.

Mr. Herendeen said he is glad they are expanding. He agreed that more landscaping is needed. He commented that he drives this road daily and has often seen people walking or jogging on the shoulder of the road. Ms. Neale agreed. Mr. Reed suggested they add a stripe to the pavement like a bicycle lane for pedestrian traffic. Mr. Herendeen said a sidewalk would be safer. Mr. Degear expressed concern because the traffic is truck traffic.

Mr. Reed explained that they would have to remove landscaping to install a sidewalk. Mr. McMahon added that they would be removing mature trees and the berm. Perhaps the sidewalk could be installed in the right-of-way instead. He asked the Board members to be flexible.

Ms. Godly asked if the sidewalk could be put on the other side of Collett Road. This might be impossible because the entrance to Babcock Lumber and the road to the Thompson Health facility are on the south side of the road.

Ms. Neale said that the time for installing a sidewalk is now. She also wants to see more site landscaping.

Ms. Godly requested landscaping set back so as not to impede sight distance for trucks. She said that she understood the concerns expressed by the applicants and the CEO about installing a sidewalk but the Town needs one installed for safety. Mr. Reed pointed out some possible

locations for the sidewalk but added that sections would be broken up by large driveways for trucks. It would not be continuous.

Mr. Brand noted that the sidewalk should be continuous but the concrete would not last under truck traffic. The Chair said the driveway should be striped in those areas. Mr. Brand added that this is the same approach taken by Rochester Lumber. Mr. Degear commented that the trucks should stop before they enter the road but he has seen them go right through.

Ms. Godly asked if the applicants are bringing in colored renderings of the addition for final approval. They said that they would and that the addition will match the existing building.

Ms. Godly also inquired about alternative locations for a sidewalk. Mr. Brand said that Corporate Drive North will be used in future as a truck bypass route to Route 96. A problem with Collett Road is a drop off on the south side. Mr. Kofahl disagreed, saying a sidewalk would be easier to install on that side and that there is a 22 foot area for it along the drop off. Ms. Godly said she definitely wants a sidewalk installed. The applicants should work with staff on a creative solution.

Mr. Makin asked for the location of the mechanicals. Mr. Reed said they will be inside and behind the building, not on top. Regarding sidewalks, Mr. Makin said he hates to lose trees but this is a safety issue. Would it be possible to install one on the other side of the street, working with the owner of that property? The sidewalk location needs to be determined by final approval.

Mr. Degear pointed out that the missing sidewalk is a long standing issue for this site. The Board must be consistent in requiring sidewalks. This property is in the MTOD and safety is an issue. Future land use in this area will continue to be commercial and industrial.

Next, Mr. Makin moved to waive the reading of the Unlisted SEQR with a determination of non-significance. Mr. Herendeen seconded. All five Board members voted aye in a voice vote. Mr. Makin then moved to approve the SEQR. 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 Unlisted SEQR resolution making a determination of non-significance was adopted by a unanimous aye vote of all five Board members. Chairman Degear signed and dated the Environmental Assessment Short Form, Part II.

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

- 1. This Preliminary Site Plan Approval is for a 15,000 square foot building addition and is based upon: the Preliminary Site Plan Drawing for Building #3 Addition #2, Leonard Express, 6070 Collett Road, that has been prepared by McMahan LaRue Associates, P.C., identified as***

***Project Number 1125-00, Sheets 1 and 2 of 2, having revised date of 2/28/11; and the Floor Plan (Drawing A 1) and Exterior Elevations Plan (Drawing A 2), prepared by Hanlon Architects, identified as Project Number 11-017, dated 2-15-11.***

- 2. The Preliminary Site Plan Drawing shows a total of three wall pack building mounted lighting units to be located on the south elevation of the proposed building addition. These units are identified as one A type (70 w. HPS Entrance Light) and two B type (150 w. HPS Entrance Lights). The Exterior Elevations Plan is showing only one wall pack building mounted light unit (a Type A) on the south elevation of the building. The two drawings are to be changed to agree with what is actually being proposed prior to the submission of both drawings for signature by the Planning Board Chairman.***
- 3. The proposed sidewalk easement is to be adjusted to align with the existing sidewalks to the west of the subject property. In addition, a sidewalk easement across the existing berm area must be relocated. Finally, the sidewalk easement east of the easterly driveway is to be relocated so that it does not necessitate the removal of the two existing deciduous trees shown. If it becomes necessary for the sidewalk to be located within the right-of-way of Collett Road, then the Final Site Plan shall provide a signature line for the Town Highway Superintendent. If the sidewalk can be constructed across the frontage of this side on private property, then, prior to the submission of Final Site Plan Drawings, the liber and page of the proposed sidewalk easement filed in the Ontario County Clerk's Office is to be shown.***
- 4. The Planning Board does not waive the requirement for the installation of sidewalks across the frontage of this site and requires a note be added to the Final Site Plan that identifies said sidewalks are to be installed at a date to be determined.***
- 5. The Planning Board requires a detailed landscaping plan to be included as part of the Final Site Plan Drawing submission showing the quantities and calipers of such improvement. The Planning Board does hereby waive the MTOD Landscaping Standards for this site and replaces them with a landscaping plan consisting of a bermed area with flowering shrubs and evergreen trees to be located between the east property line and the easterly driveway.***
- 6. The Final Site Plan shall delineate all water and sewer service designs as required by the Town Water & Sewer Superintendent.***
- 7. The Final Site Plan and the Final Building Floor Plan and Exterior Elevation Plan Drawings are to be reviewed by Town Staff prior to the application for Final Site Plan approval being placed upon the Planning Board's agenda.***
- 8. Preliminary Site Plan Approval is valid for a period of 180 days from today and shall expire unless revised Preliminary Site Plan(s) have been signed and filed in the Town Development Office.***
- 9. Once all conditions of Preliminary Site Plan Approval have been met, the Planning Board Chairperson's signature must be affixed to the preliminary site plan map and filed in the Town Development Office.***
- 10. All site lighting shall be complaint with the Town's Lighting Regulations, Chapter 165 of the Town Code.***

11. *All erosion control measures shall be installed and inspected by the Town Code Enforcement Officer or his representative prior to any permits being issued. This statement is to be noted on the Final Site Plan.*
12. *Third party inspections may be required by the Town Code Enforcement Office at the expense of the owner/developer. A note to this effect is to be placed upon the Final Site Plan.*
13. *The revision box shall be amended to reflect all conditions of Preliminary Site Plan approval.*
14. *Maintenance of the existing storm water management facility needs to be addressed to the Town Engineer's satisfaction prior to the issuance of a Certificate of Occupancy.*

The applicants said they understood and agreed to the conditions. Mr. Makin moved to approve the Preliminary Site Plan with the conditions. Ms. Godly 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 with the conditions was adopted by a unanimous aye vote of all five Board members.

The applicants thanked the Board members and said they plan to return in a month for final approval.

#### **OPEN DISCUSSION:**

#### **DIRECTOR OF DEVELOPMENT REPORT:**

##### **1. LOC Release #4, Sec. 1, The Estates @ Beaver Creek**

Mr. Brand explained that he found this request waiting for him when he returned from vacation on Friday. Mr. Degear added that the Director of Planning and Development asked him if he could email the draft resolution and supporting materials since the packets were already mailed out. The Chair agreed.

Mr. Brand continued by saying that all Department Heads have reviewed the request and signed off on it. Mr. Brabant explained that the amount has been checked by MRB and approved. They rely on field reports and Department Head signatures. Mr. Kofahl added that all Department Heads now review on site to avoid previous problems with field changes. This new system seems to be working.

Ms. Godly moved to approve the release of \$49,243.27, Release #4, from this Letter of Credit. Mr. Herendeen seconded. In a voice vote, all five Board members voted aye and the motion was carried.

##### **2. Resolution recommendation to Town Board for the Outdoor Wood Boilers Local Law**

Mr. Brand said that the Town Board will have a public hearing at their Tuesday night meeting on this amendment to the Town Code. The County reviewed it and made two comments on their Class I recommendation. He explained that the DEC (Department of Environmental Conservation) has not yet finalized their procedures. If there is a major change—which is unlikely—the Town can amend the Local Law. Before acting, the Town Board needs a recommendation from the Planning Board.

At the Chair's request, the Clerk read aloud a draft recommendation. Ms. Neale moved to approve it with Mr. Herendeen 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 motion was unanimously carried.

Mr. Brand also reported on the Auburn Trail project, saying that 11 proposals have been received from all over the country. Many of them are excellent. A team will be meeting to evaluate them. The team includes representatives from the Towns of Canandaigua and Farmington, the City of Canandaigua, Ontario County Planning Department, Victor Hiking Trails, Victor Parks and Recreation, Ontario Pathways and the Genesee Transportation Council. Mr. Brabant added that MRB Group is among the applicants.

The Director of Planning and Development went on to say that work on the Comprehensive Plan is progressing. Changes in State funding will affect the plan insofar as the costs of extending sewers east of County Road 8 is prohibitive without State help. He added that the Town Board will consider allowing Mr. Degear, Mr. Dunfey and Ms. O'Malley to use their work on the Plan toward six hours of their annual eight hours of required training.

#### **CODE ENFORCEMENT OFFICER REPORT:**

Mr. Kofahl reported that MRB has submitted the site plan for the Highway Garage and it will be on the agenda for the next Planning Board meeting on April 6<sup>th</sup>. Greg Hotaling will be representing MRB.

The "Billy G's" restaurant planned for the former Denny's site has submitted plans. They will serve American cuisine and offer breakfast, lunch and dinner. Another new restaurant, "The Clubhouse," has also submitted plans. They will also serve American cuisine but only lunch and dinner. Beer and wine will be served but there will not be a bar.

"Shooter's Restaurant" is waiting for its liquor license. They will have bands but no music will be played outside. Ms. Neale pointed out that people attending dog events at Boomtowne often park in that lot. This needs to be addressed. Mr. Kofahl agreed to speak with the new manager at Boomtowne.

The CEO then reported that Finger Lakes Casino and Racetrack will continue snowmobile races for the next three years.

The Board members noted that Carmen Laviano is seeking someone to take over the ice cream shop and mini-golf course. Mr. Kofahl said Mr. Laviano has asked to meet with him to discuss issues.

#### **CHAIRMAN OF PLANNING BOARD REPORT:**

Mr. Degear asked for more information on the Boomtowne parking issue. Mr. Kofahl said this is a Code issue. Fines can also be levied for parking on the road. He met with the former manager at Boomtowne and discussed using the race track parking area with a shuttle bus to Boomtowne. Mr. Degear asked if there is any banked parking that the dog facility could use and was told no. Events are the time when additional parking is needed. There is limited space for expansion. The owner of Shooter's has said that his parking is only for his customers. The Chair asked that the Town be proactive in addressing this. The CEO agreed.

Mr. Degear also reported that he, Ms. Neale, Mr. Makin and Mr. Herendeen will attend the training in Bushnell's Basin in May. Mr. Makin added that he attended a training session on bicycle paths which was disappointing.

#### **TOWN ENGINEER REPORT:**

Mr. Brabant said MRB has been working on the trail proposal and on the Highway Garage campus.

#### **PUBLIC COMMENTS: *None***

#### **ADJOURNMENT:**

The next meeting of the Planning Board will be at the Town Hall on Wednesday, April 6, 2011 at 7 p.m.

Mr. Makin made a motion to adjourn with Ms. Godly seconding it. In a voice vote, all five Board members voted aye to adjourn at 8:30 p.m.

These minutes were taken and respectfully submitted by

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