

**TOWN OF FARMINGTON PLANNING BOARD**

**March 17, 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

Also present: Town of Farmington Code Enforcement Officer, Floyd Kofahl; Town of Farmington Engineer Lance Brabant, MRB Group, P.C.; Judith Wellman, Helen Kirker and Alaine Espenscheid, 1816 Quaker Meeting House; Dave Matthews and Fred Shelley, Shelley Associates; Jeff and Brian Moravec, Crescent Moon; Jon Stone and Trent Jandik, Ryan Homes; Mary Neale, 6032 County Road 41.

Excused: Ron Brand, Town of Farmington Director of Development and Planning

**OPEN MEETING:**

The meeting was called to order at 7:05 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 JANUARY 20, 2010 MEETING:**

Mr. Makin made a motion to approve the Minutes of the January 20<sup>th</sup> meeting with Ms. Godly seconding the motion. All four Board members present voted aye in a voice vote.

**LEGAL NOTICES:**

At the Chairman’s request, the Clerk read aloud the legal notices which were published in the March 10, 2010 Daily Messenger.

**PUBLIC HEARINGS:**

**PB 0305-10, PRELIMINARY TWO LOT SUBDIVISION APPLICATION  
NAME: 1816 FARMINGTON QUAKER MEETINGHOUSE  
LOCATION: 187 CO RD 8,  
ZONING DISTRICT: A-80  
REQUEST: A two lot subdivision approval to create Lot 2 consisting of 4.053 acres,  
and the remaining lands of the parent parcel, (Lot 1) will consist of 1.971 acres.**

Judith Wellman, Helen Kirker and Alaine Espenscheid appeared for this application. Ms.

Espenscheid, their attorney, spoke first as the map was pinned up. She explained that they wished to separate one tax parcel into two since the lots occupied both sides of Sheldon Road. They are here tonight to request subdivision approval so they can move the 1816 Quaker Meeting House onto Lot #2. Once they own the lot, grant money already approved will be available to them.

When the applicants said they were finished, Chairman Degear asked for staff comments.

Although Mr. Brand was excused from attending the meeting, he provided the Board members with a memo explaining that tonight's action only addresses the land subdivision. When a site plan is submitted, there will be a coordinated review under SEQR because of the funding by the State Office of Parks, Recreation and Historic Preservation (SHPO). At that time, there will be the need for architectural drawings of the building to satisfy SHPO's concerns with historic preservation of the structure. A Lead Agency will be established with a 30 day public comment period for all Involved and Interested Agencies. The Development Director asked that this information be entered into the public record.

The Code Enforcement Officer (CEO) explained that the County Planning Board (CPB) was involved since County Road 8 is a county road. They had no comments, only noting that there is a negligible wetland on the lot.

Mr. Kofahl went on to say that this is a two lot subdivision. Preliminary subdivision is being considered tonight with final and site plan applications coming later. He said the fact that there is no cross connection across the road makes the process easier. There are no Code issues. The wetland information is shown on the plans.

The Town Engineer spoke next. Mr. Brabant referred to his letter of March 10<sup>th</sup> which requested owner information and the water main and gas lines, if applicable, to be identified on the plans. He also said that the future driveway location for Lot 2 should be considered for a location off Sheldon Road, across from the most easterly existing driveway on Lot 1. The site distance for this location should be recorded and added to the plans.

Ms. Wellman asked about the approval procedure. The Chairman said they are being considered for preliminary subdivision approval tonight. Ms. Kirker said they need to move quickly and that their surveyor, Dave Clark, can do the final map as soon as possible. She asked that the Board waive the time requirements so they can return on April 7<sup>th</sup> for final subdivision approval.

Mr. Degear explained that there are deadlines for submission of application materials and the deadline for the April 7<sup>th</sup> meeting has passed. They can return on April 21<sup>st</sup>. Mr. Kofahl added that they can also submit the site plan application for action in May while the final subdivision application is being processed. The time needed allows for public hearing notification and review by staff and Board. The deadline for the April 21<sup>st</sup> meeting, he said, is March 22<sup>nd</sup>.

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 present voted aye to close the public hearing at 7:22 p.m.

The Chairman then asked for Board comments.

Mr. Makin expressed his delight at the applicants’ work to save a part of Farmington history. He asked staff if there are any Agricultural District issues. The CEO said no.

Ms. Godly had no comments.

Mr. Herendeen said he is all set.

Mr. Degear said he is excited that the application has reached the Planning Board after a long process with the Town Board. He commended them for their hard work.

Ms. Godly made a motion to waive the reading of the SEQR Unlisted Action Resolution. Mr. Makin seconded. In a voice vote, all four Board members voted aye to pass the motion. Next, Ms. Godly moved to approve the SEQR Resolution with Mr. Herendeen seconding her motion. The following roll call vote was taken and recorded:

- Meg Godly—aye
- Ron Herendeen—aye
- Scott Makin—aye
- David Degear—aye

The SEQR was approved by a unanimous aye vote. Chairman Degear signed Part II of the SEQR Short Environmental Assessment Form certifying the Determination of Non-Significance.

At the Chairman’s request, the Clerk read aloud a draft preliminary subdivision resolution with the following conditions:

1. ***The title of the drawing is to read “Preliminary Plat Lots #1 and #2 Farmington Friends Subdivision.”***
2. ***There is to be a note added to the Preliminary Plat identifying that this map and any modifications thereto is required to be signed by the Planning Board Chairperson and filed with the Town Development Office as a pre-requisite to the Planning Board scheduling a public meeting on the Final Subdivision Plat. The Planning Board will not accept an application for Final Subdivision Plat approval until first a Preliminary Plat with all conditions of approval shown thereon, including an updated revision box, has been submitted and signed.***
3. ***The Note on the Preliminary Plat lists the minimum lot size for the A-80 District as being 40,000 square feet. Without any deep hole or percolation information shown on the Plat, the minimum lot size needs to be corrected to read 80,000 square feet. Then the \* shown on the Plat after the 40,000 sq. ft. \* makes sense. The land surveyor is directed to make this amendment to the Preliminary Plat and to also show this on the Final Plat.***
4. ***The Preliminary Plat is to be amended by adding the location(s) of all existing utilities (i.e. water and gas [if applicable]) as required under the provisions of Chapter 144, Section 12.A. (12).***
5. ***The Preliminary Plat is to be amended by adding the location of the proposed driveway and sight distances for this site as required under the provisions of Chapter 144, Section 12. A. (17). The Planning Board agrees with the Town Engineer’s recommendation (see letter dated March 10, 2010 from Lance S. Brabant, MRB Group, P.C.) that the driveway to this site should be located off Sheldon Road opposite the most easterly driveway shown on Lot #1. The applicant is directed to make this change on the revised Preliminary Plat.***
6. ***The Note shown on the Plat for the Park and Recreation Fee does not apply to this non-residential parcel of land and should, therefore, be removed.***

- 7. *The Planning Board determines that parkland is not a condition of preliminary plat approval for this application. Therefore, a Park and Recreation Fee will not be required as a condition of issuing any future building permits.*
- 8. *The Wet Lands Note shown on the Preliminary Plat is to be amended to read as follows: "Lot #2 is partially located within a State Freshwater Wetland, identified as MC-2, as appears on New York State Freshwater Wetlands Map 2 of 22, Ontario County."*
- 9. *The name of the property owner is to be shown on the Preliminary Plat as required by Chapter 144, Section 12. A. (3) of the Town Code. (See MRB Letter of March 10, 2010, comment #1).*
- 10. *The Preliminary Plat Approval is valid for a period of 180 days from today. Once all conditions of Preliminary Plat Approval have been met and shown on the Preliminary Plat the Planning Board Chairperson is directed to sign the Preliminary Plat Map and place it in the property file in the Town Development Office.*

At the applicant’s request, a condition specifying that they pay for the removal and replacement of a Town-owned flashing stop/caution light was eliminated because the Town Board told them there would be no Town charges for moving the meeting house. The applicants said they understood and agreed to the other conditions.

Mr. Makin made a motion to approve the preliminary plat resolution with the conditions. Mr. Herendeen seconded the motion. The following roll call vote was taken and recorded:

- Meg Godly—aye
- Ron Herendeen—aye
- Scott Makin—aye
- David Degear—aye

The resolution was adopted by a unanimous aye vote.

Ms. Kirker asked about the placement of the driveway. Mr. Kofahl explained that they need to show that access to the site is possible. The location can be improved when they submit the site plan.

**SITE PLAN APPROVAL**

**PB 0301-05, PRELIMINARY SITE PLAN APPLICATION**  
**NAME: JAMES HOLLINGSWORTH, 2355 LAKE RD, ONTARIO, NY**  
**14510**  
**LOCATION: 6089 LOOMIS RD**  
**ZONING DISTRICT: GI**  
**REQUEST: Site Plan approval to utilize the existing structure to be used as a contractor’s storage facility.**

Dave Matthews and Fred Shelley from Shelley Associates as well as Jeff and Brian Moravec, owners of Crescent Moon, appeared for this application. Mr. Matthews pinned up the plans. He explained that Crescent Moon is a firm which rents out port-potties for public functions. They are stored on trailers until needed. This is a permitted use for this site.

In meeting with staff, Mr. Matthews said, concerns about site lighting, landscaping and the tie-in with the sewer system on Loomis Road were raised. He provided the Board members with photometrics and said all lighting will comply with the Town Code. Wastewater will be pumped to

the site lateral.

Landscaping, the applicant explained, has not yet been decided. At present, the site, unused for several years, is overgrown. A landscaper is needed to determine what is there and what needs to be added to provide color for all four seasons.

Mr. Matthews added that the parking requirements have been met. Trailers will be stored in a gated area along the property line or in a storage area on the southeast corner of the parcel by the building. The Chairman asked if some trailers will be kept inside and Mr. Kofahl replied yes. The applicants assured the Board that they never have all 500 trailers on site.

Mr. Degear asked for plantings to screen the storage areas and showed a location on the map. He asked that the record show that the applicants assured the Board members that there will be no visual impact of the porta-potties which will be stored inside the building for repairs or in the trailers. The appearance of the trailers was not found to be objectionable.

The owners of Crescent Moon explained that they own 500 trailers but may have as few as 20 on site in summer or 200-300 in winter. They promised to hide them as much as possible.

The Chairman asked for staff comments.

The CEO, Mr. Kofahl, expressed concern about the site vegetation since it has been empty for several years. The applicants promised to save what can be saved or replace. He confirmed that the trailers look like mobile homes and are not offensive in appearance. Mr. Kofahl also stated that the Water and Sewer Department's wastewater system is already set up so no septic system is needed. He concluded by saying that the elevated road in front of the site has presented difficulties in the past because of the easternmost driveway. However, the driveway on the western side has a more manageable slope.

Chairman Degear asked about the large amount of blacktop on the site. Would it be partially removed? Mr. Matthews said there is a 60 foot easement from the other Hollingsworth site for the removal of asphalt but the applicants would like to keep 65 feet of paving. The CEO explained to the applicants that the asphalt in front of the building is being questioned. In the back (the west side), there are millings which were a condition for approval of Lot #1. The Chairman requested that they enhance the appearance of the site with landscaping.

Mr. Kofahl told the Board that the site lighting will be adjusted to comply with the Code. The applicants agreed. He also said that he contacted the CEO for their present site, Mike Woodruff, who assured him that they have good site maintenance there.

Mr. Degear asked about the condition of the millings. The CEO said the base is good. Some ponding areas need to be fixed.

Mr. Brabant referred to his letter of March 10<sup>th</sup>. He pointed out that the Board would like to see a color architectural drawing of the front of the building if they make any modifications. The proposed access easements are to be filed with County Clerk's office with the liber and page shown on the Mylars. The applicants' response letter addressed his question about emergency vehicles' turning radii and also a question about the location of the federal wetlands. Mr. Matthews added that there will be no dumpster, another MRB question.

The Town Engineer went on to say that the Board would like clearer detail on the outside storage

areas. Will there be perimeter fencing? How will it be accessed? Will there be security lighting?

The applicants responded to a question about roof run off by saying that no changes to the existing design are planned.

Mr. Kofahl responded to a question about the proposed force main connection by saying he received a letter from the Water and Sewer Superintendent which he will provide to MRB.

Other MRB comments requested information on construction sequencing, construction entrances' stabilization and enhanced landscaping.

Next, Chairman Degear requested Board comments.

Mr. Herendeen, who is familiar with the site, said it is a good location for this purpose and not really visible to the public.

Ms. Godly inquired about emergency access. Mr. Matthews replied that there are three gates allowing access onto the property. Mr. Kofahl added that the asphalt and millings meet the requirements for fire equipment. The Board member also asked that the applicants clearly delineate the storage areas to avoid stored equipment creeping onto the rest of the site. Her question about weekend hours was answered by the applicants who said they do deliveries Mondays through Fridays to minimize weekend access.

Mr. Makin said they are a welcome addition to the Town. He asked about the procedure followed when the porta-potties are rented out. The applicants said they are shipped out empty, used on the renters' site, pumped and washed out there by the applicants' five pump trucks. The waste goes to a Canandaigua facility. Finally, they are returned on the trucks. Any repairs can be done inside their building. No hazardous chemicals are stored on site. The CEO confirmed that there are environmental regulations protecting local citizens.

Mr. Degear said this use is a perfect fit for the site. He asked for signage information on the plans.

Ms. Godly moved to waive the reading of the Unlisted Action SEQR Resolution with Mr. Herendeen seconding her motion. All four Board members voted aye in a voice vote. Then, Mr. Herendeen made a motion to approve the SEQR. Mr. Makin seconded. The following roll call vote was taken and recorded:

- Meg Godly—aye
- Ron Herendeen—aye
- Scott Makin—aye
- David Degear—aye

The resolution was adopted by a unanimous aye vote. Chairman Degear signed Part II of the SEQR Short Environmental Assessment Form certifying the Determination of Non-Significance.

At the Chairman's request, Clerk O'Malley read aloud a draft preliminary site plan resolution with the following conditions:

- 1. The Planning Board requires a more detailed landscaping plan be prepared that is in accordance with the Board's Site Design Guidelines that were adopted on January 16, 2010. This landscaping information is a condition of Preliminary Site Plan Approval and will be required to be shown on an amended Preliminary Site Plan prior to the Planning Board Chairperson's signature.**

- 2. *The Planning Board requires that prior to the issuance of any Certificate of Occupancy for this site that the Liber and Page of the proposed access easement from the parcel of land adjacent to the west shall be recorded and shown on the Final Site Plan. A note to this effect is to be provided upon the revised Preliminary and Final Site Plan drawings.*
- 3. *The Planning Board requires the applicant to provide the information identified in the Town Engineer’s March 10, 2010 report to the Town Director of Development on revised Preliminary Site Plan drawings.*
- 4. *The Preliminary Site Plan Approval is valid for a period of one (1) year from today. Once all conditions of Preliminary Site Plan Approval have been met and shown on a revised Preliminary Site Plan the Planning Board Chairperson is directed to sign the Preliminary Site Plan Map and place it in the property file in the Town Development Office.*

At Mr. Matthews’ request, the Board agreed to delete a condition for details of the proposed replacement sign to be provided. He also objected to the request for a landscaping plan but the Chairman noted that the snow is now melted so a landscaper can get in, see what is there and draw up a plan. The applicants then said they understood and agreed to the conditions.

Mr. Makin moved to approve the preliminary site plan with the conditions. Ms. Godly seconded. The Clerk recorded the following roll call vote:

- Meg Godly—aye
- Ron Herendeen—aye
- Scott Makin—aye
- David Degear—aye

The motion was unanimously passed.

**PB 0303-10, FINAL SITE PLAN APPLICATION**  
**NAME: RYAN HOMES, 400 AIR PARK DR., STE 30, ROCHESTER, NY**  
**14624**  
**LOCATION: 1778 SPARTAN DR., LOT 212, AUBURN MEADOWS**  
**SUBDIVISION, SECTION 2**  
**ZONING DISTRICT: IZ**  
**REQUEST: Final Site Plan approval, per PB0305-07 resolution condition #11, dated February 20, 2008**

Jon Stone from Ryan Homes and his project manager, Trent Jandik, appeared for this application. Mr. Stone pointed out the three site trees to be planted and the sidewalk on the plans. He said that the footprint of the home does not require site clearance except for a few small saplings. The tree line will remain.

Ms. Godly asked that they replace the 2.5” inch caliper trees on the plans with 3” ones as the original approval requires. Mr. Stone agreed.

When the applicant finished speaking, the Chairman asked for staff comments.

Mr. Kofahl commented that the spacing of the trees away from the house is good for the roots. A dead tree on the site will have to be removed as a safety issue.

Mr. Brabant said all MRB issues have been addressed.

There were no Board comments.

Ms. Godly moved to waive the reading of the Type II Action SEQR and Mr. Makin seconded her motion. All four Board members voted aye in a voice vote. Then, Ms. Godly moved to approve the SEQR. Mr. Herendeen seconded. The following roll call vote was taken and recorded:

- Meg Godly—aye
- Ron Herendeen—aye
- Scott Makin—aye
- David Degear—aye

The SEQR was unanimously approved.

At the Chairman’s request, the Clerk read aloud a draft final site plan resolution with the following conditions:

1. *The title of the drawing is to read “Final Site Plan Lot #212 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 a minimum of 3-inch caliper, of a native species acceptable to the Town Engineer and of the quantity specified by the Town Engineer.”*
3. *All street trees are to be planted within 30 days of the issuance of the Certificate of Occupancy, or before October 15<sup>th</sup> of the year a Building Permit is issued, or before June 1<sup>st</sup> of the year following the issuance of the Certificate of Occupancy.*
4. *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.*
5. *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.*
6. *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.*

Mr. Stone and Mr. Jandik said they understood and agreed to the conditions. Mr. Makin made a motion to approve the resolution with Mr. Herendeen seconding. Clerk O’Malley recorded the following roll call vote:

- Meg Godly—aye
- Ron Herendeen—aye
- Scott Makin—aye
- David Degear—aye

The final site plan with the conditions was approved.

**PB 0304-10, PRELIMINARY SITE PLAN APPLICATION**  
**NAME: T LAY PROPERTIES, 1307 CO RD 8, FARMINGTON, NY 14425**  
**LOCATION: SAME AS ABOVE**  
**ZONING DISTRICT: GB**  
**REQUEST: Site plan approval for a 96 x 56 building for auto/truck repair and towing services**

No one appeared for this application. Mr. Degear expressed his regret that neither the applicant nor his architect was present to answer questions. He read the applicant’s letter into the record (see attached). The Chairman then asked for staff comments.

The CEO noted that a similar plan was reviewed by the Board four years ago and approved with conditions. However, the applicant never filed the final site plan for signature. Mr. Lay now wants to add a new building on the back of the site. This is why the applicant had to reapply after his building burned down. A berm, fencing, trees and a storage area for vehicles need to be added and all fire regulations must be met.

The Town Engineer went over the comments in his March 10<sup>th</sup> letter. He said most of his questions were for clarification. Chairman Degear asked him to get more information about the berm since there have been problems with the way some applicants have interpreted the term "berm." Mr. Brabant said he needs to see the contours.

Mr. Degear also asked where the tow trucks and any used cars for sale would be parked. He wants to see these on the plans so the CEO can enforce the plan. Mr. Kofahl said the applicant has been told to show all parking on the plans. The Chairman requested information about paving and a privacy fence, again expressing regret that there was no one present to answer these questions.

Chairman Degear asked for Board comments.

Mr. Makin said he shares all the above concerns.

Ms. Godly asked how the application appeared on tonight's agenda since it is not complete. Mr. Kofahl explained that the application was for a modification of an existing site. These questions were not asked four years ago. Mr. Degear commented that these issues still need to be addressed.

Mr. Herendeen said he wants to speak to the applicants.

The Clerk read aloud a draft resolution to table action on this application pending additional information until the April 21<sup>st</sup> Planning Board meeting. In a voice vote, all four Board members voted aye to carry the motion.

#### **OPEN DISCUSSION:**

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

Mr. Kofahl said Park Place Restaurant is open for business. They did a good job with their design.

He also reported that Benderson Corp., Walgreen's developer, has requested the Walgreen's file under FOIL. However, the site plan was never filed and approval time has expired.

The senior housing is at the plumbing stage with framing in April. Mr. Degear expressed satisfaction that the trailers have been moved.

The CEO also reported that Saratoga Crossing is progressing rapidly and good comments have been received from the public.

Mr. Kofahl concluded by saying that the Development Department now has a new data base program which stores more information so they can digitize files, plans and all resolutions with their conditions.

**CHAIRMAN OF PLANNING BOARD REPORT:**

The Board members reviewed the new zoning map and expressed satisfaction with the design.

Chairman Degear also noted that Mary Neale was present in the audience. She has applied for the vacant position on the Planning Board.

**PUBLIC COMMENTS:** *none*

**ADJOURNMENT:**

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

Ms. Godly made a motion to adjourn with Mr. Herendeen seconding it. In a voice vote, all four Board members voted aye to adjourn at 8:54 p.m.

These minutes were taken and respectfully submitted by

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