

**TOWN OF FARMINGTON PLANNING BOARD**

**May 20, 2009**

**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
- Robert Kleman
- Excused: Scott Makin

Also present: Town of Farmington Attorney, Jeff Graff, Riley and Graff; Town of Farmington Engineer Lance Brabant, MRB Group, P.C.; Karl Essler, Fix Spindleman and Brovitz; Robert and Kevin Morgan, Morgan Management; Scott Benson, Cobblestone Arts Center; Jess Sudol, Passero Associates; Mark and Noelle Porretta, 4414 Latting Rd., Canandaigua NY 14425; David Reidman, Reidman Development/Farmington Storage; Glenn Thornton, Thornton, Thornton Engineering; Don Lewis, Schultz Associates; Diane Moore, representing Helen DiPacific.

Excused: of Farmington Director of Development and Planning Ron Brand; Town of Farmington Code Enforcement Officer, Floyd Kofahl; Assistant Fire Chief Phil Robinson

**OPEN MEETING:**

The meeting was called to order at 7:06 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 MAY 6, 2009 MEETING:**

Ms. Godly moved to approve the Minutes of the last Planning Board meeting with Mr. Herendeen seconding her motion. In a voice vote, the four Board members present voted aye.

**LEGAL NOTICES: none**

**PUBLIC HEARINGS:**

**PB 0306 -09, 3 LOT PRELIMINARY SUBDIVISION APPLICATION**  
**PB 0307-09, 3 LOT FINAL SUBDIVISION APPLICATION**  
**NAME: MORGAN PLASTER MILL, LLC, 1170 PITTSFORD VICTOR ROAD, PITTSFORD, NY 14534**  
**LOCATION: LOCATED AT THE NORTHWEST CORNER OF PLASTER MILL RD AND GATEWAY DR**  
**ZONING DISTRICT: RESIDENTIAL MULTI-FAMILY DISTRICT.**  
**REQUEST: Request a three lot subdivision approval of Saratoga Crossing**

**Subdivision to create lot #1 consisting of 15.121 acres, lot #2 consisting of 10.096 acres, and lot #3 will consist of 12.134 acres. (Continued)**

Karl Essler from Fix, Spindleman & Brovitz, Robert and Kevin Morgan from Morgan Management, and Jess Sudol from Passero Associates appeared for this application. Mr. Essler began by explaining that the subdivision was being done along the phasing lines already approved by the Planning Board. This is the only way to obtain bank financing for Phase 1. He provided copies of a Reciprocal Easement Agreement (REA) which has been approved by the Town Attorney and which ensures that this is the way the property will be developed in future.

Mr. Essler explained that the necessary variances have been obtained from the Zoning Board of Appeals (ZBA) and he read aloud the conditions placed on these. He pointed out that these variances will go away when (and if) the three lots are again combined into one, depending on financing at that time. The Town Board will be asked to approve this change in June. The attorney ended by requesting both preliminary and final subdivision approval tonight.

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

Mr. Brabant said he has written a letter dated April 23<sup>rd</sup> requesting that the existing easements be shown on the map. There are no problems with the approved utilities. Mr. Sudol agreed to add this information as well as the variances.

The Chairman then asked the Town Attorney to speak on the REA. Mr. Graff said that he, Mr. Brand, Mr. Essler and Mr. Essler's client met on this subject and he is comfortable with the resulting agreement. All issues have been addressed. An expiration date for the variances has been included in event that this project is never constructed. The Board can move tonight.

Chairman Degear commented that the idea of a two year term for the variances is a good idea. After asking for Board input, he read aloud a communication from Mr. Makin who was excused from tonight's meeting. Mr. Makin also asked for a term to be placed on the variances. Mr. Graff explained that any new and different project will have to apply for its own variances.

Ms. Godly said it is nice to see this project come together. She asked the applicants if they filed an application for a final subdivision approval. Mr. Essler said they did both preliminary and final applications at the same time. The Board members were not able to find either an application number or a draft resolution in the file and explained to the applicants that they need both to act tonight. Mr. Essler explained that interest rates are rising and the applicants need final approval in order to lock in a loan.

Mr. Herendeen and Mr. Kleman had no comments.

Chairman Degear expressed his satisfaction that all details have been worked out for this project but added that he hopes it does not happen again. He polled the Board members who agreed by consensus that they will act on preliminary and final plat approval tonight so that the applicants can proceed. They also requested that all ZBA conditions of approval be met.

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 Mr. Kleman and seconded by Mr. Herendeen. In a voice vote, all Board members present voted aye to close the public hearing at 7:27 p.m.

At the Chairman's request, the Clerk read aloud a draft Preliminary Plat Resolution with the following conditions:

1. *The title of the drawing is to read "Preliminary Plat Saratoga Crossing Subdivision Lots 1, 2, and 3."*
2. *There is to be a note added to the Preliminary Plat identifying that this map is required to be filed with the Ontario County Clerk's Office as a pre-requisite to the issuance of any Building Permits for the proposed project.*
3. *There is to be a note added to the Preliminary Plat identifying each area variance granted by the Zoning Board of Appeals on Monday, May 18, 2009 to include the variance granted and the file number. There is also to be a note added that identifies the Reciprocal Easement Agreement filed in the Ontario County Clerk's Office.*
4. *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 all required signatures are affixed, the Planning Board Chairperson will sign the Preliminary Plat Map on file in the Town Development Office and subject to all conditions of approval for the Zoning Board of Appeals variances granted on May 18, 2009.*
5. *The Planning Board Chairperson is not to sign a Final Plat Map until first a Preliminary Plat Map with all conditions of approval shown thereon has been submitted and signed.*
6. *The Planning Board determines that parkland is not a condition of preliminary plat approval for this application.*
7. *The Planning Board determines that a Park and Recreation Fee in an amount established by the Town Board resolution is to be paid at the time of issuance of building permits.*
8. *All site lighting shall be compliant with the Town's Lighting Regulations, Chapter 165, Section 64 of the Town Code.*
9. *There shall be a note added to the Preliminary Plat that no Building Permit shall be issued until the liber and page for the Reciprocal Easement Agreement has been provided to the Town Development Office.*

Mr. Kleman moved to approve the Preliminary Plat with the conditions. Mr. Herendeen seconded his motion. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

David Degear—aye

The resolution was unanimously approved.

The Clerk was instructed to obtain the application number for the final plat from Ms. Feistel in the Development Office and to check with the Director of Development that the Final Plat Resolution is correct. The applicants agreed to the normal conditions for a final plat approval which include:

1. *A Site Development Surety/Bond in the amount approved by the Town Engineer and accepted by the Town Board shall be required prior to obtaining a site development permit.*
2. *The title of the drawing is to read "Final Plat, Saratoga Crossing Subdivision, Lots 1, 2 and 3."*

3. *There is to be a note added to the Final Plat identifying each variance granted by the Zoning Board of Appeals on Monday, May 18, 2009, to include the variance granted and the file number. There is also to be a note added that identifies the Reciprocal Easement Agreement filed in the Ontario County Clerk's Office.*
4. *All conditions of preliminary plat approval granted by the Planning Board on May 20, 2009, have been made and are shown or identified in a note on the Final Plat Map.*
5. *The Final Plat Approval is valid for a period of 180 days from today and shall expire unless extended by the Planning Board at a later date and by separate resolution.*
6. *Once the Planning Board Chairperson's signature is affixed to the Mylar plus four (4) prints, the Final Plat Mylar Map and two (2) paper prints are to be filed with the Ontario County Clerk's Office within 62 days of signing.*
7. *An 11 x 17 of the overall final plat shall be submitted to the Town's Development Office for 9-1-1 addressing purposes.*
8. *No site development shall be allowed until an official tax map number for the lot(s) has been filed with the Town Assessor's Office.*
9. *All erosion control measures shall be installed and inspected by the Town Code Enforcement Officer or his/her representative prior to any permits being issued. This statement shall be noted on the final plans.*
10. *All site lighting shall be compliant with the Town's Lighting Regulations, Chapter 165, Section 64 of the Town Code.*
11. *Third party inspections may be required by the Town C.E.O. at the expense of the owner/developer.*
12. *There shall be a note added to the Final Plat that no Building Permit shall be issued until the liber and page for the Reciprocal Easement Agreement has been provided to the Town Development Office.*
13. *The Town Board shall approve the Reciprocal Easement Agreement prior to the Planning Board Chairperson's signing it.*

Ms. Godly moved to approve a Final Plat Resolution with Mr. Herendeen seconding her motion. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

David Degear—aye

The resolution was unanimously approved. The applicants thanked the Board members for their hard work. Mr. Graff was excused. The Planning Board members thanked him for his assistance.

**PB 0302 -09 PRELIMINARY 63 LOT SUBDIVISION APPLICATION**

**NAME: A & D DEVELOPMENT, 22 WHITESTONE LANE, ROCHESTER,  
NY 14618**

**LOCATION: ESTATE OF BEAVER CREEK. EAST SIDE OF NEW  
MICHIGAN ROAD AND ON THE NORTH SIDE OF  
TOWNLIN RD**

**REQUEST: Request a 63 lot subdivision approval for the purpose of cluster  
development (TL278)) for single family homes. (CONTINUED)**

Chairman Degear explained that SHPO (State Historic Preservation Office) has requested additional information so no action can be taken tonight. He then 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 continue the public hearing until the Planning Board meeting at 7 p.m. at the Town Hall. Clerk O'Malley read aloud a draft resolution to continue the public hearing

***WHEREAS, the Planning Board has been informed that the State Historic Preservation Office (SHPO) has identified the need for a Phase I Environmental Audit of the Estates of Beaver Creek Site; and***

***WHEREAS, the Planning Board cannot make a determination of significance under SEQR until SHPO has signed off on this project; and***

***WHEREAS, the Planning Board desires the results of the Phase I Study to be part of the environmental record,***

***NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to table the application and to continue the public hearing upon said application to the June 17, 2009 Planning Board Meeting.***

The motion was made by Mr. Herendeen and seconded by Mr. Kleman. In a voice vote, all four Board members voted aye to continue the public hearing until the June 17<sup>th</sup> meeting.

Next, Ms. Godly moved to table action on this application until June 17<sup>th</sup> with Mr. Herendeen seconding her motion. In a voice vote, all four Board members present voted aye to carry the motion.

**PB 0507-09 PRELIMINARY SITE PLAN APPLICATION**

**PB 0508-09 FINAL SITE PLAN APPLICATION**

**NAME: COBBLESTONE ARTS CENTER, 630 Crowley Rd,  
FARMINGTON, NY 14425**

**LOCATION: 1622 NYS ROUTE 332**

**ZONING DISTRICT: GB**

**REQUEST: To construct a 2,000 square foot addition between the existing Building 1 and Building 2 (CONTINUED)**

Don Lewis from Schultz Engineering appeared for this application, explaining that the site engineer, Pat Laber, was unable to come tonight. Scott Benson, the site owner, was also present. Mr. Lewis explained that there would be a lower stone fascia with an upper white vinyl siding on the addition, matching the original building. The utilities will be in the crawl space of the addition, just as they are in the original building. He pointed out where the gas and electric are shown on the plans.

Mr. Lewis went on to say that the interior of the building will be handicapped accessible. No additional faculty will be hired. He went on to say that Mr. Laber checked the Code so that parking would conform: there will be 48 spaces and 15 additional ones land banked.

The engineer showed the construction entrance on the plans and explained that the staging area is already gravel so little site restoration will be needed. Chairman Degear pointed out that grass seeding will be needed during and after construction.

Mr. Lewis concluded his presentation by saying there will be silt fencing for erosion control and drainage to the existing pond. Mr. Benson added that landscaping along the addition will match the existing landscaping along the original building.

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

Mr. Brabant said he sent the applicants a letter dated April 23<sup>rd</sup> with some general comments. To date, he has not received a response or a revised site plan. There were no major concerns, just some comments about parking, grading and utilities.

Chairman Degear then asked for Board comments.

Mr. Kleman had no comments.

Mr. Herendeen asked for additional landscaping but added that otherwise the project looks good.

Ms. Godly said this addition provides a wonderful service. However, she wants to see the landscaping added to the plans. She expressed concern that the Town Engineer has not seen the plans the Board is reviewing tonight. She also asked for a construction sequence.

Mr. Degear asked what the addition would look like. Mr. Benson showed the plans for the existing building and said this addition will match it. The Chairman advised the applicants that a landscaping plan will be a condition for approval. He also asked about the murals that sometimes appear on the building. Mr. Benson explained that the young people served by this facility create them. Mr. Degear asked that they come back to the Planning Board if any more are planned in the future. However, if they are short term and temporary, they do not need Board approval.

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 7:55 p.m.

Mr. Herendeen then moved to waive the reading of the Type II Action SEQR. Ms. Godly seconded his motion. In a voice vote, the four Board members present voted aye. Ms. Godly moved to approve the SEQR with Mr. Kleman seconding her motion. Clerk O'Malley recorded the following roll call vote:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

David Degear—aye

The Type II Action SEQR was unanimously approved.

Next, the Clerk read aloud a draft Preliminary Site Plan resolution with the following conditions:

- 1. Soil Erosion Bond in the amount of \$500.00 required prior to obtaining any permits.**
- 2. Landscaping Bond, to include but not limited to bushes, shrubs, trees, flowers, grass and soil stabilization, in the amount of \$1500.00 required prior to obtaining any permits.**
- 3. The title of the drawing is to read "Final Site Plan Cobblestone Arts and Education Center Expansion."**

4. ***Preliminary Site Plan Approval is valid for a period of 90 days from today and shall expire unless the Preliminary 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. ***The site plan must be signed by the Town Water & Sewer Superintendent prior to the Town Planning Chairperson signing the site plan.***
6. ***Once all conditions of Final Site Plan Approval have been met, the Planning Board Chairperson's signature must be affixed to the plan map and filed in the Town Development Office.***
7. ***The lawn and/or landscaping shall be established within 30 days, or not later than October 31, 2009 after the final Certificate of Occupancy is issued. A note to this effect shall be added to the plans.***
8. ***The applicant must submit at least three (3) sets of the preliminary site plan to be signed by all required agencies as noted in this resolution.***
9. ***All site lighting shall be complaint with the Town's Lighting Regulations, Chapter 165 of the Town Code. There is to be a note added to the Final Plan which reads as follows: "All site lighting shall be compliant with the Town Code Chapter 165".***
10. ***All erosion control measures shall be installed and inspected by the Town Code Enforcement Officer or his/her representative prior to any permits being issued. This statement is to be noted on the Final site plan.***
11. ***Third party inspections may be required by the Town C.E.O. at the expense of the owner/developer.***
12. ***Site landscaping is to be provided in front of (north) of the proposed addition and depicted on the Preliminary Site Plan.***

Mr. Herendeen moved to approve the resolution with the conditions. Mr. Kleman seconded his motion. The following roll call vote was recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

David Degear—aye

The Preliminary Site Plan was unanimously approved.

Finally, Clerk O'Malley read aloud a draft Final Site Plan resolution with the following conditions:

1. ***Soil Erosion Bond in the amount of \$500.00 required prior to obtaining any permits.***
2. ***Landscaping Bond, to include but not limited to bushes, shrubs, trees, flowers, grass and soil stabilization, in the amount of \$1500.00 required prior to obtaining any permits.***
3. ***The title of the drawing is to read "Final Site Plan Cobblestone Arts and Education Center Expansion".***
4. ***Final Site Plan Approval is valid for a period of 90 days from today and shall expire unless the Final 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. ***The site plan must be signed by the Town Water & Sewer Superintendent prior to the Town Planning Chairperson signing the site plan.***
6. ***Once all conditions of Final Site Plan Approval have been met, the Planning Board Chairperson's signature must be affixed to the plan map and filed in the Town Development Office.***

7. *The lawn and landscaping shall be established within 30 days, or not later than October 31, 2009 after the final Certificate of Occupancy is issued. A note to this effect shall be added to the plans.*
8. *The applicant must submit at least three (3) sets of the final site plan to be signed by all required agencies as noted in this resolution.*
9. *All site lighting shall be compliant with the Town's Lighting Regulations, Chapter 165 of the Town Code. There is to be a note added to the Final Plan which reads as follows: "All site lighting shall be compliant with the Town Code Chapter 165".*
10. *All erosion control measures shall be installed and inspected by the Town Code Enforcement Officer or his/her representative prior to any permits being issued. This statement is to be noted on the Final site plan.*
11. *Third party inspections may be required by the Town C.E.O. at the expense of the owner/developer.*
12. *The revision box shall be amended to note these conditions of Final Site Plan approval.*
13. *Site landscaping is to be provided in front (north) of the proposed addition and depicted on the Final Site Plan.*

Ms. Godly moved to approve the resolution with Mr. Herendeen seconding her motion. The Clerk recorded the following roll call vote:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

David Degear—aye

The Final Site Plan was unanimously approved.

**PB0401-09 SPECIAL USE PERMIT RENEWAL**

**NAME: MARK PORRETTA, 4414 LATTING RD, CANANDAIGUA, NY 14424**

**LOCATION: SAME AS ABOVE**

**ZONING DISTRICT: A-80 REQUEST To continue a contracting company home business using the site for parking equipment. CONTINUED**

Mark and Noelle Porretta appeared for this application. Chairman Degear noted that Mr. Brand asked for a continuation in order to obtain an amended site plan. He explained to the applicants that although their application for a variance for their shed was approved, the variance for the outdoor furnace was not. For this reason, their site plan was incorrect since it showed the furnace. A correct site plan is necessary for a Special Use Permit. The applicant expressed dissatisfaction with the delay but agreed to submit a correct site plan in time for the next meeting.

The Board members agreed to close the public hearing. 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 Mr. Kleman and seconded by Mr. Herendeen. In a voice vote, all Board members present voted aye to close the public hearing at 8:12 p.m.

Next, Mr. Kleman moved to table action on this application until the June 3<sup>rd</sup> Planning Board meeting. Mr. Herendeen seconded his motion. In a voice vote, the four Board members present voted aye to carry the motion.

*(At this point in the meeting, Chairman Degear asked the applicants present if the Board could heard PB#0501-09 next since this would be a short presentation. The applicants agreed.)*

**PB 0501-09 PRELIMINARY SITE PLAN APPLICATION**  
**PB 0502-09 FINAL SITE PLAN APPLICATION**  
**NAME: DAVID REIDMAN 45 EAST AVE, ROCHESTER, NY 14504**  
**LOCATION: 6299 NYS ROUTE 96**  
**ZONING DISTRICT: GB**  
**REQUEST: To construct a 1,420 square foot office addition**

Mr. Reidman was present for his application. Chairman Degear explained to him that his variance application was scheduled for the May 18<sup>th</sup> Zoning Board of Appeals meeting. However, since he did not appear for it, no action was taken. The Planning Board is unable to take any action on his site plan until the variances have been obtained.

Ms. Godly then made a motion to continue the public meeting on this application until the July 1<sup>st</sup> Planning Board meeting since the next ZBA meeting is on June 22<sup>nd</sup>. Mr. Herendeen seconded the motion. In a voice vote, the four Board members present voted aye to continue.

Finally, Mr. Herendeen moved to table this application until the July 1<sup>st</sup> meeting with Mr. Degear seconding his motion. In a voice vote, the four Board members present unanimously approve the motion to table.

**PB0506-09, FINAL SIGN SITE PLAN**  
**FINAL SITE PLAN APPLICATION**  
**NAME: HELEN DIPACIFIC, 1259 ROUTE 332, FARMINGTON, NY 14425**  
**LOCATION: 5970 COUNTY RD 41**  
**ZONING DISTRICT: GB**  
**REQUEST: To utilize 3,200 square feet for a music/art academy. (Hathaway Academy of Music and Art)**

Glenn Thornton from Thornton Engineering and Diane Moore, representing Helen DiPacific, appeared for this application. Mr. Thornton passed out plans. He told the Board that the variance for the driveway was approved on March 23<sup>rd</sup> by the ZBA and has been noted on the plans. RG&E officials signed permission for the easement and he will file it as soon as possible.

The engineer went on to say that he has addressed all of the Town Engineer's comments. In accordance with the Planning Board's wishes, he has added plantings along the five foot wide sidewalk running parallel to County Road 41. This will require removal of three trees but, as the Board members noted, they are in very poor condition. In response to a question from the Board, he explained that the County would not allow the sidewalk in the right-of-way.

Mr. Thornton requested permission to delay installation of the sidewalk. Ms. Godly and Mr. Degear said no, because other applicants have then delayed the sidewalk for years. The other Board members agreed. A firm date for sidewalk construction will be required for approval. The applicant agreed to a date of October 31, 2009 since the project should be finished by then.

The Chairman asked for staff comments.

The Town Engineer said all his comments have been addressed.

At the Chairman's request, the Clerk read aloud a draft Final Site Plan resolution with the following conditions:

1. ***Soil Erosion Bond in the amount of \$500.00 required prior to obtaining any permits.***
2. ***Landscaping Bond, to include but not limited to bushes, shrubs, trees, flowers, grass and soil stabilization, in the amount of \$1500.00 required prior to obtaining any permits.***
3. ***The title of the drawing is to read "Final Site Plan Lyric Academy at Hathaway House".***
4. ***Final Site Plan Approval is valid for a period of 90 days from today and shall expire unless the Final 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. ***The site plan must be signed by the Town Engineer, Town Highway & Parks Superintendent, Town Water & Sewer Superintendent, and County DPW prior to the Town Planning Chairperson signing the site plan.***
6. ***Once all conditions of Final Site Plan Approval have been met, the Planning Board Chairperson's signature must be affixed to the plan map and filed in the Town Development Office.***
7. ***The landscaping shall be established within 30 days, or by October 31, 2009 after the final Certificate of Occupancy is issued. A note to this effect shall be added to the plans.***
8. ***The applicant must submit at least three (3) sets of the final site plan to be signed by all required agencies as noted in this resolution.***
9. ***All site lighting shall be complaint with the Town's Lighting Regulations, Chapter 165 of the Town Code. There is to be a note added to the Final Plan which reads as follows: "All site lighting shall be compliant with the Town Code Chapter 165".***
10. ***All erosion control measures shall be installed and inspected by the Town Code Enforcement Officer or his/her representative prior to any permits being issued. This statement is to be noted on the Final site plan.***
11. ***Third party inspections may be required by the Town C.E.O. at the expense of the owner/developer.***
12. ***The Revision Box shall be amended to reflect these conditions of approval.***
13. ***Sidewalks shall be installed no later than October 31, 2009.***

The applicants said they understood and agreed to the conditions. Mr. Herendeen moved to approve the Final Site Plan resolution with the conditions. Ms. Godly seconded his motion. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

David Degear—aye

The resolution was adopted by a unanimous aye vote of the four Board members present.

Next, the Chairman asked Clerk O'Malley to read aloud a draft Final Sign Site Plan resolution. She did so with the following conditions:

1. ***Landscaping Bond in the amount of \$1500.00 is required prior to obtaining any permits. Landscaping shall be installed no later than October 31, 2009. Said bond will not be released until such time as the approved landscaping plan has been completed and substantiated by an officer of the Town Development Office.***
2. ***The applicant shall submit two (2) colored renderings of the approved sign prior to the Planning Board chairperson's signature on the final sign site plan.***

3. *All site lighting shall comply with the Town's Lighting Regulations set forth in Chapter 165 of the Town Code, prior to the Certificate of Compliance being issued for said sign.*
4. *The applicant has ninety (90) days to submit two (2) final sign site plan drawings and colored renderings to the Town Development Office for signature by the Planning Board Chairperson.*
5. *The Planning Board Chairperson's signature must be affixed to the final sign site plan and sign colored renderings prior to the issuance of any permits.*

The applicants said they understood and agreed to the conditions. Mr. Herendeen made a motion to approve the Final Sign Site Plan resolution with Ms. Godly seconding. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

David Degear—aye

The resolution was adopted by a unanimous aye vote of the four Board members present.

#### **OPEN DISCUSSION:**

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

Mr. Brabant said that construction on Farmington Commons has begun. A pre-construction meeting was held and all permits are in place. A problem has arisen involving a miscommunication with Aldi's and it is being corrected so that construction can start next week.

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

Mr. Degear checked that all Board members are attending the required training sessions.

He then explained that Ms. Godly had taken the existing Application Procedures and re-formatted them today. He thanked her for her hard work. The Chairman then asked the Board members to act on the Application Procedures. He made a motion to accept them in the revised format. Mr. Herendeen seconded the motion. In a voice vote, all four Board members voted aye and the motion passed.

In response to a Board question, Chairman Degear said that Boomtowne was sold to two attorneys. He believes it will continue to be a dog training and boarding facility. The sidewalk is not being waived.

#### **PUBLIC COMMENTS:**

There were no public comments. However, the Clerk informed the Board that she will be on vacation from June 21 to June 28. She will be unable to do the Board packets or deliver them that week. The Board members agreed by consensus to pick up their packets after June 23<sup>rd</sup>. Ms. O'Malley will remind Board and staff by email closer to that date. She will attend both Board meetings in June.

#### **ADJOURNMENT:**

The next meeting of the Planning Board will be at the Town Hall on Wednesday, June 3, 2009 at 7 p.m.

Mr. Kleman made a motion to adjourn with Mr. Herendeen seconding it. In a voice vote, all five Board members voted aye to adjourn at 8:45 p.m.

These minutes were taken and respectfully submitted by

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