

**TOWN OF FARMINGTON PLANNING BOARD**

**February 18, 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:**

Meg Godly  
Ron Herendeen  
Robert Kleman  
Scott Makin, Acting Chairperson

Excused: David Degear, Chairperson

Also present: Town of Farmington Engineer Lance Brabant, MRB Group, P.C.; Al LaRue, McMahon/LaRue Associates, P.C.; Bob Topping, Topping Engineering; Farmington Fire Association Assistant Chiefs Phil Robinson and Phil Hull

Excused: Town of Farmington Director of Development and Planning Ron Brand; Town of Farmington Code Enforcement Officer, Floyd Kofahl

**OPEN MEETING:**

The meeting was called to order at 7:00 p.m. After everyone recited the Pledge of Allegiance, Acting Chairperson Makin explained that Mr. Degear, Mr. Brand and Mr. Kofahl were excused from tonight's meeting. He then made the introductions of Planning Board members and staff, explained the emergency evacuation procedures and said that copies of the evening's agenda and legal notices are available on a table by the door. Mr. Makin also asked that all present set their cell phones on vibrate.

**APPROVAL OF THE MINUTES OF THE JANUARY 21, 2009 AND JANUARY 24, 2009 MEETINGS:**

Ms. Godly moved to approve the Minutes of the January 21<sup>st</sup> meeting. Mr. Herendeen seconded. In a voice vote, all four Board members voted aye for approval without changes.

Mr. Kleman moved to approve the Minutes of the January 24<sup>th</sup> organizational workshop meeting. Mr. Herendeen seconded his motion. In a voice vote, Mr. Kleman, Mr. Herendeen and Mr. Makin voted aye for approval without changes. Ms. Godly abstained because she was excused from that meeting.

**LEGAL NOTICES:**

At the Acting Chairperson's request, the Clerk read aloud the legal notices which were published in the February 11, 2009 Daily Messenger.

**PUBLIC HEARING:**

**PB 0202-09 PRELIMINARY SUBDIVISION APPLICATION**  
**PB 0203-09 FINAL SUBDIVISION APPLICATION**  
**NAME: Mr. and Mrs. Kenneth Freidman, P.O. Box 25037, Farmington**  
**LOCATION: 1654 New Michigan Rd.**  
**ZONING DISTRICT: RR-80**  
**REQUEST: Site plan approval for a buildable lot, amend parcel #2 of Mandrino's final subdivision**

Mr. Topping, the engineer for this project, pinned up the drawings. He explained that Parcel #2 is a pie shaped lot. The septic system has been approved and there is an existing well. Existing farm buildings are located in the front portion of the property so a variance is needed in order to build a house. A previous owner had a house across the road from the farm buildings. The new owners plan to use the farm buildings for their horses. The engineer concluded by saying that Mr. Mandrino still owns the properties on either side of this one.

Acting Chairperson Makin asked for staff comments, explaining that Mr. Kofahl told him about the variance needed. The Zoning Board of Appeals (ZBA) will meet on Monday, February 23<sup>rd</sup>, to discuss this.

Mr. Brabant said he saw no obvious problems with this subdivision.

Mr. Robinson had no comments.

Mr. Makin announced that this is a public hearing and asked if there is anyone present who wishes to speak for or against this application. There was no reply since there was no audience. The Acting Chairperson then asked for a motion to close the public hearing. Mr. Kleman made the motion with Mr. Herendeen seconding. In a voice vote, all four Board members present voted aye to close the public hearing at 7:11 p.m.

Mr. Makin then requested Board comments.

Mr. Kleman had no comments.

Mr. Herendeen said his only concern is the variance. There appears to be sufficient space for a house on the property.

Ms. Godly inquired if there will be a commercial horse operation on the site. The applicant said no, just the two horses belonging to the owners. This is allowed in the RR-80 District.

Mr. Makin had no comments.

The Clerk announced that this application requires an Unlisted Action SEQR. Ms. Godly moved to waive the reading of the SEQR with Mr. Herendeen seconding. All four Board members voted aye to waive the reading in a voice vote. Then Mr. Herendeen moved to approve the SEQR and Ms. Godly seconded his motion. The following roll call vote was taken and recorded:

- Meg Godly—aye
- Ron Herendeen—aye
- Robert Kleman—aye
- Scot Makin—aye

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

At the Acting Chairperson's request, the Clerk read aloud the draft preliminary plat resolution with the following conditions:

1. ***The title of the drawing is to read "Preliminary Plat Kenneth Freidman Subdivision."***
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 single family dwelling.***
3. ***There is to be a note added to the Preliminary Plat identifying that the existing barn does not have a valid Building Permit as it was approved only for agricultural purposes. Until a Building Permit is issued for said structure no non-agricultural use shall be permitted.***
4. ***There is to be a note added to the Preliminary Plat that a portion of the site lies within an Area of Special Flood Hazard, identified as Zone A 5, on the Flood Insurance Rate Map (FIRM), Community Panel Number 361299 0012 B, Panel 12 of 20, Effective Date: September 30, 1983. In addition, the Preliminary Plat Map is to delineate the boundary of this Area of Special Flood Hazard and identify that the balance of the property lies within a Zone C, Area of Minimal Flooding.***
5. ***The Preliminary Plat Map shall show the delineation of any tree mass that exists along the western portion of the site.***
6. ***The Preliminary Plat Map submitted shows two Parcel 2s. The applicant is instructed to correct the Map as the land located on the east side of New Michigan Road right-of-way is not a part of the subject parcel.***
7. ***The Preliminary Plat Map shall show all pertinent information required for the proposed on-site waste water treatment system, to include deep hole locations and percolation rates as witnessed. See § 144-12. A. (20) of the Town Code.***
8. ***The Preliminary Plat Map shall show the proposed method of water supply for the proposed dwelling. See § 144-12. A. (19) of the Town Code.***
9. ***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 and place it on file in the Town Development Office.***
10. ***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.***
11. ***The Planning Board determines that parkland is not a condition of preliminary plat approval for this application.***
12. ***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.***

- 13. All site lighting shall be compliant with the Town's Lighting Regulations, Chapter 165, Section 64 of the Town Code. The Preliminary Plat Map shall contain a note to this effect.**

The applicant said he understood and agreed to the conditions.

Mr. Herendeen made a motion to approve the preliminary plat resolution with the conditions.

Mr. Kleman seconded his motion. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

Scot Makin—aye

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

Acting Chairperson Makin explained that the Planning Board will not be able to act on the final subdivision application until the applicant secures a variance from the ZBA. If this variance is granted on February 23<sup>rd</sup>, the applicant can return to the Planning Board at the March 4<sup>th</sup> meeting.

#### **SITE PLAN APPROVAL:**

##### **PB 0201-09 FINAL SITE PLAN APPLICATION**

**NAME: Leonard's Express, 6070 Collett Rd., Farmington**

**LOCATION: same as above,**

**ZONING DISTRICT: GI**

**REQUEST: Request approval for a 9,795 square foot, one story addition.**

Mr. LaRue appeared for this application, explaining that he has made all the required changes. The preliminary site plan has been signed.

When the applicant finished speaking, Mr. Makin asked for staff comments. He told the Board members that Mr. Kofahl told him that he has no problems with this application.

Mr. Brabant said that all his comments have been addressed: the lighting is dark sky compliant, the building's square footage and dimensions are on the plans.

The Board members then reviewed the plans with the Town Engineer while the Clerk read the following conditions for approval which Mr. Brand had created:

1. ***The title of the drawing is to read "Final Site Plan Building #2 Addition."***
2. ***The Final Site Plan is to contain a note that reads ... "All site lighting is to be dark sky compliant and shall comply with the provisions of Chapter 165, Section 64, of the Farmington Town Code."***
3. ***The Final Site Plan shall contain building dimensions and square footage for the proposed addition. In addition, the plans shall depict the combined square footage of building #1 and the proposed addition for building #2.***
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 Highway Superintendent and the Town Water & Sewer Superintendent prior to the Town Planning Chairperson***

- signing the site plan. Signature blocks are to be provided on the Final 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. Three (3) additional signed copies are to be filed, one each with the Town for the Highway Department, the Water & Sewer Department and the Code Enforcement Officer.*
  7. *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.*
  8. *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.*

After some discussion, the Board members agreed to add the following condition:

9. *Add asphalt millings up to contour line 603 for the movement of emergency vehicles.*

The applicant said he understood and agreed to the conditions. Mr. Kleman made a motion to approve the final site plan with the conditions. Ms. Godly seconded his motion. Following discussion, the following roll call vote was recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

Scot Makin—aye

The motion with the conditions was carried by a unanimous vote of all four Board members.

#### **OPEN DISCUSSION:**

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

Mr. Brabant reported that, at the PRC (Project Review Committee) meeting, the Highway Superintendent expressed concern that the haul road for phases 3 and 4 of Auburn Meadows is not being used. The Town does not want it connected to existing dedicated Town roads especially during the construction of Beaver Creek Meadows. Mr. Makin commented that he heard the same concern at the last Planning Board meeting.

The Town Engineer pointed out that there should be a gravel road for construction vehicles to use outside of the present phase being developed. All agreed that construction trucks do not mix with school buses.

Mr. Makin inquired about the bridge discussed for phase 3. Mr. Brabant said that he heard the applicant is doing a geotech report but none has been received by the Town.

Mr. Makin also asked about last week's storm. Mr. Brabant said that he has not heard of any flooding problems.

#### **FIRE CHIEF REPORT:**

Mr. Robinson said he has been busy but has no major concerns.

**PUBLIC COMMENTS:**

There were no public comments.

**ADJOURNMENT:**

The next meeting of the Planning Board will be at the Town Hall on Wednesday, March 4, 2009 at 7 p.m.

Mr. Makin made a motion to adjourn with Mr. Kleman seconding it. In a voice vote, all four Board members voted aye to adjourn at 7:38 p.m.

These minutes were taken and respectfully submitted by

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