Town of Farmington

1000 County Road 8
Farmington, New York 14425

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FARMINGTON

PLANNING BOARD

The first meeting of the Farmington Planning Board was held on January 21, 1959.

Wednesday, August 6, 2025 • 7:00 p.m.

MINUTES—APPROVED

The following minutes are written as a summary of the main points that were made and are the official and permanent record of the actions taken by the Town of Farmington Planning Board. Unless otherwise noted, remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions. An audio recording of the meeting is made in accordance with the Planning Board adopted Rules of Procedure. The audio recording is retained for 12 months. Video recordings of the meetings are posted on the Town of Farmington's YouTube channel (subscribe at youtube.com; enter Town of Farmington NY in the search box).

The meeting was conducted at the Farmington Town Hall and via remote video conference.

***R** = Attended via remote video conference.*

Board Members Present:

Edward Hemminger, *Chairperson*
Adrian Bellis
Timothy DeLucia
Regina Sousa
Douglas Viets

Staff Present:

Ronald L. Brand, Town of Farmington Director of Development and Planning
Dan Delpriore, Town of Farmington Code Enforcement Officer
Tim Ford, Town of Farmington Highway and Parks Superintendent
Paula Ruthven, Town of Farmington Zoning Officer
Collin Sowinski, Town of Farmington Engineer, MRB Group, D.P.C.—***R***

Attending:

Torrey L. Clark, Ontario CSG 1, LLC, c/o New Energy Equity, 203 Colonial Drive, Suite 104, Horseheads, N.Y. 14845
Jeff Cook, Cook Properties, 90 Airpark Drive, Suite 400, Rochester, N.Y. 14624
Shauncy Maloy, P.E., Passero Associates, 242 West Main Street, Suite 100, Rochester, N.Y. 14614—***R***
Susan Miller, Ontario CSG 1, LLC, c/o New Energy Equity, 203 Colonial Drive, Suite 104, Horseheads, N.Y. 14845

Kevin Tung, Greene Land Surveying, PLLC, 403 East Miller Street, Newark, N.Y. 14513—***R***
One person who did not sign in.

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1. APPROVAL OF MINUTES

Minutes of July 16, 2025:

■ A motion was made by MR. VIETS, seconded by MR. BELLIS, that the minutes of the July 16, 2025, meeting be approved.

Motion carried by voice vote. Mr. DeLucia abstained due to his absence from the meeting on July 16, 2025.

2. LEGAL NOTICE

None.

3. NEW FINAL SITE PLAN

PB #2025-0801	**New Final Site Plan Application**
Name:	Nick Lowry and Phyllis Caves, 4341 Cream Ridge Road, Macedon, N.Y. 14513
Location:	Lowry Subdivision Tract, Lot #2
Zoning District:	A-80 Agricultural
Request:	Final Site Plan approval for the proposed development of a single-family dwelling and related site improvements on Lot #2 of the Lowry Subdivision, comprised of 1.609 acres located along the west side of Ellsworth Road.

On July 16, 2025, the Planning Board approved the Preliminary Site Plan for this project (PB #2025-0603).

On July 31, 2025, the Planning Board's draft resolution for this evening's consideration was sent via email to the applicants Nick Lowry and Phyllis Caves; to their engineer Michael G. Sponable, P.E., of Greene Land Surveying, PLLC; and to their builders John Graziose and Danille Shaffer of Gerber Homes and Additions.

Mr. Tung of Greene Land Surveying, PLLC, presented this application via remote video conference.

He said that all of the comments on the Preliminary Site Plan approval resolution have been addressed and were submitted to the Town staff on July 17, 2025.

Mr. Brand said that a draft resolution has been prepared for the board's consideration for Final Site Plan approval with conditions.

Mr. Hemminger asked Mr. Tung if he reviewed the draft resolution and if he was okay with it. Mr. Tung said yes.

There were no additional comments or questions on this application this evening.

■ A motion was made by MR. DELUCIA, seconded by MS. SOUSA, that the reading of the following resolution be waived, and that the resolution be approved as submitted by the Town staff:

TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION

PB #2025-0801

APPLICANTS:	**Nick Lowry and Phyllis Caves, 4341 Cream Ridge Road, Macedon, New York 14513**
ACTION:	**Final Site Plan Approval with conditions, Lot #2, Lowry Subdivision Tract, Tax Map Account Number 10.00-1-13.420, comprised of 1.609 acres and located along the west side of Ellsworth Road, for the proposed development of a single-family dwelling and related site improvements.**

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) tonight opened a public meeting for the above referenced Action and received testimony for the Planning Board's consideration; and

WHEREAS the Planning Board, at its meeting on Wednesday, July 16, 2025, granted Preliminary Site Plan Approval with Conditions based upon a drawing prepared by Greene Land Surveying, PLLC, entitled "Preliminary Site Plan of Land, Lot #2 Lowry Subdivision," dated March 7, 2025, and identified as Job No. 24-7313; and

WHEREAS the Planning Board tonight has reviewed a drawing prepared by Greene Land Surveying, PLLC, entitled "Final Site Plan of Land, Lot #2 Lowry Subdivision," having a revision date of 7/17/25; and

WHEREAS the Planning Board and the Applicant, and the Applicant's Engineer, has received and reviewed this draft resolution of approval with conditions prepared by the Town Director of Planning and Development.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, based upon the above information grants final site plan approval for the above referenced Action with the following conditions:

1. The Final site plan drawing is to be amended adding the following Property information on the above referenced Final Site Plan drawing to read as follows: Lot #2, Lowry Subdivision Plat, Tax Map ID No. 10.00-1-13.420; and

2. The Final site plan drawing is to be amended adding the following Property information on the above referenced Final Site Plan drawing to read as follows: Lot #1, Lowry Subdivision Plat, Tax Map ID No. 10.00-1-13.410; and

3. All of the design details that are shown on the drawing are to be further identified by adding information that each of the design details shown are obtained from the referenced Appendices of the 2025 Town of Farmington Site Design and Development Criteria, or a second sheet with each of the referenced design details, showing the referenced appendices, is to be provided before Town signatures are to be added. For example, the design detail shown on the drawing for the proposed Typical Driveway Apron Detail, is to include Appendix H-3.0, 2025, Town of Farmington Site Design and Development Criteria; and

4. The drawing design detail for the required Public Safety Sign Detail, Appendix G-9.0, 2025, is to be identified and the location for this sign shown on the drawing; and

5. The street address for the proposed dwelling is to be shown on the Final Site Plan drawing. This street address will be issued by the Town Code Enforcement Officer upon signing and filing of the Final Site Plan drawing. The street address number is also to be shown on the required Public Safety Sign for this project and the Building Permit when it is issued; and

6. The drawing is to be Stamped by the project engineer, Michael G. Sponable, P.E., and dated.

BE IT FURTHER RESOLVED that once the above conditions of Final site Plan Approval have been addressed then the applicant's engineer is to submit an electronic copy and one (1) paper copy for signing by Town Officials. If additional signed paper copies are to be required then they are to be provided at the time of signing, by the applicant's engineer.

BE IT FURTHER RESOLVED that this Final Site Plan Approval with Conditions is valid for a period of 180 days from today and shall automatically expire if signatures have

not be obtained and a signed copy filed with both the Town of Farmington Development Office, or a formal time extension request from the applicant has been submitted and granted by this Board prior to the end of the 180 day period.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicants, Nick Lowry and Phyllis Caves, 4341 Cream Ridge Road, Macedon, N.Y. 14502; the Applicant's Engineer, Michael G. Sponable, P.E., Greene Land Surveying, PLLC., 403 East Miller Street, Newark, N.Y. 14513 (greenelandsurveying@gmail.com); the Applicant's Contractor Gerber Homes, 1260 Ridge Road, Ontario, N.Y. 14519 (danille@gerberhomes.com); Town staff; the Town Engineer and filed with the Town Development Office.

The following vote on the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Regina Sousa	Aye
Douglas Viets	Aye

Motion carried.

4. CONTINUED PRELIMINARY SITE PLAN

PB #2025-0501 **Continued Preliminary Site Plan Application**

Name: Ontario CSG 1, LLC (New Energy Equity), 2530 Riva Road, Annapolis, Maryland 21401; and New Energy Equity, 203 Colonial Drive, Suite 104, Horseheads, N.Y. 14845, attn: Torrey Clark, Permitting Manager, Land and Business Development; on behalf of Lynn T. Fish, 4494 Mt. Payne Road, Shortsville, N.Y. 14548

Location: Tax Map #19.00-1-13.100, located at 4494 Mt. Payne Road.

Zoning District: A-80 Agricultural District

Request: Findings and determination whether to accept the Preliminary Site Plan application for a large-scale community solar project on 23.4 acres at 4494 Mt. Payne Road.

On May 21, 2025, the Planning Board determined that this application was incomplete.

On July 2, 2025, the applicant submitted the following materials:

Exhibit A	Site Plan Set
Exhibit B	Visual Simulations
Exhibit C	SWPPP Report
Exhibit D	Wetland Delineation
Exhibit E	Decommissioning Agreement
Exhibit F	Noise Assessment
Exhibit G	Solar Glare and Viewshed
Exhibit H	Emergency Response Plan
Exhibit I	Updated SEQR Part 1

On July 31, 2025, the Planning Board's draft resolution for this evening's consideration was sent via email to the property owner Lynn T. Fish and to the applicant Torrey Clark of New Energy Equity.

Mr. Clark presented this application and the next application (PB #2025-0502: Special Use Permit). The presentations of both applications and the discussions were conducted concurrently. Ms. Miller from New Energy Equity also attended.

Mr. Clark acknowledged receipt of the draft Planning Board resolutions, the MRB Group engineering comment letter of July 30, 2025, and the Farmington Code Enforcement Officer's comments of July 30, 2025. He said that the applications will be good to go after the comments on each of these items have been addressed. Mr. Clark also said that it was good to see the Town's comments in black and white.

Mr. Hemminger requested that these applications should be in good shape if Mr. Clark works closely with the Town staff [to address the outstanding Town staff and engineering comments]. Mr. Hemminger said that Mr. Clark should not wait to address the comments until a subsequent Planning Board meeting, and that all the typical documentation must be submitted prior to the board's consideration of the final applications. He said that the board is rigid [on this process].

Mr. Brand acknowledged receipt of the exhibits which Mr. Clark submitted in July (*see* list above) and that there still are a number of issues to be completed. He said that these will be discussed at the Project Review Committee (PRC) tomorrow (August 7, 2025) and that Mr. Clark should plan to schedule a subsequent meeting with the Town staff. Mr. Clark said that he will attend the PRC meeting tomorrow.

Mr. Hemminger again requested that Mr. Clark sit down with the Town staff to review the identified Town and engineering comments and that he (Mr. Hemminger) often attends the staff meetings, as well.

Mr. Delpriore said that the Town staff continues their reviews of the approximately 500 pages of exhibits which Mr. Clark submitted and that these will be discussed with Mr. Clark at tomorrow's PRC meeting. He also encouraged Mr. Clark to set up a subsequent meeting with the Town staff following the PRC meeting and prior to the next consideration of the applications by the Planning Board.

Mr. Clark asked if a host agreement or a Payment in Lieu of Taxes (PILOT) are required up front. Mr. Brand said that a PILOT agreement would be required for review if this would be coming to the Town Board. Mr. Clark said that typically in other towns they would usually go to the Town Board for the fiscal responsibility of the PILOT or the host agreement following approval of the Special Use Permit. He requested that the Town staff let him know if the Farmington procedure is different. Mr. Hemminger said that a PILOT agreement may have to go to Ontario County Industrial Development Agency.

There were no additional comments or questions on this application this evening.

■ A motion was made by MR. BELLIS, seconded by MS. SOUSA, that the reading of the following resolution be waived, and that the resolution be approved as submitted by the Town staff:

TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION

PB #2025-0501

APPLICANT: **New Energy Equity, 203 Colonial Drive, Suite 104, Horseheads, NY 14845; on behalf of Ontario CSG1, LLC, 2530 Riva Road, Annapolis, Maryland 21401; and Lynn T. Fish, 4494 Mount Payne Road, Shortsville, NY 14548.**

ACTION: **Preliminary Site Plan Application, Large-Scale Solar Project, Tax Map Account 19.00-1-13.100, to be located on a parcel of land located at 4494 Mount Payne Road, along the north side of Mount Payne Road, between Yellow Mills Road and Stafford Road.**

Second Determination whether the application may be accepted for:

a. Meeting the requirements of Chapter 165, Article VI, Sections 84.3 through 84.3.12 of the Farmington Town Code;

b. Classifying the Action under 6NYCRR, Parts 617 of the State Environmental Quality Review Act (SEQRA);

c. Conducting a coordinated review under SEQRA;

d. Referral to the Ontario County Planning Board, as a complete application, for review and recommendation under the Sections 239-l & -m of the New York State General Municipal Law;

e. Notification to the Manchester Town Clerk under Section 239-nn of the State's General Municipal Law; and

f. Scheduling a Public Hearing upon this Action.

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) tonight has continued its review of an application for the above referenced Action, which includes a Part 1 Full Environmental Assessment Form (FEAF); a set of site plan drawings, dated 2/17/25, prepared by New Energy Equity, LLC, entitled "Onatrio CSG 1, LLC Solar Project Sketch Plan 5.00 MW AC Fish Community Solar Garden" and a document entitled "Project Summary for Ontario CSG1, LLC,Solar Project—Sketch Plan, 5.00 MW AC Community Solar Garden," dated 3/21/2025; and

WHEREAS the Planning Board has also received and reviewed a document entitled "Response to Comments provided by MRB Group," Dated May 20, 2025, prepared by New Energy Equity, for Ontario CSG 1, LLC Solar Project and a cover letter dated 7/1/2025, Torrey L. Clark, Permitting Manager, not on any business letter head; and

WHEREAS the Planning Board has reviewed said information, along with the previous May 21, 2025, Resolution PB #2025-0501, which determined the application materials originally submitted were not acceptable for the Planning Board to initiate a formal review and requested amendments be made to enable the Planning Board to move forward with their review; and

WHEREAS the Planning Board and the Applicant have received this draft resolution prepared by the Town Director of Planning and Development for the Board's consideration, along with two attachments, one from the Town Code Enforcement Officer, dated July 30, 2025, and the other a letter July 30, 2025, to the Town's Director of Planning and Development, from the Town Engineers, MRB Group, signed by Lance S. Brabant, CPESC, National Director of Planning and Environmental Review Services.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board makes the following findings:

1. The Applicant has not provided the Town with the information requested in the Planning Board's Resolution dated May 21, 2025.

2. The Applicant has not provided the Town Engineers with all the information previously requested in their May 20, 2025 letter.

The Town Code Enforcement Officer reports that based upon his review of the updated material on this application there still remains additional information to be provided.

BE IT FURTHER RESOLVED that the Planning Board based upon these findings determines the application materials submitted are still not acceptable for the Planning Board, at this time, to initiate the formal review of this Preliminary Site Plan Application.

BE IT FURTHER RESOLVED that the Planning Board once again directs the Applicant to schedule a meeting with Town Staff (e.g., the Town Director of Planning and Development, Town Code Enforcement Officer, Town Fire Marshal, Town Highway Superintendent and the Town Engineers) to resolve the above referenced findings and to reach an understanding of what items are to be amended to enable this Board to move forward with their review and consideration of this Action.

BE IT FURTHER RESOLVED that Town Staff is directed to first review all amended documents and then to prepare a revised draft resolution for the Planning Board's consideration at a future meeting.

BE IT FURTHER RESOLVED that the Planning Board does hereby move to table any further discussion upon this proposed application to a future public meeting where the Board will continue its deliberations and, hopefully, be able to move forward with the formal review and adoption procedures for the proposed Action.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicant, Torrey L. Clark, Associate of Permitting, Land & Business Development, New Energy Equity, 203 Colonial Drive, Suite 104, Horseheads, NY 14845 (tlclark@newenergyequity.com); Lynn T. Fish, property owner, 4494 Mt. Payne Road, Shortsville, N.Y. 14548 (lfish@dishby fish.com); Town staff; the Town Engineer and filed with the Town Development Office.

The following vote on the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Regina Sousa	Aye
Douglas Viets	Aye

Motion carried.

5. CONTINUED SPECIAL USE PERMIT

PB #2025-0502 **Continued Special Use Permit Application**

Name: Ontario CSG 1, LLC (New Energy Equity), 2530 Riva Road, Annapolis, Maryland 21401; and New Energy Equity, 203 Colonial Drive, Suite 104, Horseheads, N.Y. 14845, attn: Torrey Clark, Permitting Manager, Land and Business Development; on

behalf of Lynn T. Fish, 4494 Mt. Payne Road, Shortsville, N.Y. 14548

Location: Tax Map #19.00-1-13.100, located at 4494 Mt. Payne Road.

Zoning District: A-80 Agricultural District

Request: Findings and determination whether to accept the Special Use Permit application for a large-scale community solar project on 23.4 acres at 4494 Mt. Payne Road.

On May 21, 2025, the Planning Board determined that this application was incomplete.

On July 2, 2025, the applicant submitted the following materials:

Exhibit A	Site Plan Set
Exhibit B	Visual Simulations
Exhibit C	SWPPP Report
Exhibit D	Wetland Delineation
Exhibit E	Decommissioning Agreement
Exhibit F	Noise Assessment
Exhibit G	Solar Glare and Viewshed
Exhibit H	Emergency Response Plan
Exhibit I	Updated SEQR Part 1

On July 31, 2025, the Planning Board's draft resolution for this evening's consideration was sent via email to the property owner Lynn T. Fish and to the applicant Torrey Clark of New Energy Equity.

Mr. Clark presented this application and the accompanying previous application above (PB #2025-0501: Preliminary Site Plan). The presentations of both applications and the discussions were conducted concurrently. Ms. Miller from New Energy Equity also attended.

(*See* concurrent discussion with PB #2025-0501, above.)

■ A motion was made by MR. BELLIS, seconded by MS. SOUSA, that the reading of the following resolution be waived, and that the resolution be approved as submitted by the Town staff:

TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION

PB #2025-0502

APPLICANT: **New Energy Equity, 203 Colonial Drive, Suite 104, Horseheads, N.Y. 14845; on behalf of Ontario CSG1, LLC,**

2530 Riva Road, Annapolis, Maryland 21401; and Lynn T. Fish, 4494 Mount Payne Road, Shortsville, N.Y. 14548.

ACTION: **Special Use Permit Application, Large-Scale Solar Project, Tax Map Account 19.00-1-13.100, to be located on a parcel of land located at 4494 Mount Payne Road, along the north side of Mount Payne Road, between Yellow Mills Road and Stafford Road.**

Second Determination whether the application may be accepted for:

a. **Meeting the requirements of Chapter 165, Article VI, Sections 84.3 through 84.3.12 of the Farmington Town Code;**

b. **Classifying the Action under 6NYCRR, Parts 617 of the State Environmental Quality Review Act (SEQRA);**

c. **Conducting a coordinated review under SEQRA;**

d. **Referral to the Ontario County Planning Board, as a complete application, for review and recommendation under the Sections 239-l & -m of the New York State General Municipal Law;**

e. **Notification to the Manchester Town Clerk under Section 239-nn of the State's General Municipal Law; and**

f. **Scheduling a Public Hearing upon this Action.**

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) tonight has determined that the Applicant has not provided the Town with information previously requested by the Board at its May 21, 2025, meeting for accepting a related application for Preliminary Site Plan Approval (File PB#2025-0501) for the proposed Large-Scale Ground Mounted Solar Project; and

WHEREAS the Planning Board, on May 21, 2025, resolved not to consider accepting a Special Use Permit Application until the Planning Board has determined the Preliminary Site Plan Application is acceptable for formal review along with the formal review for this requested Special Use Permit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board makes the following findings:

1. The Applicant has not provided documentation to address the Town Code requirements in §165-84.3.4 for accepting and approving application for site plan approval, a pre-requisite to approving a Special Use Permit for a large-scale ground-mounted solar photovoltaic (PV) system; and

2. The Planning Board tonight, in a separate resolution for Preliminary Site Plan approval (PB #2025-0501) for the above referenced large-scale ground-mounted solar photovoltaic (PV) system, made findings and a determination that the application material submitted is not acceptable for the Planning Board, at this time, to initiate any further discussion and tabled the matter to a future public meeting to enable the Town to receive revised Preliminary Site Plan documents.

NOW, THEREFORE, BE IT RESOLVED the Planning Board determines that it does not accept, at this time, the Special Use Permit Application for the proposed Large-Scale Ground Mounted Solar Project, to be located on the Lynn T. Fish Property at 4494 Mount Payne Road, Shortsville, New York 14548, and which property is further located within the Town of Farmington.

BE IT FURTHER RESOLVED that once the Planning Board takes action to accept a revised Preliminary Site Plan Application (File PB#2025-0501) for this Large-Scale Ground Mounted Solar Project, then the Board will consider accepting the Special Use Permit Application required to accompany said site plan by continuing its deliberations and determining if it can move forward with the formal review and adoption procedures for the proposed Special Use Permit.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicant, Torrey L. Clark, Associate of Permitting, Land & Business Development, New Energy Equity, 203 Colonial Drive, Suite 104, Horseheads, N.Y. 14845 (tlclark@ newenergyequity.com); Lynn T. Fish, property owner, 4494 Mt. Payne Road, Shortsville, N.Y. 14548 (lfish@dishbyfish.com); Town staff; the Town Engineer and filed with the Town Development Office.

The following vote on the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Regina Sousa	Aye
Douglas Viets	Aye

Motion carried.

6. NEW FINAL SITE PLAN AMENDMENT

PB #2025-0802 New Final Site Plan Amendment Application

Name: Adrian Bellis, 5540 Holtz Road, Farmington, N.Y. 14425

Location: 5540 Holtz Road

Zoning District: A-80 Agricultural District

Request: Findings and determination whether to accept the Final Site Plan Amendment application for an Accessory Storage Building on property located at 5540 Holtz Road.

On September 4, 2024, the Final Site Plan for construction of a single-family home on Lot #4 of the DeHollander Subdivision (Scout Plains Subdivision) was approved by the Planning Board (PB #0803-24).

On July 31, 2025, the Planning Board's draft resolution for this evening's consideration of an amendment to the Final Site Plan was sent via email to the property owner Adrian Bellis.

Mr. Bellis disclosed that he is the property owner and applicant, and thereby recused himself from participation in the consideration of this application. He stepped down from the dais.

Mr. Brand said that Mr. Bellis will be appearing before the Zoning Board of Appeals (ZBA) to apply for two area variances and has now applied to the Planning Board for an amendment to his previously approved Final Site Plan. Mr. Brand said that, if approved, these applications will lead to the issuing of a building permit for the construction of an accessory structure, a 4,320-square-foot pole barn, with a height of 25 feet on his property.

Mr. Brand said that one of the applicant's two area variances—for an accessory structure larger in size than the principal structure—is pending before the Ontario County Planning Board (OCPB) this month; and that the OCPB considered the height variance last month. He said that this evening the Planning Board will classify the action as being an Unlisted Action under the State Environmental Quality Review Act (SEQRA), send notice to the Town ZBA that a 30-day coordinated review is underway, and that the Planning Board will declare its intent to be designated as the Lead Agency for making the SEQR determination on these three applications.

Mr. Hemminger said that the Planning Board feels that the application is ready to move forward and that the board's involvement is getting the SEQR rolling.

Mr. Brand said that the board is following the same procedure which was followed for a two-lot subdivision application off Mertensia Road and another for a Special Use Permit application on County Road 8. Mr. Hemminger said that the board is being consistent.

Mr. Delpriore said that the biggest issue this evening is beginning the SEQR process, especially because this application is being considered by two different boards (the Planning Board and the ZBA).

There were no additional comments or questions on this application this evening.

■ A motion was made by MR. VIETS, seconded by MR. DELUCIA, that the reading of the following resolution be waived, and that the resolution be approved as submitted by the Town staff:

FARMINGTON PLANNING BOARD RESOLUTION
FINAL SITE PLAN AMENDMENT

PB #2025-0802

APPLICANT: **Adrian Bellis, 5540 Holtz Road, Farmington, N.Y. 14425**

ACTION: **Application for Final Site Plan Amendment to allow a proposed Accessory Structure—a 4,320-square-foot, 25-foot-tall, pole barn and related site improvements to be constructed on the above referenced property.**

Determination whether to accept the application as being complete for formal review; classifying the action under 6NYCRR Part 617, Article 8 of the State Environmental Conservation Law, declaring intent to be designated Lead Agency under SEQR, initiating a coordinated review under SEQR with the Town Zoning Board of Appeals, directing submission of a referral to the Ontario County Planning Board for review under the provisions of Sections 239-l and -m of the New York State General Municipal Law and scheduling a Public Hearing upon this application.

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received an application for the above referenced Action which consists of a proposed Final Site Plan Amendment drawing showing the proposed building, building elevations, building floor plans and a cover letter describing the proposed use of the building; and

WHEREAS the Planning Board has reviewed the criteria under 6NYCRR, Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, for determining the Classification associated with the above referenced Action; and,

WHEREAS the Planning Board finds that the granting of an amendment to the Final Site Plan drawing is classified as an Unlisted Action under 6 NYCRR, Parts 617.4 and .5 of Article 8 of the New York State Environmental Conservation Law; and

WHEREAS the Planning Board finds that Final Site Plan Amendment Approval is further subject to the Town Zoning Board of Appeals (ZBA) granting two area variances for the

proposed accessory structure, thereby making the ZBA an Involved Agency under SEQR; and

WHEREAS an Unlisted Action under SEQR, with another Involved Agency, requires a coordinated review and the establishment of a lead agency.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby accept the application as being complete for formal review and action.

BE IT FURTHER RESOLVED that the Planning Board does hereby classify the proposed Action as a Unlisted Action under Section 6 NYCRR, Parts 617.4 and .5 of the State's SEQR Regulations.

BE IT FURTHER RESOLVED that Unlisted Actions are subject to a coordinated review with other Involved Agencies, of which the ZBA is an identified Involved Agency under Part 617.

BE IT FURTHER RESOLVED that the Planning Board determines the only other Involved Agency under SEQR is the Town Zoning Board of Appeals.

BE IT FURTHER RESOLVED that the Planning Board does hereby establish of Coordinated Review Process under SEQR for said Action to commence on Thursday, August 7, 2025, and to end at noon on Friday, September 5, 2025.

BE IT FURTHER RESOLVED that the Planning Board does hereby declare its intent to be designated, as the Lead Agency for making a determination of significance under SEQR, at its meeting on Wednesday, September 17, 2025.

BE IT FURTHER RESOLVED that the Planning Board directs the filing of a referral to the Ontario County Planning Board for its review and recommendation under the provisions of Sections 239-l and -m of the New York State General Municipal Law.

BE IT FINALLY RESOLVED that the Planning Board does hereby schedule a Public Hearing be held on this final site plan application to begin at 7:00 p.m. on Wednesday, September 17, 2025.

The following vote on the above resolution was recorded in the meeting minutes:

Adrian Bellis	Recused
Timothy DeLucia	Aye
Edward Hemminger	Aye
Regina Sousa	Aye
Douglas Viets	Aye

Motion carried.

Following the vote, Mr. Bellis returned to his place on the Planning Board dais.

7. OTHER BOARD ACTIONS

A. Review of the Amended Overall Preliminary Site Plan for the Farmington Meadows Incentive Zoning Project:

Mr. Cook of Cook Properties presented this application in the meeting room. Mr. Maloy of Passero Associates presented the application via remote video conference.

Mr. Maloy said that the Farmington Meadows project is proposed on a 65.1-acre vacant lot east of State Route 332 and south of County Road 41. He said that a water park had been proposed on this site many years ago and that the property was recently rezoned to Incentive Zoning by the Town Board for another developer (i.e., the Whitestone Incentive Zoning Project, on August 13, 2024). Mr. Maloy said that the previous developer decided not to pursue the Whitestone project and that the incentive rezoning has now been picked up by Cook Properties for mixed residential use and commercial development.

Mr. Maloy provided the following summary of the Farmington Meadows Concept Plan:

37 single-family homes

230 rental townhomes

5 commercial pad sites

150 senior units

Storage facility

Proposed Zoning: Incentive Zoning (IZ) and Major Thoroughfare Overlay District (MTOD).

There are no State- or Federally-regulated wetlands on the site; the site is not located in a Federal designated flood plain.

Mr. Maloy said that Cook Properties has tried to stick with what had been approved by the Town for the previous developer's project, but that they now have reduced some of the density from 290 multi-family units in the townhome section to 230. He said that the number of units per building has been reduced from 10 units to eight units and they will be constructed in a true townhome style. Mr. Maloy said that all townhome units will have living space on the first floors based upon Town

Board and Planning Review Committee previous discussions of an earlier concept plan.

He said that the proposed single-family homes have now been pushed back farther off the road to allow for longer driveways to accommodate three vehicles in each of the driveways with a driveway bump-out. Mr. Maloy said that they have allocated additional space for extra parking and that guest parking areas in the townhome section is more than what is typically required for this type of use. He said that there is always a need for parking in these types of communities.

Mr. Maloy said that the senior housing buildings have been relocated from the previous developer's plans and have been moved back into the site and further from State Route 332, which will place the senior buildings closer to the other residential areas on the site.

Now that Farmington has applied for the New York State Homes and Community Renewal "Pro-Housing Community Program" grant, Mr. Maloy said that this is the type of development that the State is looking for, i.e., a mixture of single-family, townhomes and senior living units. He said that this concept plan also meets the needs of the Ontario County Housing Study which identifies a need to increase all the different types of housing, and especially senior housing, in the County. Mr. Maloy said that Cook Properties feels that this development meets those needs and fits in well with the Town of Farmington.

He said that the amended concept plan was presented to the Town Board on July 22, 2025, that the Town Board has referred the revised concept to the Planning Board, and that the plan will be discussed at the PRC meeting tomorrow (August 7, 2025).

Mr. Brand asked about the Incentive Zoning amenities which the developer provides to the Town. Mr. Maloy said that over-sized stormwater retention pond areas will be donated to the Town, that a public road connection through the site will be made to link State Route 332 and County Road 41, that the intersection of State Route 332 opposite Hathaway's Corners would be upgraded to a four-way traffic signal intersection, and that bike trails and sidewalks would be constructed throughout the development.

Mr. Brand said that sidewalks and pedestrian crossing signals are also requested on County Road 41 and at the intersection with State Route 332.

Mr. Maloy said that other site amenities include the construction of sidewalks along State Route 332 and along a section of County Road 41 near the proposed self-storage area.

Mr. Brand said that the applicant also agreed to provide, as an amenity, a means of access to the adjacent parcel of land located between his site and the New York

State Police Troop E headquarters to the south. He said that this will provide access from the adjacent site to the proposed signalized intersection along State Route 332.

Mr. Brand said that the Planning Board duty this evening is to review the concept plan and provide comments to the Town staff. He also said that the PRC will do the same at tomorrow's meeting, following which the Town staff will report these comments to the Town Board in a timely manner in order to move forward with the Town Board's consideration of the formal incentive rezoning amendment process.

In reference to Mr. Maloy's comment about the New York State Homes and Community Renewal's "Pro-Housing Community Grant Program," Mr. Delpriore said that Farmington has just been designated by the State as a Pro-Housing Community, thereby making the Town eligible for this grant. He said that this grant will support the New York State Governor's push for housing in the State, including Ontario County, and that the proposed Farmington Meadows project will help toward meeting this goal.

Mr. Delpriore confirmed that the Town Board referred the concept plan to the Planning Board and to the PRC for review and comments. If the Town Board approves the applicant's Incentive Zoning application, the project will then return to the Planning Board for Overall Preliminary Subdivision Plat and Preliminary Site Plan approvals.

Mr. Ford said that parking is an issue with these types of developments. He suggested that all the driveways be constructed as double-wide from the beginning of the design phase. He said that he cannot imagine that homeowners would want parking in their front or side yards.

Mr. Hemminger said that he likes the bump-out driveway idea [to increase parking on a homeowner's driveway], especially because no parking is permitted on Town-dedicated roads during the winter. Mr. Hemminger also requested that the applicant consider two-car-wide driveways for the full lengths of the driveways.

Mr. Bellis asked about the height of the senior homes. Mr. Cook said that the senior buildings would be four stories high.

Mr. Viets suggested that the applicant keep in contact with Rochester Gas & Electric Corporation (RG&E) regarding the capacity and availability of electricity. Mr. Hemminger said that the project would be all electric, and with electric car charging stations. Mr. Cook said that so far there are only natural gas issues at the Uptown project which they are working on in the Town of Canandaigua, and that RG&E is still trying to provide electricity for the Farmington Meadows project. He said that they could eliminate the vehicle charging stations if needed. Mr. Hemminger said that just down the road [in the new section of the Farmbrook Subdivision] the applicant cannot continue construction [because of the electricity availability issue]. Mr. Cook said that they are pushing on all fronts to get electric

service [to Farmington Meadows]. Mr. Viets said that the availability of natural gas and electric service is becoming more of an issue.

Mr. DeLucia asked about the design and construction of the townhomes. Mr. Delpriore displayed an architectural rendering of the six-unit townhome buildings on the video screen. Mr. Cook said that these would be true townhomes, separate domiciles, all for rent. He said that only the single-family homes would be offered for sale. Mr. Maloy said that the majority of the townhome buildings will have eight units, and that one would have six units.

Mr. Hemminger thanked Mr. Cook and Mr. Maloy for their attention to adequate off-street parking. He said that parking is key, especially on the private-maintained interior roads of the project.

Mr. Hemminger also asked for consideration in finding a way to link the two senior housing buildings together. He said that this would enable senior residents to more easily access both senior buildings, especially in winter. He said that this is just a thought, and that he did not have an opinion on this one way or the other.

Mr. Hemminger also said that he thinks that the Town Board will be more receptive to this concept plan than previous plans [for the development of this property].

There were no additional comments or questions on this application this evening.

B. Creekwood Townhomes Project, Phase 2: Partial Letter of Credit Release #3

■ A motion was made by MR. DELUCIA, seconded by MS. SOUSA, that the reading of the following resolution be waived, and that the resolution be approved as submitted by the Town staff:

TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PARTIAL LETTER OF CREDIT RELEASE AND RECOMMENDATION
TO THE TOWN BOARD
CREEKWOOD TOWNHOUSE PROJECT—PHASE 2
TOTAL AMOUNT $237,436.63

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request from Ronald L. Brand, Director of Planning & Development, along with a letter from Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C., the Town Engineers, dated July 31, 2025, requesting approval for a partial release of funds (Release No. 3) from the Letter of Credit for site improvements; and

WHEREAS the above referenced release of funds from the Letter of Credit has been reviewed by the Town Construction Inspector and the Town Engineers with

both finding the quantities and prices identified in the document, for the portion of improvements to be dedicated are consistent with the final site plan conditions and the private contractor pricing respectively; and

WHEREAS the Planning Board has also received the completed Forms G-1.1 (Letter of Credit-Surety/Final Release) and G-2.0 (Letter of Credit Release); and

WHEREAS under the provisions of Chapter 144-32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor the requested final release of funds from the Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineer and the Town Director of Planning and Development, does hereby recommend that the Town Board take formal action to authorize a partial release of funds from the Letter of Credit, in the total amount of $237,436.63.

BE IT FINALLY RESOLVED that the Clerk of the Board is hereby directed to provide certified copies of this resolution to the following parties: Farmington Town Clerk; Farmington Town Board; Matthew Heilmann, Town Construction Inspector; Aaron Bissell, Town Water and Sewer Superintendent; Tim Ford, Town Highway and Parks Superintendent; Dan Delpriore, Town Code Enforcement Officer; Augie Gordner, Deputy Town Code Enforcement Officer; Lance S. Brabant, MRB Group, D.P.C., Town Engineers; Ronald L. Brand, Town Director of Planning and Development; Luke Van Epps, Creekwood Extension, LLC; and Matthew Tomlinson, Project Manager, Marathon Engineering.

The following vote on the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Regina Sousa	Aye
Douglas Viets	Aye

Motion carried.

8. OPEN DISCUSSION

Director of Planning and Development:

Mr. Brand provided the following information:

- The Town staff is working on three new local laws which will be introduced to the Town Board:

  Local Law #6 of 2025: New Town Code Chapter 159 on water rules and regulations. This will be introduced to the Town Board on Tuesday, August 12, 2025. A Public Hearing on this is expected to be scheduled for Tuesday, August 26, 2025.

  Local Law #7 of 2025: An amendment to Town Code Chapter 49 on keeping of animals, to provide more consistency with existing penalties.This will be introduced to the Town Board on Tuesday, August 12, 2025. A Public Hearing on this is expected to be scheduled for Tuesday, August 26, 2025.

  Local Law #8 of 2025: A new Local Law on burials and burial grounds. Mr. Brand said that this issue has come from discussions at meetings of the New York Association of Towns regarding residents who would like to arrange burials on their properties. Among the issues to be considered are what would happen if the property upon which burials were made were to be sold and the new owners no longer wanted the private burials on their property.

- The Town staff is working with the Cobblestone Arts Center on State Route 332 regarding a small area of land being transferred from the Town to the Center's property. It involves a small portion of land being transferred from the Auburn Trail property which abuts the Cobblestone Arts Center property. The was previously agreed-to years ago when all five adjacent landowners agreed to land swaps to allow Carmen's Way to be connected between the Auburn Meadows Tract and the intersection with State Route 332, opposite Farmbrook Drive.

- The owner of the Farmington Market Center (Tops Supermarket Plaza) on State Route 96 has requested that their presentation of the development plans to the Town Board, at their meeting on August 12, 2025, be paused. Mr. Brand said that the owner's engineer was planning to present the most recent concept plan to the Town Board on that date, but has now notified the Town staff that more time is needed by the property owner to re-negotiate a land lease agreement.

- Mr. Brand reported that a great deal of Town staff time was assigned during the past month to the successful application to the New York State Homes and Community Renewal "Pro-Housing Community Grant Program," and a large portion of time was due to the extensive amount of data which had to be reported on in the grant application. Staff from the Town Development Office, Water and Sewer departments, the Town Engineers and a grant writer were assigned this task as a priority.

- Mr. Brand read into the record of the meeting the following email which was received from Frank Ruffolo of Sky Solar, Inc., the applicant for the Sky Solar project which has been proposed on Commercial Drive (PB #0408-24 and PB #0409-24):

1. Tariffs: The batteries for the Storage project are being sourced from a tier 1 supplier in China. China has a 90%+ market share in large scale storage batteries. The imposition of varying levels of tariff's means that the cost of these batteries is currently ~40% higher than our initial budget. This has put a lot of pressure on the economics of this project and we are looking at all sources of alternative battery supply. A possible option could be Korean made batteries, however supply will only be available in 4Q 2026 and in limited volumes.

2. OABB: The recently passed OABB has introduced many conditions for a BESS system to be able to claim the Investment tax credit. The Investment tax credit, as it has done for the last 15+ years, reduces the effective cost of the system by 20%. This is a critical piece of the overall economic proposition and capital stack of the project. Furthermore, the exact guidelines affecting the ability to claim the tax credit will not be clear till we get guidance from the IRS, which could come out early next year.

3. Supply chain disruption: The combination of 1,2 has caused significant disruption in the supply chain and the ability to procure batteries at a cost effective price and during the required time frame. We are in touch with 3+ battery suppliers and are actively evaluating the best strategy going forward.

4. Solar Panels: The situation with the two solar projects is similar, though the supply chain is less impacted given the relatively diversified supply chain. However Point(2) does continue to impact the solar projects as well.

   Please advise the Planning Board and the PRC staff. We will continue to keep you updated as we proceed through some of these issues.

   —*Frank Ruffolo, Sky Solar*

Mr. Brand said that the Planning Board approved the second 90-day extension for the Sky Solar project which began on July 17, 2025, and which will expire on October 15, 2025.

Mr. Clark from the New Energy Equity solar project, who was still in the meeting room, said that his company is not dealing with battery storage on their project, that they have the solar panels, and that they would not run up with battery issues on their project.

- Three Public Hearings will be on the Planning Board agenda for next meeting on August 20, 2025:

  PB #2025-0702: Donald J. Cheney, Esq., representing Kathy Jo Rhyner and Kolby Rhyner, property at 1118 County Road 8, Special Use Permit and Preliminary Site Plan to allow a pet grooming business.

  PB #2025-0703: Krossber Enterprises, LLC, 5984 State Route 96, Preliminary Site Plan approval for an 11,361-square-foot building and related site improvements.

  PB #2025-0704: Laura Donaldson, c/o Bridges for Brain Injury, 5760 Duke of Gloucester Way, Preliminary Site Plan for construction of a 16,00-square-foot Day Programming Building and an 11,400-square-foot Wildlife Education Building with an adjacent outdoor wildlife area at 1111 County Road 8.

Code Enforcement Officer:

- Mr. Delpriore said that the successful completion of the New York State Homes and Community Renewal "Pro-Housing Community Program" grant was a heavy lift for the Building Department staff. The application required building permit data from 2018 to the present and included the costs and sizes of each new residential unit. He said that this involved the review of more than 600 building permits. The application also required the reporting of Planning Board actions (subdivisions and site plans). Mr. Delpriore said that the Town statistics were way above the State's required percentages for grant approval. He credited the Town staff for their efforts in compiling the information, which was a top priority from the Supervisor's office. Mr. Delpriore said that the State required a 2 percent annual growth rate of residential units for the time period, and that the Farmington average rate of residential growth is just under 7 percent. He said that this means that Farmington is growing and that the Planning Board is doing its job.

  Mr. Delpriore said that the Pro-Housing Community designation opens up a tremendous amount of potential grant funds, and that the Town has already applied for infrastructure grants.

- Town staff and the Planning Board Chairperson met with the owner of the WNY Commercial Warehouse on Loomis Road regarding tenants who are not following the approved site plan requirements. A 90-day compliance deadline had been given and four units remain in non-compliance as of this inspection. Mr. Delpriore said that another inspection will be made at the beginning of September and that continued non-compliance will result in fines.

Highway Superintendent:

Mr. Ford said the Town paving projects concluded for the season with the completion of the Hook Road paving project. Highway crews are now working on repairing sidewalks and road gutters, and stormwater projects.

Board Members:

Mr. Bellis asked about the status of the Project Review Committee (PRC) minutes for July 2025. Mr. Delpriore said that these minutes would be completed soon. He said that one secretarial position in the Building Department is vacant and that taking future PRC minutes will be assigned to the new staff member when hired.

Mr. Hemminger said that he will recuse himself from consideration of the Krossber Enterprises site plan application. He said that he is the Commander of the Farmington AMVETS Post 332 and that Krossber Enterprises has donated a $7,000 hot tub to the AMVETS for a fund-raising raffle. He said that he is not a party to any financial consideration being given by Krossber Enterprises to the AMVETS, but that he does not wish to create any type of indication of a conflict of interest with the pending Krossber site plan application.

Mr. Hemminger asked about the display of an additional (third) vehicle in the front portion of Electric Car Corner property at 6162 State Route 96. Mr. Delpriore said that this issue has been resolved and that number of vehicles in the display portion of the property along State Route 332 has been reduced to two.

9. PUBLIC COMMENTS

None.

10. TRAINING OPPORTUNITIES

■ **MRB Group/Hancock Estabrook 2025 Municipal Bootcamp Trainings**
For information: (800) 701-8746 or info@mrbgroup.com
For registration: https://register.gotowebinar.com/register/4890082401408213431\

Session 8: September 25, 2025
Putting the Home in Hometown: Strategies for Attracting Housing Investment to Your Community
6:00 p.m.–7:00 p.m.

Session 9: October 23, 2025
Short, But Not Too Short: How Short Term Rentals Are Changing the Development and Regulatory Landscape
6:00 p.m.–7:00 p.m.

Session 10: December 18, 2025
Santa's Naughty and Nice List: The Best and Worst of 2025
6:00 p.m.–7:00 p.m.

■ **New York Planning Federation Recorded Webinars:**
For information: (518) 512-5270 or nypf@nypf.org

■ **General Code e-Code**
Daily drop-in lunchtime training Q&A sessions plus webinars in several categories.
Information: https://www.generalcode.com/training/

■ **Future Training Opportunities Online:**
Ontario County Planning Department website now lists upcoming training:
https://www.co.ontario.ny.us/192/Training

11. ADJOURNMENT

■ A motion was made by MS. SOUSA, seconded by MR. VIETS, that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 7:50 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, August 20, 2025, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425.

This meeting will also be available via remote video conference.

Following the meeting, the clerk locked the front doors to the Town Hall.

Respectfully submitted,

John M. Robertella L.S.
John M. Robortella
Farmington Planning Board Clerk