

# *Hopewell Planning Board*

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – January 27, 2020

**Present:** Chairman Jim Bator, Sylvia Moore, Nick Sergeant, Phil Bassage, Allan Wesche, Shawn Cotter, Daniel Amadon, Chris Jensen (FL Ag Museum), Gary & Karen Jones, Ray & Barb Henry, Kevin McIntee (MRB), Scott Brown (Wal-Mart Super Center)

**Absent:** Jim Carello, Ryan Bruzda

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The Chairman called the meeting to order at 7:00 p.m.

**Privilege of the Floor:** No one from the public spoke.

**General Business:** Approval December 16, 2019 Minutes

Allan Wesche moved to approve the December 16, 2019 minutes as presented. Motion seconded and carried.

**Public Hearing: Wal-Mart Super Center – Sign Site Plan – PZ-2019-044**  
**4238 Recreation Dr – TM # 85.03-1-19.000**

Planning Board clerk read aloud Public Hearing notice.

Scott Brown representing Wal-Mart application stated this is the third re-model for the Wal-Mart Super Center. The current application is for sign site plan. The exterior of the building is undergoing painting and replacement of signage. There will be a decrease in the signage total. The current signage total is 649.55 square feet. and will be reduced to 647.24 square feet. The Tire and Lube sign was to be removed in 2013, but was not. It is slated to be removed during the remodel process of 2020.

CEO Teed stated the current signage for Wal-mart exceeds the limit for signage. However, variances were granted for signage in the past, and therefore Wal-mart is in compliance with their allowed signage variances.

The Chairman asked for public comments.

There were no comments from the public concerning this application.

**Nick Sergeant moved to close the public hearing**, seconded by Phil Bassage. Motion carried unanimously.

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- New Business: Wal-Mart Super Center – Sign Site Plan – PZ-2019-044**  
**4238 Recreation Dr – TM # 85.03-1-19.000**
- 1. MRB/OCPB Comment Review**
  - 2. SEQR Type II Action**
  - 3. Site Plan Review**

CEO Teed stated the public hearing notice and sign posting for *Property Under Review*, were done in accordance with Town Zoning law.

The Planning Board reviewed County Planning Board comments concerning the sign site plan application. It was noted the OCPB made no formal recommendation to deny or approve applications for signs that comply with local limits on size and or number. (Attached to final minutes)

**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION**  
**WAL-MART SUPER CENTER #1673-233**  
**SIGN SITE PLAN**  
**4238 RECREATION DR – C-1 ZONING DISTRICT**  
**TM# 85.03-1-19.000 PZ-2019-044**  
**SEQR TYPE II ACTION**

## **SEQR RESOLUTION - TYPE II ACTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering an Approval for Final sign Site Plan Approval for the removal of 649.55 sq. ft. of existing building mounted commercial speech signage and the installation of 647.24 sq. ft. of new exterior building mounted commercial speech signage;

**Located at 4238 Recreation Drive – 14424, within the C-1 zoning district**, and as detailed on site plan, dated 9/27/2019 revised 11/18/2019, and all other relevant information submitted as of 12/9/2019 (the current application); and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Planning Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FINALLY RESOLVED THAT**, the Planning Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

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The above resolution was offered by Allan Wesche and seconded by Sylvia Moore at a meeting of the Planning Board held on Monday, January 27, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

Phil Bassage – aye	Jim Bator – aye	Ryan Bruzda - absent
James Carello - absent	Sylvia Moore – aye	Nick Sergeant - aye
Allan Wesche -aye		

I, Shawn Cotter, Planning Board Secretary, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Planning Board for the January 27, 2020 meeting.

Dated: January 27, 2020

Shawn L Cotter L.S.

SEAL

**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
WAL-MART SUPER CENTER #1673-233  
SIGN – SITE PLAN  
4238 RECREATION DR – C-1 ZONING DISTRICT  
TM# 85.03-1-19.000 PZ-2019-044  
SIGN SITE PLAN APPROVAL RESOLUTION**

## **SIGN SITE PLAN APPROVAL RESOLUTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Final Sign Site Plan Approval for the removal of 649.55 sq. ft. of existing building mounted commercial speech signage and the installation of 647.24 sq. ft. of new exterior building mounted commercial speech signage; and

**WHEREAS**, the Planning Board has determined the proposed development to be an Unlisted Action and is subject to a single agency review pursuant to Part 617.6(b)(4) of the SEQR Regulations; and

**WHEREAS**, on January 27, 2020 the Planning Board, serving as lead agency, made a determination of non-significance and filed a negative declaration thereby concluding review pursuant to SEQR; and

**NOW, THEREFORE, BE IT RESOLVED**, the Planning Board hereby ☐ Approves without Conditions; ☒ Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. All consultants' fees for review of application are to be reimbursed by the applicant to the Town prior to the Planning Board Chairs signature being affixed on the plans.
2. Site Plan Approval with conditions specified above herein is valid for a period of 120 days from today.

# Hopewell Planning Board

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The above resolution was offered by Allan Wesche and seconded by Nick Sergeant at a meeting of the Planning Board held on Monday, January 27, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator – aye	Phil Bassage- aye	James Carello - <i>absent</i>
Sylvia Moore – aye	Allan M. Wesche – aye	Ryan Bruzda - <i>absent</i>
Nick Sergeant - aye		

I, Shawn L. Cotter, Planning Board Secretary, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Planning Board for the January 27, 2020 meeting.

Dated: January 27, 2020

SEAL

Shawn L. Cotter L.S.

## NOTICE OF PUBLIC HEARING

Pursuant to Article III, Section 306 of the Town of Hopewell Zoning Ordinance, a Public Hearings before the Planning Board of the Town of Hopewell will be held on January 27, 2020 at 7:00 P.M.

Said Hearings will be held in the Town Hall at Hopewell Center, Ontario County, New York.

The Public Hearing is to consider application #PZ-2019-044 for Wal-Mart Super Center, 4238 Recreation Drive, Canandaigua, NY the Town of Hopewell, Tax Map #85.03-1-19.000 Under Article XVI - Site Plan Review and Approval of the Town of Hopewell Zoning Ordinance, the applicant is seeking site plan approval for exterior signage replacement.

All persons wishing to appear at such Hearing may do so in person or by attorney or other representative.

Shawn L Cotter

Planning Board/Board of Appeals L.S.

*January 7, 2020*

# Hopewell Planning Board

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Minutes – January 27, 2020

**Business: Landmark Farms – Site Plan – 2607 St Rt 488 - PZ-2019-041 – TM #74.00-1-3.110**

1. MRB/OCPB Comment Review
2. SEQR Type II Action
3. Site Plan Review

CEO Teed stated the applicants are seeking approval for three bunk silos to be used as AG. The Planning Board waived the requirement for Public Hearing, which is typically done for agricultural products by definition of the NYS AG & Markets.

Daniel Amadon stated the final plan has not yet been completed, since site work prep is necessary prior to pouring concrete. An engineer has been hired and the applicants have also been working with USDA NRCS (Natural Resource Conservation Services) and Farm Services Agency.

Mr. Amadon stated the necessary SEAF Part I has been completed and submitted to the Planning Board and CEO Teed, Parts II and III were completed by MRB and also submitted to the Planning Board.

Mr. Amadon referred to MRB's comments from the January 14, 2020 memo. He stated it is their intention to have a safer work environment for their employees. No additional utilities are needed. It is their intention to place bunk silos further back from the road with more elevation than what is presently being used. The elevation will allow gravity flow leaching to manure storage, rather than being pumped. He added, the further away from the residence and road the better. Manure storage will have walls above grade and or rails placed above grade. He further added, at this point he is not applying for a manure storage site plan.

Mr. Amadon stated additional employees will not be added.

Kevin McIntee stated agricultural projects disturbing greater than one acre of land, but less than 5-acres, do not require post-stormwater management controls in accordance with DEC Regulations, but do require an Erosion & Sediment Control SWPPP and completion of an NOI (Notice of Intent). Mr. McIntee stated Mr. Amadon's engineer should be able to provide that information to DEC.

The Planning Board reviewed Ontario County Planning Board (OCPB) comments concerning the application.  
**Comment: "The PB should formally document any waiving of requirement for stamped site plan in conjunction with construction of agricultural buildings on farms in agricultural districts."**

Pertaining to Landmark Farms submitted application, the TOH Planning Board opted to waive any professionally stamped site plan in conjunction with construction of the agricultural buildings, since it is a farm and within the AG district. (A notation of this will be included on the site plan approval resolution).

Kevin McIntee stated the application is a Type II Action under SEQR.

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Minutes – January 27, 2020

Agency Use Only [If applicable]

Project: Landmark Farms - 3 Bunk Silos  
Date: January 27, 2020

## Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. <u>Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. <u>Will the proposed action result in a change in the use or intensity of use of land?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. <u>Will the proposed action impair the character or quality of the existing community?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. <u>Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. <u>Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. <u>Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. <u>Will the proposed action impact existing:</u> a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. <u>Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. <u>Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. <u>Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. <u>Will the proposed action create a hazard to environmental resources or human health?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

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Agency Use Only [If applicable]

Project: Landmark Farms Silos

Date: January 27, 2020

## Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Planning Board, as the designated lead agency for this Action, under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed development. Based upon this evaluation, the Planning Board, in a separate resolution adopted on Monday, January 27, 2020, has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Hopewell Planning Board

January 27, 2020

Name of Lead Agency

Date

Jim Bator

Planning Board Chairman

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

- MRB Group

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

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TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
DANIEL AMADON OF LANDMARK FARMS  
LANDMARK FARMS – 3 BUNK SILOS  
2607 STATE ROUTE 488 - AG ZONING DISTRICT  
TM# 74.00-1-3.110 PZ-2019-041  
SITE PLAN REVIEW

## **SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Site Plan Approval to construct three bunk silos, associated filter area, and manure storage area on a ±203 acre lot located at 2607 State Route 488 as shown in the Application Documents submitted by Daniel Amadon of Landmark Farms, dated November 23, 2019 and all other relevant information submitted as of January 27, 2020 (the current application); and

**WHEREAS**, the Planning Board has reviewed the Short Environmental Assessment Form (EAF) Part 1, prepared by the applicant on the above referenced application (hereinafter referred to as Action); and

**WHEREAS**, the Planning Board determines that said Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Planning Board has determined that the proposed development is subject to a single agency review pursuant to Part 617.6(b) (4) of the SEQR Regulations; and

**WHEREAS**, the Planning Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; and

**WHEREAS**, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the Full EAF Part 1; and

**WHEREAS**, the Planning Board has completed Part 2 and Part 3 of the Short EAF as this was identified as an Unlisted Action; and

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board does hereby designate itself as lead agency for the proposed development above herein; and

**BE IT FURTHER RESOLVED** that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered



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species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;

- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vi) there will not be any hazard created to human health;
- (vii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
- (viii) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (ix) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (x) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xi) there are not two or more related Actions which would have a significant impact on the environment.

**BE IT FURTHER RESOLVED**, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action WILL NOT result in any significant adverse environmental impacts.

**BE IT FINALLY RESOLVED**, that the Planning Board does hereby make a Determination of Non-Significance on the proposed development, and the Planning Board Chairman is hereby directed to sign the Short Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Planning Board's determination.

The above resolution was offered by Allan M. Wesche and seconded by Sylvia Moore at a meeting of the Planning Board held on Monday, January 27, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator – Aye	James Carello - Absent	Phil Bassage - Aye	
Sylvia Moore – Aye	Allan M. Wesche - Aye	Ryan Bruzda – Absent	Nick Sergeant - Aye

I, Shawn L. Cotter, Planning Board Secretary, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Planning Board for the January 27, 2020 meeting.

Shawn L. Cotter L. S.

Shawn L. Cotter, Planning Board Secretary

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**TOWN OF HOPEWELL PLANNING BOARD RESOLUTION  
DANIEL AMADON OF LANDMARK FARMS  
LANDMARK FARMS – 3 BUNK SILOS  
2607 STATE ROUTE 488 - AG ZONING DISTRICT  
TM# 74.00-1-3.110 PZ-2019-041  
SITE PLAN REVIEW**

## **FINAL SITE PLAN APPROVAL RESOLUTION**

**WHEREAS**, the Town of Hopewell Planning Board (hereinafter referred to as Planning Board) is considering Site Plan Approval to construct three bunk silos, associated filter area, and manure storage area on a ±203 acre lot located at 2607 State Route 488 as shown in the Application Documents submitted by Daniel Amadon of Landmark Farms, dated November 23, 2019 and all other relevant information submitted as of January 27, 2020 (the current application); and

**WHEREAS**, the Planning Board has determined the proposed development to be an Unlisted action and is subject to a single agency review pursuant to Part 617.6(b)(4) of the SEQR Regulations; and

**WHEREAS**, on January 27, 2020, the Planning Board, serving as lead agency, made a determination of non-significance and filed a negative declaration thereby concluding review pursuant to SEQR; and

**NOW, THEREFORE, BE IT RESOLVED**, the Planning Board hereby ☐ Approves without Conditions; ☒ Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. Site Plan Approval with conditions specified above herein is valid for a period of 180 days from today. Once all conditions of Site Plan Approval have shown to be met, a building permit can be issued.
2. The comments within the Town Engineer's letter dated January 14, 2020 are to be addressed to the satisfaction of the Town Engineer prior to a building permit being issued.
3. All consultants' fees for review of application are to be reimbursed by the applicant to the Town prior to the issuance of a building permit.
4. The Planning Board has agreed to waive the requirement for a professionally prepared, stamped, site plan.

The above resolution was offered by Allan M. Wesche and seconded by Sylvia Moore at a meeting of the Planning Board held on Monday, January 27, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

James Bator – Aye	James Carello - Absent	Phil Bassage - Aye
Sylvia Moore – Aye	Allan M. Wesche - Aye	Ryan Bruzda – Absent
		Nick Sergeant - Aye

I, Shawn L. Cotter, Planning Board Secretary, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Hopewell Planning Board for the January 27, 2020 meeting.

Shawn L. Cotter L. S.

SEAL

Shawn L. Cotter, Planning Board Secretary

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## **Cont. Business: Finger Lakes Agricultural Museum – Site Plan - Route 5 & 20 PZ-2019-028 – TM #100.00-1-24.111**

The application for FL Ag Museum was tabled from the December meeting, pending Mr. Jensen writing a letter to DOH and requesting approval for the use of portable restrooms and awaiting written response in regard to MRB's comments from the memo dated December 5, 2019, and the submission of updated site plans.

Chris Jensen stated comments concerning MRB's memo were submitted along with updated site plans.

Chairman Bator stated the information did not meet the December 2019 deadline for the January 27<sup>th</sup> Planning Board agenda. The requested information was not made available until last week, therefore the Planning Board, nor MRB has had time to review the updated information.

Mr. Jensen stated he has spoken with the NYS DOH and NYSDOS concerning on-site-waste water and both agreed that the on-site-waste water system is not necessary nor required, and they are awaiting a determination from CEO Teed. He further stated, CEO Teed has failed to respond within the required 30 days to the Dept. of State. He added, no determination has been written and the State is awaiting his determination so Mr. Jensen may make an appeal concerning CEO Teed's determination.

CEO Teed responded stating, no determination has been made concerning the application, because he has not yet received any application for construction on the proposed site. He further added, he has spoken with Andrew Hvidsak, PE Division of Building Standards and Codes concerning this application.

CEO TEED stated an application for a building permit is required to be in writing per Town Code, Local Law 3 of 2006, as amended by Local Law 1 of 2019. He further added, Mr. Jensen forwarded an application to the Planning Board and the CEO for what is considered as a routine variance. CEO Teed stated he does not support a routine variance, and therefore Mr. Jensen has the option to go to the Dept. of State Codes Division in order to have the variance application forwarded to the Regional Review Board.

CEO Teed stated he is not contesting or trying to stop the application being forwarded to the Regional Review Board, he is not however required to approve or sign in favor of a variance application that he does not believe applies to this application. He further added, he has not made a determination concerning the application. The reason for this is, when Mr. Jensen approached former Chairman Gould and Mr. Teed at a sketch plan conference held several months prior, Mr. Teed asked Mr. Jensen to provide an application for a building permit in writing with sufficient detail that is acceptable to the CEO, and that the application shall be in compliance with NYS Uniform Code and Hopewell Zoning Ordinance. At this time, this information has still not been provided, and therefore, he has not made a determination on the application.

Mr. Jensen stated CEO Teed had made a determination, since the application would need to be forwarded to the State.

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CEO Teed stated, that he indeed had not made a determination, and added, when a project is submitted in writing, it should comply with code. He further added, that Mr. Jensen should submit an application for what FL Ag Museum will be doing, and he will respond in writing.

Further discussion took place concerning NYS DOH Codes division. The secretary stated she had received nothing in writing from NYSDOH Codes stating, on-site waste water is not necessary in regard to this application, and asked Mr. Jensen if something had been submitted to the Planning Board for the record.

Mr. Jensen stated he did not have anything in writing.

Chairman Bator stated the Planning Board has no authority in decision making on concerning code compliance, and it is out of the scope of the Planning Board where code compliance is involved.

Mr. Jensen stated if code compliance is out of the scope of the Planning Board, they can therefore approve the application.

Chairman Bator stated yes approval can be made, however the Board cannot approve something that is not in compliance with the code.

Mr. Jensen asked the Planning Board to grant approval of the application contingent on approval of portable rest rooms from NYSDOH Codes Division. He added, if the State does not approve the portable restrooms the application would be dead.

Chairman Bator stated the Planning Board is unable to grant approval to the application, since the Board has not seen the written statements pertaining to MRB's comments, nor the site plans submitted after the December 2019 submission deadline date.

Gary Jones stated the owner of the property does not want an on-site waste water system on the property, nor public water. The property and barn are to be used as an Ag Museum and the property is to be retained as agricultural.

Further discussion ensued.

The Planning Board, Chris Jensen, Gary Jones and Ray Henry concurred to extend the application to February 24, 2020 meeting. A tentative workshop is planned with a MRB representative, two Planning Board members, CEO Teed and other involved parties to determine the best course of action moving forward with the application, and describe in detail what the plan is for the barn structure.

**Allan Wesche moved to extend the application to the February 24, 2020 Planning Board meeting, seconded by Sylvia Moore.** Discussion: The applicants were in concurrence to extend the application for a month.

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Roll call: Phil Bassage (yes) Jim Bator (yes) Ryan Bruzda (absent) Jim Carello (absent) Sylvia Moore (yes) Nick Sergeant (yes) Allan Wesche (yes)

Motion carried unanimously.

Parties will meet within the next week to decide the best course of action for the proposed application concerning FL Ag Museum.

## Board Business: Upcoming Applications – February 24, 2020 Planning Board Meeting

- Emily Jeffery – 99.00-1-56.000 - Forward application to ZBA for Review of Variance Application (Lincoln Hill Rd.)
- Emily Jeffery – 99.00-1-56.000 – Set Public Hearing Meeting for 2/24/2020 for Site Plan/Subdivision Application (Lincoln Hill Rd.)
- SEQR – Declaring Intent to Become Lead Agency – Emily Jeffery Subdivision Application

## **RESOLUTION – Emily Jeffery 99.00-1-56.000 – Application Referred to ZBA**

**WHEREAS**, Emily Jeffery has submitted a subdivision application, (the “Application”) to the Town of Hopewell Planning Board for the following property: Tax Map ID # 99.00-1-56.000; and

**WHEREAS**, the Application contains the following features which do not comply with the Town of Hopewell’s Zoning Ordinance: Proposed Lot #2, Lot #3, and Lot #4 do not meet the minimum lot width require by H.T.O. Appendix 1901 Lot Area and Setback Table, Section 601; and

**WHEREAS**, the Town Code Enforcement Officer has not made a decision or determination regarding such features that could be appealed to the Town of Hopewell Zoning Board of Appeals.

**NOW, THEREFORE, BE IT RESOLVED**, this Board finds the Application to be complete and ready for review by this Board and by the Zoning Board of Appeals; and be it further

**RESOLVED**, that the Application be submitted to the Town of Hopewell Zoning Board of Appeals for a determination of whether an area variance(s) should be had on the aforesaid features; and be it further

**RESOLVED**, that this Board’s recommendation of each of the necessary area variances is as follows:

Lot # 2 Area Variance for Lot Width - The applicant is proposing a flag lot with a 45' minimum lot width where 150' minimum lot width is required. A variance of 105' would be required. (application-2019-038)

Lot # 3 Area Variance for Lot Width - The applicant is proposing a flag lot with a 50.72' minimum lot width where 150' minimum lot width is required. A variance of 99.28' would be required. (application 2019-039)

Lot # 4 Area Variance for Lot Width - The applicant is proposing a flag lot with a 30' minimum lot width where 150' minimum lot width is required. A variance of 120' would be required. ; (application 2019-040)

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – January 27, 2020

I, Shawn Cotter, Clerk of the Town of Hopewell Planning Board, do hereby certify that the aforementioned resolution was adopted by the Town of Hopewell Planning Board on January 27, 2020, by the following vote:

Phil Bassage (aye)      Allan Wesche (aye)      Sylvia Moore (aye)  
Jim Bator (aye)      Ryan Bruzda (absent)      Jim Carello (absent)      Nick Sergeant (aye)

Shawn L Cotter L.S.      Dated: January 27, 2020

SEAL

Allan Wesche moved to set Subdivision/Site Plan Public Hearing date for Emily Jeffrey application PZ-2019-037, TM# 99.00-1-56.000 for the next scheduled Planning Board meeting on February 24, 2020 at 7:00 p.m., seconded by Phil Bassage. Motion carried unanimously.

**Board Business: Upcoming Application FLCC Honors House - PZ-2019-043 and PZ-2019-042 – Public Hearing for Site Plan/Special Use Permit for Temporary Event Parking  
TM# 85.03-1-8.000**

Allan Wesche moved to set Site Plan/Special Use Permit Public Hearing date for FLCC Honors House, 4340 County Rd. 50, PZ-2019-042 & PZ-2019-043, TM# 85.03-1-8.000 for Temporary Event Parking, for the next scheduled Planning Board meeting on February 24, 2020 at 7:00 p.m., seconded by Nick Sergeant. Motion carried unanimously.

**Site Plans/Special Use Permits - Temporary Parking for CMAC Events**  
3259 County Rd. 10 – PZ-2020-001  
4335 County Rd. 50 – PZ-2020-002  
4360 County Rd. 50 – PZ-2020-003

Allan Wesche moved to set Site Plans/Special Use Permits Public Hearing date for 3259 County Rd. 10 – PZ-2020-001 – TM# 85.03-1-4.100, 4335 County Rd. 50 – PZ-2020-002 – TM# 99.00-1-6.000, 4360 County Rd. 50 – PZ-2020-003 – TM# 85.03-1-5.100 for Temporary Event Parking, for the next scheduled Planning Board meeting on February 24, 2020 at 7:00 p.m., seconded by Nick Sergeant. Motion carried unanimously.

A block resolution was made by Nick Sergeant, authorizing staff to send the following referrals to the County Planning Board:

PZ-2020-001- Special Use/Site Plan Approval – 3259 Co. Rd. 10 - TM #85.03-1-4.100
PZ-2020-002- Special Use/Site Plan Approval – 4335 Co. Rd. 50 - TM #99.00-1-6.000
PZ-2020-003- Special Use/Site Plan Approval – 4360 Co. Rd. 50 - TM #85.03-1-5.100

Motion seconded by Allan Wesche. Motion carried.



# *Hopewell Planning Board*

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## **Appointment of Vice-Chair 2020**

Chairman Bator asked the Board to keep in mind appointing a Vice Chair for this year's Planning Board meetings. An appointment will take place at the February 24, 2020 meeting.

## **Adjournment**

Sylvia Moore motioned to adjourn, seconded by Nick Sergeant. Motion carried. Meeting adjourned at 8:35 p.m.

Submitted by: *Shawn L. Potter*  
March 2, 2020

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – January 27, 2020

## **Project: Wal-Mart Super Center**

Signage Site Plan – Tax Map # 85.03-1-19.000 – 4238 Recreation Drive  
Applications # PZ-2019-044

APPLICANT/OWNER NAME (S) Wal-Mart Super Center

SUBJECT PROPERTY ADDRESS: 4238 Recreation Drive – Canandaigua – NY 14424

OWNER PROPERTY ADDRESS: s/a/a

PROJECT:      Subdivision      ☒ Sign Site Plan      Special Use Permit      Area Variance

PUBLIC HEARING:      Date Opened 1/27/2020      Date Closed 1/27/2020  
No comments were made by the public.

PLANNING BOARD APPROVAL:      ☒ Granted      Denied      Date 1/27/2020

VOTING:      ☒ AYE      0 NAY      \_\_\_\_\_ ABSTAINED

1. All consultants' fees for review of application are to be reimbursed by the applicant to the Town prior to the Planning Board Chairs signature being affixed on the plans.
2. Site Plan Approval with conditions specified above herein is valid for a period of 120 days from today.

CERTIFIED BY: Shawn L. Cotter      DATE: January 27, 2020

Final approval requires chairperson signature on the plan. All above conditions and/or modifications must be satisfied prior to signature. For a subdivision, a linen or Mylar with four copies must be signed. The town will retain two copies. The Ontario County Clerk requires the original and two copies for filing. For a sign application, a permit must be obtained prior to erection of the sign.

# Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424  
585-394-0036 ext. #8 – [www.townofhopewell.org](http://www.townofhopewell.org)  
Minutes – January 27, 2020

## **Project: Landmark Farms**

Site Plan – Tax Map # 74.00-1-3.110 – 2607 St. Rt. 488  
Applications # PZ-2019-041

APPLICANT/OWNER NAME (S) Landmark Farms – Roger Cunningham/Daniel Amadon

SUBJECT PROPERTY ADDRESS: 2607 State Route 488 – Clifton Springs - 14432

OWNER PROPERTY ADDRESS: s/a/a

PROJECT:      Subdivision      ☒ Site Plan      Special Use Permit      Area Variance

PUBLIC HEARING:                      Date Opened                      Date Closed

The Planning Board waived the requirement for Public Hearing, which is typically done for agricultural products by definition of the NYS AG & Markets.

PLANNING BOARD APPROVAL:      ☒ Granted      Denied      Date 1/27/2020

VOTING:                      ☒ AYE                      0 NAY                      \_\_\_\_\_ ABSTAINED

1. Site Plan Approval with conditions specified above herein is valid for a period of 180 days from today. Once all conditions of Site Plan Approval have shown to be met, a building permit can be issued.
2. The comments within the Town Engineer's letter dated January 14, 2020 are to be addressed to the satisfaction of the Town Engineer prior to a building permit being issued.
3. All consultants' fees for review of application are to be reimbursed by the applicant to the Town prior to the issuance of a building permit.
4. The Planning Board has agreed to waive the requirement for a professionally prepared, stamped, site plan.

CERTIFIED BY: Shawn L. Cotter      DATE: January 27, 2020

Final approval requires chairperson signature on the plan. All above conditions and/or modifications must be satisfied prior to signature. For a subdivision, a linen or Mylar with four copies must be signed. The town will retain two copies. The Ontario County Clerk requires the original and two copies for filing. For a sign application, a permit must be obtained prior to erection of the sign.