

**Town of Ontario  
Planning Board Minutes  
February 8, 2011**

Present: Planning Board Members - Chairman, Eduard Kerkhoven, Stephen Leaty, Gerald Smith, Joseph Catalano, Jason Coleman; Katie Kelsch – Planning Board Secretary; Town Engineer – Kurt Rappazzo from MRB Group; and William Riddell – Director of Parks and Recreation and Economic Development

Chairman Kerkhoven called the meeting to order at 7:30 p.m., led the Pledge of Allegiance, and requested approval of the minutes dated January 11, 2011.

**Minutes**

Mr. Catalano moved to approve the minutes dated January 11, 2011 as presented and Mr. Smith seconded the motion. Vote:

Gerald Smith voted	-Aye
Joseph Catalano voted	-Aye
Stephen Leaty voted	-Aye
Jason Coleman voted	-Aye
Eduard Kerkhoven voted	-Aye

**Public Hearings**

**Brongo Subdivision – Preliminary and Final Subdivision Approval**

Mr. Fred Shelley, of Shelley Associates, P.E., L.S., P.C., representing James and Sylvia Brongo, requested preliminary and final approval of the Brongo Subdivision located at 341 Whitney Road. The property is owned by James and Sylvia Brongo and zoned R2.

Mr. Shelley explained that he is there representing Mr. and Mrs. Brongo in the subdivision of a 30 acre parcel into two separate lots. They are seeking preliminary and final subdivision approval which will result in two parcels, one of which being approximately 15.3 acres and the other will be approximately 14.6 acres.

Mr. Shelley reviewed with the Planning Board his responses to the PRC comments dated February 9, 2011. PRC comment #1, does not require a response from the applicant, as noting that it is an unlisted action under SEQR is done by the board. PRC Comment #2, a waiver from the Town of Ontario Land Development Regulations and Public Works Requirements in regards to the 3:1 length-to-width ratio for new lots will be requested from the Planning Board tonight. PRC Comment #3, a note has been added to the plan stating that neither lot is an approved building lot.

Mr. Kerkhoven questioned why the applicant is subdividing the property. Mr. Shelley responded that the owner listed it for sale in the past as a 30 acre parcel and felt that she may have better luck selling the lots if they were two separate parcels. There may be houses on each lot in the future, but it's not part of the current plan.

Mr. Kerkhoven asked the board if there were any questions.

Mr. Catalano had a brief question on the SEQRA form – {C5-Growth, subsequent development or related activities likely to be induced by the proposed action} – and how the board would answer this question. It was explained that at this point the plan came in as subdividing raw land into two lots, where the parcels could be built on in the future, but at this time there were no plans for any construction or further subdivision on the parcels. The answer to C5 would be no.

Chairman Kerkhoven opened the application for public comments.

Mr. Kerkhoven asked if there were any public comments. There was not any public present, so he closed the public hearing.

**SEQRA RESOLUTION  
PLANNING BOARD  
TOWN OF ONTARIO  
RE: Brongo Subdivision  
Minor Preliminary & Final Subdivision  
341 Whitney Road, Ontario New York  
Tax Parcel Number: 61116-00-267898**

WHEREAS, James and Sylvia Brongo have submitted an application for Minor Preliminary and Final Subdivision approval for the purpose of subdividing a currently existing parcel, located at 341 Whitney Road into 2 lots, containing approximately 15.3 acres (Lot 2) and 14.6 acres (Lot 3), respectively; and

WHEREAS, this application is an unlisted action and has been subject to single agency review pursuant to SEQRA; and

WHEREAS, a short form EAF was submitted by the applicant, dated January 14, 2011, as part of the application materials;

NOW, THEREFORE, upon consideration by the Planning Board, of all written and oral submissions and testimony by the applicants and following a public hearing on this matter, held on February 8, 2011, and the Planning Board having given this matter due deliberation and consideration; it is

RESOLVED that the Planning Board finds that the proposed action will not have any significant adverse impact on the environment, and accordingly, hereby grants a negative declaration pursuant the State Environmental Quality Review Act; based upon the following findings of fact:

**FINDINGS OF FACT**

1. This Resolution is based upon the materials submitted by the applicants, including the Subdivision Plan prepared by Shelley Associates, P.E, L.S., P.C. bearing File Number 11-5330 and dated 1/13/11.
2. No construction is proposed at this time and the Board did not identify any potential environmental impacts associated with the application.

The within Resolution was moved by Planning Board Member Joseph Catalano, seconded by Planning Board Member Stephen Leaty, and voted upon by members of the Planning Board as follows:

Gerald Smith voted	Aye
Stephen Leaty voted	Aye

Joseph Catalano voted	Aye
Jason Coleman voted	Aye
Eduard Kerkhoven voted	Aye

Adopted by the Planning Board on February 8, 2011.

**APPROVAL RESOLUTION**  
**PLANNING BOARD**  
**TOWN OF ONTARIO**  
**RE: Brongo Subdivision**  
**Minor Preliminary & Final Subdivision**  
**341 Whitney Road, Ontario New York**  
**Tax Parcel Number: 61116-00-267898**

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WHEREAS, the Planning Board issued a negative declaration, pursuant to SEQRA, on February 8, 2011;

NOW, THEREFORE, upon consideration by the Planning Board, of all written and oral submissions and testimony by the applicants and following a public hearing on this matter, held on February 8, 2011 and the Planning Board having given this matter due deliberation and consideration; it is

RESOLVED that the Planning Board hereby grants Preliminary and Final Subdivision approval of the application, subject to the following conditions:

**CONDITIONS OF APPROVAL**

1. This resolution is based upon the materials submitted by the applicants, including the preliminary and final Subdivision Plan prepared by Shelley Associates, P.E., L.S., P.C., bearing File Number 11-5330 and dated 1/13/11.
2. The planning Board grants a waiver from 3 to 1 ratio requirement as stated in the Town of Ontario Land Development Regulations and Public Works Requirements (A154-36H).
3. Resolution of all written comments of the Planning Review Committee dated February 2, 2011.

The within Resolution was moved by Planning Board Member Gerald Smith, seconded by Planning Board Member Stephen Leaty, and voted upon by members of the Planning Board as follows:

Gerald Smith voted	Aye
Stephen Leaty voted	Aye
Joseph Catalano voted	Aye
Jason Coleman voted	Aye
Eduard Kerkhoven voted	Aye

Adopted by the Planning Board on February 8, 2011.

Meeting adjourned at 7:40pm.

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Katie Kelsch  
Planning Board Secretary

The above minutes will become official when approved by the Planning Board.