

**Town of Ontario
Planning Board Minutes
January 11, 2012**

Present: Planning Board Members - Chairman, Eduard Kerkhoven, Stephen Leaty, Joseph Catalano, Jason Coleman, Gerald Smith; Katie Kelsch – Planning Board Secretary; Town Engineer – Kurt Rappazzo from MRB Group; 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 December 14, 2011.

Minutes

Mr. Leaty moved to approve the minutes dated December 14, 2011 with the following correction: insert “Chairman Kerkhoven closed the public hearing” under the Tops Fuel Facility Application, and Mr. Kerkhoven seconded the motion. Vote:

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

Chairman Kerkhoven appointed Steve Leaty to act as Vice Chairman of the Planning Board.

Public Hearings

Zimmer-Momot Subdivision – 1295 Kenyon Road and 6712 Slocum Road – Subdivision Approval

The application of Mr. and Mrs. Larry and Darlene Zimmer requesting Preliminary/Final Subdivision approval for a two lot subdivision located at 1295 Kenyon Road and 6712 Slocum Road. The properties are owned by the Mr. and Mrs. Zimmer and Mr. and Mrs. Momot and zoned R-2. Mr. Fred Shelley and Mr. Zimmer were present.

Mr. Shelley explained to the board how the lot was going to be divided. Mr. Zimmer is selling 5.3 acres of the back of his parcel to Mr. Momot. The lot will not be combined at this time with Mr. Momot’s property. There is an access strip on Kenyon Road that will give access to the lot.

Chairman Kerkhoven opened the application for public comments. There were none.

Chairman Kerkhoven asked if there were any more questions. There was none.

**SEQRA RESOLUTION
PLANNING BOARD
TOWN OF ONTARIO
RE: Zimmer-Momot Subdivision
1295 Kenyon Road and 6712 Slocum Road, Ontario New York
Tax Parcel Numbers: 62118-00-358198**

WHEREAS, Mr. and Mrs. Larry Zimmer, have submitted an application for the Zimmer-Momot Subdivision approval for the purpose of a 2 lot subdivision; 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 December 16, 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 January 11, 2012, 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 applicant, including the Subdivision Map prepared by Shelley Associates bearing file name Zimmer-Momot Subdivision, project #11-5474 and dated 12/16/11.
2. There is not a negative impact on the environment.

The within Resolution was moved by Planning Board Member Gerald Smith, seconded by Planning Board Member Joseph Coleman, 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

APPROVAL RESOLUTION PLANNING BOARD TOWN OF ONTARIO

**RE: Zimmer-Momot Subdivision
1295 Kenyon Road and 6712 Slocum Road, Ontario New York
Tax Parcel Numbers: 62118-00-358198**

WHEREAS, Mr. and Mrs. Larry Zimmer, have submitted an application for the Zimmer-Momot Subdivision approval for the purpose of a 2 lot subdivision on the drawing prepared by Shelley Associates; and
WHEREAS, the Planning Board issued a negative declaration, pursuant to SEQRA, on January 11, 2012;
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 January 11, 2012 and the Planning Board having given this matter due deliberation and consideration; it is

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

CONDITIONS OF APPROVAL

1. This Resolution is based upon the materials submitted by the applicant, including the Subdivision Map prepared by Shelley Associates bearing file name Zimmer-Momot Subdivision, project #11-5474 and dated 12/16/11
2. Resolution of all written comments of the Planning Review Committee dated December 30, 2011.

The within Resolution was moved by Planning Board Member Joseph Catalano, seconded by Planning Board Member Jason Coleman, 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 January 11, 2011.

Cardella Townhomes – 1775 Ridge Road, 1818 & 1782 Route 104 – Preliminary Site Plan Approval with Changes

The application of Cardella Enterprises, Inc. requesting Preliminary Site Plan Approval with Changes for a 60 unit townhouse complex and two retail businesses at the above locations. The property is owned by the applicant and zoned Business Transitional (BT). Mr. Cardella and Mr. Lee Sinnebox of Costich Engineering were both present.

Mr. Sinnebox explained to the board that they are looking for re-approval with changes for a townhome development on Ridge road and two businesses on separate parcels on Route 104. The original plan was approved and developed, but the plan didn't go to construction. The approval for the Site Plan expired and tonight they are looking for re-approval with changes. The original planned called for 40 townhome units, however the builders are stating that there is not a market for this number of units, the density needs to increase and it should be rental units. The new plan calls for 60 rental property units. They will be 2 story units with one story units on the ends. The engineering is the same, the building footprints are the same. There was some modification to the businesses.

Chairman Kerkhoven asked Mr. Sinnebox to review some of the PRC comments and responses. Mr. Sinnebox reviewed with the Planning Board, PRC comments numbers 3, 6, 9, and 10.

Chairman Kerkhoven questioned who the builder would be and if this builder has any other developments in the area. Mr. Sinnebox stated that the builder is Angelo Cardello, and the development on Kerchner Drive in Webster was one that he did. They are looking to attract mixed age groups to this development.

Chairman Kerkhoven asked if the board had any questions.

Mr. Smith questioned if the units are all rentals. Mr. Sinnebox responded yes. Will there be management on site? Mr. Cardella is not sure of this. How long will the construction take and are they concerned with tenants having to live there while construction is happening. Mr. Cardella explained their construction timeline and where it will start and end in order to alleviate as much construction disturbance as possible to future tenants. How will the household garbage be handled? Mr. Cardella said that each unit will have its own individual garbage tote that they will be responsible for. How will unregistered vehicles and/or storage of recreational vehicles be handled? Mr. Cardella stated that it will all be covered under the lease. Mr. Smith questioned the process behind screening the tenants. Mr. Cardella stated that it will be taken care of during the tenant application process and through the lease.

Mr. Leaty questioned the recreation area, he would like to see some landscaping put it, not just a grassy field. Mr. Sinnebox stated that he will have the landscape architect put something together. Will the only access out of the units be through the garages? Mr. Cardella stated that there will be a small walkway from the driveway to the front door. Mr. Leaty stated he would like to see a colored elevation rendering of the units. Mr. Leaty stated he would also like to see the elementary school entrance on the plan. Mr. Leaty questioned the cost rental cost of the units and if there will be any subsidized housing. Mr. Cardella stated that the units will be about \$1,100.00 per month, all the appliances will be furnished and that there will not be subsidized housing.

Chairman Kerkhoven questioned where people would take a walk. Mr. Sinnebox stated that is the reason for the partial sidewalk going to Ridge Road. People would walk on the side of the road in the development, as there will not be any through traffic.

Chairman Kerkhoven stated that the old ice cream shop is like a thorn between the two proposed business sites. Mr. Cardella agreed and stated he would purchase the property if he had the funds.

Chairman Kerkhoven asked for public comment.

Mr. Aron Thompson, Ontario Fireman Benevolent Association questioned if there will be a buffer or a fence between the townhome complex and the Fireman's Exempt property. The organizations concern would be the residents of the townhome complex using the exempt property for their personal use. Mr. Cardella stated that they would keep the wooded area intact.

Mr. James Switzer, 1291 Centennial Drive, stated that he is a realtor and he sees a large demand for this type of housing. He commented on the traffic conditions on Ridge Road, especially when the Elementary school has functions, he would like the traffic study to address this. He questioned if the west business lot on route 104 could be subdivided again. Mr. Cardella stated that it was not possible as there is not enough setback room. Mr. Switzer also questioned if there will be a barrier between the business lots and the townhome complex. Mr. Sinsebox stated yes.

Chairman Kerkhoven took a consensus of the board. Everyone feels very comfortable with the proposal. The board would like to see an updated map that would include the elementary school driveway, elevation renderings and a detail of the landscaping and sidewalks.

The application was postponed by mutual consent.

Tops Fuel Facility – 6272 Furnace Road – Site Plan and Special Permit

The application of Tops Markets, LLC requesting Site Plan and Special Permit approval to construct a fuel facility, including three pump islands, a 2520sf canopy and a 227.5sf kiosk at the above location. The property is owned by the applicant and zoned Business (B).

The applicants were not present. The application was postponed

Mr. Coleman moved to adjourn the meeting at 8:45 p.m. Mr. Leaty seconded.

Katie Kelsch
Planning Board Secretary

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