

**Town of Ontario
Planning Board Minutes
April 12, 2017**

Present: Planning Board Members – Chairman Stephen Leaty, Tab Orbaker, Gerald Smith, Michelle Wright, Jason Coleman, Planning Board Secretary Nicole Yonker, Town Engineer Kurt Rappazzo (MRB), Town Attorney Rich Williams, and 11 members of the public

Chairman Leaty called the meeting to order at 7:00pm, led the Pledge of Allegiance.

A motion was made by Gerald Smith to approve the minutes dated March 21, 2017 and seconded by Michelle Wright. The minutes were approved. Vote:

Gerald Smith	- Aye
Stephen Leaty	- Aye
Jason Coleman	- Aye
Michelle Wright	- Aye
Tab Orbaker	- Aye

Public Hearings

1683 Route 104 – Preliminary Site Plan

The application of Lu Engineers requesting Preliminary Site Plan approval for the construction of mini storage. Property is owned by Keith Verplank and zoned BT.

Updated plans were received and will be distributed to Planning Board members. The application will be heard at the May 2017 meeting.

476 Route 104 – Basement Technologies – Preliminary/Final Site Plan

The application of Basement Technologies requesting Preliminary/Final Site Plan approval for the construction of storage buildings for business use. Property is owned by Bill Messmer & Joe Barone (476 Route 104, LLC) and zoned B.

The owner of Basement Technologies, Patrick & Kansas McDonald were present on behalf of the applications, as well as their attorney Martin Philipponne.

The proposed site plan depicts demolishing old motel & maintain current building for use as office space. The motel space will need to be filled & compacted down. There is a proposed phase II for a second building to be built in the future.

The Town of Ontario Zoning Board granted an area variance for the proposed new building, and for the construction of a free standing sign at their April meeting.

Chairman Leaty stated no PRC comments have been prepared for this application.

Chairman Leaty stated there are details missing from the site plan. Tab Orbaker stated that the applicant would need to submit engineered design plans.

Jason Coleman read the WCPB comments into the record:

At its regular meeting on February 22, 2017, the Wayne County Planning Board reviewed the above referenced referrals and recommended disapproval of the Area Variances with comments listed below. The first two comments relate to the area variance requests. The remaining comments correspond mostly with the proposed site plan and are provided should the area variance applications be approved by the town and development proceed.

As a note, the Board does not necessarily wish to discourage development, but they did feel that the parcel contains enough area to consider using an alternative/modified site plan that meets town zoning regulations. They were concerned that the proposed 6' side setback (from the eastern property line) and distance between the existing and proposed buildings is minimal and would make items such as meeting NYS Uniform Fire Prevention & Building Codes, emergency service vehicle access, fire protection and onsite

maintenance needs challenging. They also discussed the potential impacts that approving the proposed side setback request would have on the community character that the Town desires given current zoning regulations. The following are the comments:

- 1) *The hardship criteria that are required to grant the area variances must be substantiated at the local level,*
- 2) *The minimum variances necessary should be considered,*
- 3) *All necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. – NYS Uniform Fire Prevention & Building Codes – specifically, requirements pertaining to setbacks to property lines and between buildings & provide fire apparatus access in accordance with fire code, NYSDEC – Phase II storm water management and erosion & sediment control regulations, etc.),*
- 4) *Proposed on-site traffic circulation, building area(s) and associated parking area(s) should be designed/developed in a manner that will provide safe pedestrian and vehicular interaction between those items as well as access to NYS Rt. 104,*
- 5) *Emergency service vehicle access should be provided and local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. ambulance, police and fire),*
- 6) *Development should be done in a manner that helps it remain compatible with surrounding land uses and is also aesthetically pleasing through use of items such as building design/materials, fencing, berms, landscaping, etc., particularly given that the parcel is located on the highly traveled NYS Rt. 104 and near Ridge Road,*
- 7) *Outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),*
- 8) *All toxic/hazardous materials that may be associated with the business (if applicable), should be properly stored, handled and disposed of and*
- 9) *Future plans (if any) for the total acreage should be considered.*

Mr. McDonald stated there will not be water, restrooms or natural gas in the new building.

Gerald Smith asked if there would be outside storage. Mr. McDonald stated there would not be.

Chairman Leaty stated that the current plans submitted were insufficient. They must match the caliber of others that have been submitted, showing neighboring properties, elevations, setbacks, ingress & egress, parking, etc.

Chairman Leaty stated if the applicant could submit engineered site plans to the Building Department no later than April 24, 2017, they would be heard at the May Planning Board Meeting.

Chairman Leaty asked for public comment. There was none.

1785 Route 104 – Preliminary/Final Site Plan

The application of Thomas Crawford requesting Preliminary/Final Site Plan approval for the construction of mini storage. The property is owned by Robert & Nancy Miller and zoned B.

The applicant, Thomas Crawford was present on behalf of the application. He stated he is in the process of purchasing the land and plans to add more mini storage buildings to what currently exists and keep the motel operational.

Chairman Leaty stated that the board would like to see flush traffic flow delineation and driveway widened. The applicant was in agreement.

The applicant stated he plans to stay under one acre of disturbance, therefore SWPP was not completed.

Michelle Wright asked how many buildings are to be built at a time. The applicant stated it is dependent on cost and bids for build out.

The applicant stated down lighting will be installed. There will be no heat or electric in buildings. There will be no fencing and no outside storage of any kind.

Chairman Leaty asked for public comment. There was none.

The public hearing was closed.

**SEQRA RESOLUTION
TOWN OF ONTARIO
PLANNING BOARD
RE: Twin Rock Motel & Mini Storage
Preliminary/Final Site Plan
1785 Route 104 Road, Ontario, NY 14519
Tax Parcel Number: 63117-09-066771**

WHEREAS, Thomas Crawford, as applicant, submitted an application for Preliminary/Final Site Plan approval for the construction of mini storage buildings located at 1785 Route 104 in the Town of Ontario; and

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

WHEREAS, a short EAF was submitted by the applicant, dated February 7, 2017, as part of the application materials; and

NOW, THEREFORE, upon consideration by the Planning Board, of all written and oral submissions and testimony by the Applicant and following public hearing on this matter, held on April 12, 2017, 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. Subject to all PRC comments.
2. This Resolution is based upon the materials submitted by the applicant, bearing project number 02072017 and dated February 7, 2017.

The within Resolution was moved by Planning Board Member Michelle Wright, seconded by Planning Board Member Tab Orbaker, and voted upon by members of the Planning Board as follows.

Gerald Smith voted	Aye
Stephen Leaty voted	Aye
Michelle Wright voted	Aye
Jason Coleman voted	Aye
Tab Orbaker voted	Aye

Adopted by the Planning Board on April 12, 2017.

**APPROVAL RESOLUTION
TOWN OF ONTARIO
PLANNING BOARD
RE: Twin Rock Motel & Mini Storage
Preliminary/Final Site Plan
1785 Route 104, Ontario, NY 14519
Tax Parcel Number: 63117-09-066771**

WHEREAS, Thomas Crawford, as applicant, has submitted an application for Approval of Preliminary/Final Site Plan for the construction of mini storage buildings located at 1785 Route 104; and

WHEREAS, the Planning Board issued a negative declaration, pursuant to SEQRA, on April 12, 2017;

NOW, THEREFORE, upon consideration by the Planning Board, of all written and oral submissions and testimony by the Applicant and following a public hearing on this matter, opened on April 12, 2017, and the Planning Board having given this matter due deliberation and consideration; it is

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

CONDITIONS OF APPROVAL

1. Subject to all PRC comments.

2. This Resolution is based upon the materials submitted by the applicant, bearing project number 02072017 and dated February 7, 2017.
3. No outside storage of any kind
4. Driveway access modification without compromising parking requirements for the hotel

The within Resolution was moved by Planning Board Member Michelle Wright, seconded by Planning Board Member Tab Orbaker, and voted upon by members of the Planning Board as follows:

Gerald Smith	Aye
Stephen Leaty	Aye
Michelle Wright	Aye
Jason Coleman	Aye
Tab Orbaker	Aye

Adopted by the Planning Board on April 12, 2017.

1168 Lake Road – Corner Creek Estates – Preliminary/Final Site Plan & Subdivision

The application of Matt Nowak requesting Preliminary/Final Site Plan and Subdivision approved for a 14 lot subdivision for the construction of single family homes. The property is owned by the applicant and zoned R1.

Don Lewis of AEY was present on behalf of the application.

Mr. Lewis stated the project is a proposed 14 lot subdivision with 12 buildable lots. One lot will be dedicated for storm water management. The applicant is working with the Town Engineer to determine final storm water & SWPP information to submit final application at the May meeting.

Chairman Leaty stated this is a great use of the property.

Chairman Leaty asked for public comment. Bill & Sue Wheaton were present and stated that they are concerned about possible septic issues so close to creek. They currently have an issue with excess water flooding on their property/driveway. Kurt Rappazzo stated the storm water pond will help this issue. Mr. Wheaton further stated that traffic will be a concern, so close to Ginna especially during shut downs.

The applicant will submit more information and be heard at a future meeting.

7078 Furnace Road – Preliminary/Final Site Plan

The application of Heidi Ames requesting Preliminary/Final Site Plan approval for the construction of a single family home. The property is owned by Frank Tambumno and zoned SR.

Ms. Ames, and Mike Siniger of MAS Engineers were present on behalf of the application.

Kurt Rappazzo stated he would like more information on water flow, and how it flows to the woods. He wants to ensure it is not lingering on the property.

Mr. Siniger stated that a natural swale will be created with the house is built.

Chairman Leaty asked for public comment. There was none.

The public hearing was closed.

**APPROVAL RESOLUTION
TOWN OF ONTARIO
PLANNING BOARD
RE: Ames Site Plan
Preliminary/Final Site Plan
7078 Furnace Road, Ontario, NY 14519
Tax Parcel Number: 63118-00-628652**

WHEREAS, Heidi Ames, as applicant, has submitted an application for Approval of Preliminary/Final Site Plan for the construction of a single family home located at 7078 Furnace Road; and

WHEREAS, the application is a Type II action and does not require SEQRA,

NOW, THEREFORE, upon consideration by the Planning Board, of all written and oral submissions and testimony by the Applicant and following a public hearing on this matter, opened on April 12, 2017, and the Planning Board having given this matter due deliberation and consideration; it is

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

CONDITIONS OF APPROVAL

1. Subject to all PRC comments.
2. This Resolution is based upon the materials submitted by MAS Engineering and dated March 3, 2017.

The within Resolution was moved by Planning Board Member Jason Coleman, seconded by Planning Board Member Michelle Wright, and voted upon by members of the Planning Board as follows:

Gerald Smith	Aye
Stephen Leaty	Aye
Michelle Wright	Aye
Jason Coleman	Aye
Tab Orbaker	Aye

Adopted by the Planning Board on April 12, 2017.

Gerald Smith moved to adjourn the meeting, Michelle Wright seconded. Meeting adjourned at 8:13pm.

Gerald Smith	Aye
Stephen Leaty	Aye
Jason Coleman	Aye
Michelle Wright	Aye
Tab Orbaker	Aye

Nicole Yonker
Planning Board Secretary