

**Town of Ontario
Planning Board Minutes
May 9, 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, Town Supervisor John Smith, Deputy Town Supervisor Rick Lesyzk, Zoning Board Member Chuck Neumann, and 70 members of the public

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

A motion was made by Tab Orbaker to approve the minutes dated April 12, 2017 and seconded by Gerald Smith. The minutes were approved. Vote:

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

Public Hearings

Centennial Village Section 18-PUD Modification

Gerber Homes requesting modification of previously approved PUD from single family construction to apartment complexes.

Bruce Gerber & John Graziose of Gerber Homes, and Mike Sponable of Greene Land Surveying were present on behalf of the application.

A petition was received and entered into the record from current home owners in Centennial Village in opposition to the proposed change.

The proposed construction would create four unit townhomes, the two middle units would share a driveway and the two end units would have separate driveways (post lights at the end of each driveway) with twenty feet between each building. Utilities would remain the same as originally proposed. The original density in this section was twenty two single family homes. The proposed change would create fifty apartments, with the same look and feel as Stokley Creek (lighting, patios, decks, etc.). Target market would be empty nesters looking to downsize. They would also be handicap accessible. Average rent would be about \$1,400 per month, with a minimum twelve month lease.

Planning Board member Gerry Smith stated that traffic flow would be an issue. Mike Sponable stated that the road would be completed, looping Holley Creek and Lillypond together. Mr. Sponable further stated that a paper road would be offered for dedication for future development.

John Morrison of 6137 Holley Creek Drive stated that the SEQRA process was reviewed with the previous plan but the new plan is significantly different and should be reviewed again. He also stated that with increased density, traffic, and no sidewalks in the development, small children, dogs, those riding bikes or out for walks are in greater danger. Mr. Morrison commented that there would be an increase in stormwater runoff with increased roof lines and pavement from driveways. Property values at neighboring lots would decrease, and the variety of unique single family homes (ie – landscaping) would be changed to cookie cutter apartments. He stated that he and his family moved in for the characteristics of single family homes, which is something that can't be replaced or duplicated in apartments.

Delores Morrison of 6137 Holley Creek Drive stated she and her husband moved into their home in 2006 with the intention of living there for the rest of their lives, not to look at the side of an apartment building.

Tina Welsch of 6147 Holley Creek Drive stated a petition was handed out and signed by eighty eight homeowners of Centennial Village. She stated she purchased her retirement home with the intention of being surrounded by single family homes, not apartments.

Joann Eldred of 6163 Holley Creek Drive stated she is upset that there was deception when purchasing her home that she along with other residents were told that the open lots were to be more single family homes. She stated she has had two empty lots next to her for years, which she relentlessly contacts Gerber to mow and maintain and they do not.

Mike Luebbert of 5992 Lillypond Way stated that Gerber Homes has increased their tax base, and he is upset that they have lost site of their long term vision and goals. He stated that the density is completely different and utilities will be taxed. He urged the Planning Board to deny this application.

Cindy Kukuvka of 6184 Holley Creek Drive stated that Freewill will potentially cause more traffic, adding apartments will make traffic flow even worse on that stretch of Ridge Road.

Jennifer Sojan of 6174 Holley Creek Drive stated that her house was built in 2004 with the intention of single family and patio homes to surround it in the future. She stated she has two young girls who play outside regularly. Their safety will be a huge concern.

Rick Magnanti of 6000 Lillypond Way stated that right now is a seller's market, he questioned where Gerber Homes is getting their data that says apartments are the better option to build right now.

Arlene Miller of 6207 Holley Creek Drive stated that the gazebo is falling apart and dangerous for children to be near. She stated the fence near patriot apartments is falling down and that it either needs to be fixed, or removed. There is junk outside of patriot apartments that is not aesthetically pleasing. She has called Gerber Homes for weeks to mow the vacant lot next to hers.

A resident from 6157 Lillypond Way stated he moved in for a quiet neighborhood with his girlfriend in December 2016. He is concerned about traffic, safety and crime. They have young kids and a dog, and this is the first house he has owned. They are very proud of their accomplishment and don't want to lose their hard work to apartments being built near them.

Joanne Eldred stated the pond has become overgrown over the years. She said Gerber had told her it wasn't their responsibility to maintain. The homeowners have been up keeping and paying to maintain to clean it every year.

A resident from 6148 Holley Creek Drive stated there is a concern for emergency service vehicle access.

Tim Miller of 6178 Holley Creek Drive stated that a lot of fill was added when Stokely Creek was built. More fill would need to be added for the construction of the proposed apartments. He questioned if Gerber Homes would maintain that and that he would be extremely concerned with drainage and run-off should construction begin.

Mike Luebbert stated that there is concern from many home owners that many people aren't available during summer months to attend meetings and that they would like to be kept informed on this topic.

John Grazaozie of Gerber Homes stated that he appreciates everyone voicing their thoughts and concerns. He stated he would take the information gathered from the meeting and see how they'd like to move forward with the project. He asked that the project be tabled until further notice.

1683 Route 104 – Preliminary/Final Site Plan

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

The applicant and Scott of Lu Engineers was present. Mr. Verplank stated they eliminated front parking, changed from 4.8 to 4.2 acres of disturbance, and stormwater facilities are more detailed. The RV & boat storage is behind the vehicle parking until all buildings are built. Then it will no longer be allowed (once phase I is complete).

Bulk storage is for applicants business use only (Educated Landscapes). There will be no hazardous materials or unlicensed vehicles.

The sanitary sewer easement needs to be address. The applicant stated he will work with the Town.

Chairman Leaty asked for public comment. There was none.

The public hearing was closed.

**SEQRA RESOLUTION
TOWN OF ONTARIO
PLANNING BOARD
RE: 1683 Route 104
Preliminary/Final Site Plan
1683 Route 104, Ontario, NY 14519
Tax Parcel Number: 62117-12-958710**

WHEREAS, Keith Verplank, as applicant, submitted an application for Preliminary/Final Site Plan approval for the construction of mini storage and contractor storage buildings located at 1683 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 May 9, 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 50354.01 and dated February 2017.

The within Resolution was moved by Planning Board Member Jason Coleman, seconded by Planning Board Member Gerry Smith, 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 May 9, 2017.

**APPROVAL RESOLUTION
TOWN OF ONTARIO
PLANNING BOARD
RE: 1683 Route 104
Preliminary/Final Site Plan
1683 Route 104, Ontario, NY 14519
Tax Parcel Number: 62117-12-958710**

WHEREAS, Keith Verplank has submitted an application for Preliminary and Final Site Plan Approval located at 1683 Route 104; and

WHEREAS, the Planning Board issued a negative declaration, pursuant to SEQRA, on May 9, 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 May 9, 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 dated 5.2.17.
2. This Resolution is based upon the materials submitted by the applicant, bearing project number 50354.01 and dated February 2017.

3. No hazardous materials, unlicensed vehicles, tires, etc. to be stored outside.
4. Print of building renderings to be supplied.

The within Resolution was moved by Planning Board Member Jason Coleman, 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 May 9, 2017.

476 Route 104 – 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 Rote 104, LLC) and zoned B.

Al LaRue of McMahan LaRue Associates and Patrick and Kansas McDonald were present on behalf of the application.

A site plan was submitted for the proposed application. Mr. LaRue stated there is no proposed landscaping at this time and there will be no drains in the floors.

Chairman Leaty stated that drainage is to be controlled on this lot as well as how it effects neighboring lots.

Chairman Leaty asked for public comment. There were none.

The public hearing was closed.

**SEQRA RESOLUTION
TOWN OF ONTARIO
PLANNING BOARD
RE: 476 Route 104
Preliminary/Final Site Plan
476 Route 104, Ontario, NY 14519
Tax Parcel Number: 61117-10-428604**

WHEREAS, Patrick McDonald of Basement Technologies, as applicant, submitted an application for Preliminary/Final Site Plan approval for the construction of storage buildings for business use located at 476 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 23, 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 May 9, 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

3. Subject to all PRC comments.
4. This Resolution is based upon the materials submitted by the applicant, bearing drawing number 1345-00 and dated April 21, 2017.

The within Resolution was moved by Planning Board Member Tab Orbaker, seconded by Planning Board Member Michelle Wright, 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 May 9, 2017.

**APPROVAL RESOLUTION
TOWN OF ONTARIO
PLANNING BOARD
RE: 476 Route 104
Preliminary/Final Site Plan
476 Route 104, Ontario, NY 14519
Tax Parcel Number: 61117-10-428604**

WHEREAS, Patrick McDonald of Basement Technologies, has submitted an application for Preliminary and Final Site Plan Approval located at 476 Route 104; and

WHEREAS, the Planning Board issued a negative declaration, pursuant to SEQRA, on May 9, 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 May 9, 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

5. Subject to all PRC comments.
6. This Resolution is based upon the materials submitted by the applicant, bearing drawing number 1345-00 and dated February 21, 2017.
7. No drainage to be installed inside building additions.
8. Dumpster to be removed from front of lot within one (1) year.

The within Resolution was moved by Planning Board Member Tab Orbaker, seconded by Planning Board Member Jason Coleman, 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 May 9, 2017.

7501 Slocum Road – Preliminary/Final Site Plan

The application of Jeff Hamman requesting Preliminary/Final Site Plan approval for the construction of a single family home. Property is owned by the applicant and zoned R1.

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

Mr. Lewis stated drainage could be a concern on that lot and that he is working with Kurt Rappazzo of MRB to address concerns.

Chairman Leaty asked for public comments. There were none.

The public hearing was closed.

**SEQRA RESOLUTION
TOWN OF ONTARIO
PLANNING BOARD
RE: 7501 Slocum Road
Preliminary/Final Site Plan
7501 Slocum Road, Ontario, NY 14519
Tax Parcel Number: 62119-00-149008**

WHEREAS, AEY Enterprises as agent for the owner, has submitted an application for Preliminary and Final Site Plan Approval for the construction of a single family home located at 7501 Slocum Road 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 April 12, 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 May 9, 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 E-128 and dated April 12, 2017.

The within Resolution was moved by Planning Board Member Michelle Wright, seconded by Planning Board Member Gerry Smith, 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 May 9, 2017.

**APPROVAL RESOLUTION
TOWN OF ONTARIO
PLANNING BOARD
RE: 7501 Slocum Road
Preliminary/Final Site Plan
7501 Slocum Road, Ontario, NY 14519
Tax Parcel Number: 62119-00-149008**

WHEREAS, AEY Enterprises as agent for the owner, has submitted an application for Preliminary and Final Site Plan Approval for the construction of a single family home located at 7501 Slocum Road; and

WHEREAS, the Planning Board issued a negative declaration, pursuant to SEQRA, on May 9, 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 May 9, 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 dated April 2, 2017.

2. This Resolution is based upon the materials submitted by the applicant, bearing project number E-128 and dated April 12, 2017.

The within Resolution was moved by Planning Board Member Michelle Wright, seconded by Planning Board Member Gerry Smith, 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 May 9, 2017.

6405 Furnace Road – Mini Storage- Preliminary/Final Site Plan

The application of Raymond R & Anna Cedruly Trust requesting Preliminary/Final Site Plan approval for the construction of additional mini storage buildings. The property is owned by the applicant zoned I.

Don Lewis of AEY Enterprises was present on behalf of the application, representing the owner. He stated the applicant didn't realize that the conditions from the plan previously submitted by his father applied to his application therefore he does not wish to proceed at this time.

Mr. Lewis asked if the applicant were to build a fence around the perimeter of the property would require a site plan. Chairman Leaty stated it would not.

The application was postponed.

Informal Discussions

Intergrow

Fred Shelly & Peter Marz of BME and Dirk Biemans, owner of Intergrow were present to informally discuss an agricultural development of the construction of greenhouses along Timothy Lane.

The board discussed with Town Attorney Rich Williams that no variances would be needed, and SEQRA would not be needed since it is an agricultural project.

Fred Shelley stated an army corp. application has been submitted in regards to wetlands.

The board agreed this is a great use of the property and will bring growth to Ontario.

Michelle Wright moved to adjourn the meeting, Gerry Smith seconded. Meeting adjourned at 9:50pm.

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

Nicole Yonker
Planning Board Secretary