

**Town of Ontario  
Planning Board Minutes  
July 18, 2017**

*Present: Planning Board Members – Chairman Stephen Leaty, Tab Orbaker, Gerald Smith, Michelle Wright, Jason Coleman, Planning Board Secretary Nicole Yonker and Beth Hart, Town Engineer Kurt Rappazzo (MRB), Town Attorney Rich Williams, and 4 members of the public*

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

A motion was made by Chairman Leaty to approve the minutes dated May 13, 2017 and seconded by Jason Coleman with the following change:

Under **Intergro Greenhouses, Inc.** –Add to the Approval Resolution: “WHEREAS, the action is a Type 2 action under SEQRA, requiring no further review under SEQRA”; and remove the SEQRA Resolution.

Vote:

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

**Public Hearings**

**1225 Whitney Road – Preliminary/Final Site Plan**

The application of Frank Affronti requesting Preliminary/Final Site Plan approval for the construction of a single family home. Property is owned by the applicant and zoned R2.

Greg McMahon of McMahon LaRue was present on behalf of the applicant.

Greg McMahon stated the parcel was restrained due to Federal Wetlands and there is no buffer for a Federal Wetland. He also stated that he has talked to NYS Health Department and that they require 100ft variance and he would need a 25ft variance. Greg was told by the Health Department, that this was a common occurrence for parcels that are restrained and Form 75A would be required and the Health Department will make the final approval.

Town Attorney Rich Williams suggested the variance should be a condition on the approval.

Chairman Leaty read the Wayne County comments into the record:

*At its regularly scheduled meeting on June 28, 2017, the Wayne County Planning Board reviewed the above referenced referral and recommended approval of the Preliminary/Final Subdivision Plan/Preliminary /Final Site Plan with the following comments:*

- 1) The proposed septic system must meet NYS Department of Health regulations.*
- 2) the driveway should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance.*
- 3) development should be done in a manner that keeps it compatible with surrounding land uses and is also aesthetically pleasing through use of items such as building design/materials, property maintenance, fencing, berms landscaping, etc.*
- 4) development must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency vehicle access (if applicable)*
- 5) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations and*
- 6) future plans (if any) for the total acreage should be considered.*

Chairman Leaty asked for public comment. There was none. The public hearing was closed.

**SEQRA RESOLUTION  
TOWN OF ONTARIO  
PLANNING BOARD  
RE: 1225 Whitney Road  
Preliminary/Final Site Plan & Preliminary/Final Subdivision  
1225 Whitney Road, Ontario, NY 14519  
Tax Parcel Number: 62116-00-361801**

WHEREAS, Frank Affront submitted an application for Preliminary/Final Site Plan and Preliminary/Final Subdivision approval for the construction of single family homes at 1225 Whitney 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, Short EAF was submitted on June 13, 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 July 18, 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.

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 voted    | Aye |
| Stephen Leaty voted   | Aye |
| Michelle Wright voted | Aye |
| Jason Coleman voted   | Aye |
| Tab Orbaker voted     | Aye |

Adopted by the Planning Board on July 18, 2017.

**APPROVAL RESOLUTION  
TOWN OF ONTARIO  
PLANNING BOARD  
RE: 1225 Whitney Road  
Preliminary/Final Site Plan & Preliminary/Final Subdivision  
1225 Whitney Road, Ontario, NY 14519  
Tax Parcel Number: 62116-00-361801**

WHEREAS, Frank Affront submitted an application for Preliminary/Final Site Plan and Preliminary/Final Subdivision approval for the construction of sing family homes at 1225 Whitney Road in the Town of Ontario; and

WHEREAS, the Planning Board issued a Negative Declaration, pursuant to SEQRA, on July 18, 2017.

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 July 18, 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 dated June 9, 2017.
3. Conditional on the approval of a variance from the NYSDOH regarding the requirement of a 100' buffer from Federal Wetlands to a septic system.

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

Adopted by the Planning Board on July 18, 2017.

### **6079 Lincoln Road - Preliminary/Final Site Plan & Subdivision**

The application of Joseph DiGravio requesting Preliminary/Final Site Plan and Subdivision approval for a 2 lot subdivision for the construction of single family home. The property is owned by the applicant and zoned R2.

Don Lewis of AEY Enterprises Inc. was present on behalf of the applicant.

Don Lewis introduced a revised set of plans for Lot 3, as the driveway has now been moved and we will need a waiver. There will be no further subdivisions of his land.

Chairman Leaty read the Wayne County comments into the record:

*At its regularly scheduled meeting on June 28, 2017, the Wayne County Planning Board reviewed the above referenced referral and recommended approval of the Preliminary/Final Subdivision Plan/Preliminary /Final Site Plan with the following comments:*

- 1) *The proposed lots should be configured with enough area for each lot to contain an existing and/or construct a new septic system (or connection to municipal sewer) that will meet local and/or NYS Department of Health regulations,*
- 2) *the proposed lots should be configured with enough area for each lot to have a driveway that meets AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,*
- 3) *development should be done in a manner that keeps it compatible with surrounding land uses and is also aesthetically pleasing through use of items such as building design/materials, property maintenance, fencing, berms, landscaping, etc.,*
- 4) *development must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable) and*
- 5) *future plans (if any) for the total acreage should be considered.*

Chairman Leaty asked for public comment. There was none. The public hearing was closed.

**SEQRA RESOLUTION  
TOWN OF ONTARIO  
PLANNING BOARD  
RE: DiGravio Subdivision – Lot 3  
Preliminary/Final Site Plan & Preliminary/Final Subdivision  
6079 Lincoln Road, Ontario, NY 14519  
Tax Parcel Number: 61117-00-622419**

WHEREAS, Joseph DiGravio submitted an application for Preliminary/Final Site Plan and Preliminary/Final Subdivision approval for a 2 lot subdivision for the construction of single family homes at 6079 Lincoln 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, Short EAF was submitted on June 14, 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 July 18, 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.

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 July 18, 2017.

**APPROVAL RESOLUTION**  
**TOWN OF ONTARIO**  
**PLANNING BOARD**  
**RE: DiGravio Subdivision – Lot 3**  
**Preliminary/Final Site Plan & Preliminary/Final Subdivision**  
**6079 Lincoln Road, Ontario, NY 14519**  
**Tax Parcel Number: 61117-00-622419**

WHEREAS, Joseph DiGravio submitted an application for Preliminary/Final Site Plan and Preliminary/Final Subdivision approval for a 2 lot subdivision for the construction of single family homes at 6079 Lincoln Road in the Town of Ontario; and

WHEREAS, the Planning Board issued a Negative Declaration, pursuant to SEQRA, on July 18, 2017;

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 July 18, 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 Babcock Surveying and Planning, bearing project number 17.05-011 and dated June 9, 2017.
3. Waiver for the lot ration not to exceed 3:1 length to width ration.
4. No further subdivision of Lot 3, and a note shall be added to the Plan, to such effect.

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 July 18, 2017.

**1736 Kenyon Road – Preliminary/Final Site Plan**

The application of Gerber Homes requesting Preliminary/Final Site Plan approval for the construction of a single family home. The property is owned by the Larry Johnson and zoned R2.

Mike Sponable of Greene Land Surveying was present on behalf of the applicant.

Mike Sponable introduced an updated set plans. This lot is made up of spoils from an ore mine. We want to build on the flattest part of the land and put in a septic system. The house will be built 600' from road with a shared driveway. Property is being purchased by Gerber Homes. There is an existing water line and transformers that were put on by previous owners for future development for family.

Chairman Leaty read the Wayne County comments into the record:

At its regularly scheduled meeting on June 28, 2017, the Wayne County Planning Board reviewed the above referenced referral and recommended approval of the Preliminary/Final Subdivision Plan/Preliminary /Final Site Plan with the following comments:

- 1) The proposed septic system must meet NYS Department of Health regulations,
- 2) the driveway should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 3) development should be done in a manner that keeps it compatible with surrounding land uses and is also aesthetically pleasing through use of items such as building design/materials, property maintenance, fencing, berms, landscaping, etc.,
- 4) development must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable),
- 5) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations and
- 6) future plans (if any) for the total acreage should be considered.

Chairman Leaty asked for public comment. There was none. The public hearing was closed.

**APPROVAL RESOLUTION  
TOWN OF ONTARIO  
PLANNING BOARD  
RE: Johnson Site Plan  
Preliminary/Final Site Plan  
1736 Kenyon Road, Ontario, NY 14519  
Tax Parcel Number: 63118-00-007036**

WHEREAS, John Grazione, of Gerber Homes, submitted an application for Preliminary/Final Site Plan approval for the construction of single family home at 1736 Kenyon Road in the Town of Ontario; and

WHEREAS, the within application is a Type 2 Action under SEQRA, requiring no further review under SEQRA;

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 July 18, 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 and Wayne County Planning comments.
2. This Resolution is based upon the materials submitted by Greene Land Surveying PLLC, bearing project number 17-4189 and dated June 14, 2017.

The within Resolution was moved by Planning Board Member Gerald Smith, 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 July 18, 2017.

**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.

Keith Verplank was present.

Keith Verplank explained that his Preliminary/Final Site Plan for the construction of a mini storage unit was approved on May 9, 2017. After the meeting, it was brought to our attention there is a 2012 Fire Code Interpretation of ICC for storage units. He would have to either add sprinkler systems or reduce size of building to 2500 sq. ft.

Keith Verplank also stated that his costs have gone up dramatically because of having to do smaller buildings. The new site plan is similar to the approved plan, with just a few changes, smaller buildings and driveway has been moved.

Chairman Leaty suggested to reduce the paving to 24' wide, in front of the mini storage unit, and to be completed in 3 years after the Certificate of Occupancy is issued.

**Motion to Modify Preliminary/Final Site Approval:** for the application submitted by Lu Engineers

requesting Preliminary/Final Site Plan for the construction of mini storage at 1683 Route 104 in the Town of Ontario.

Under compliance with the following:

1. Paving in front of mini storage can be reduced to 24' wide and must be paved within 3 years of issuance of the Certificate of Occupancy.
2. If this revised version of the site plan is built, the building will be narrower and the approved elevations will be revised to eliminate the rounded corners above the doors and the wainscoting on the bottom. The cupolas will remain.
3. This will be an alternative plan to the already approved one. If the applicant is able to get relief from the requirement to sprinkle the mini storage buildings, the originally approved plan and elevations shall be built. Regardless of which plan is built, the driveway in front of the mini storage can be reduced to 24'.

The within Resolution was moved by Planning Board Member Gerald Smith, 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 July 18, 2017.

Michelle Wright moved to adjourn the meeting, Gerald Smith seconded. Meeting adjourned at 8:25pm.

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

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Beth Hart  
Planning Board Secretary