

**Town of Ontario  
Planning Board Minutes  
September 19, 2017**

*Present: Planning Board Members – Chairman Stephen Leaty, Tab Orbaker, Michelle Wright, Jason Coleman, Planning Board Secretary Beth Hart, Town Attorney Richard Williams, Town Engineer Kurt Rappazzo (MRB), Economic Developer Director William Riddell, Interim Code Enforcement Officer Brian Smith and 23 members of the public.*

*Absent: Planning Board Members – Gerald Smith*

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

A motion was made by Jason Coleman to approve the minutes dated August 8, 2017 and seconded by Michelle Wright.

Vote:

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

**Public Hearings**

**348 & 358 Route 104 – Preliminary/Final Site Plan**

The application of Michael Harris requesting Preliminary/Final Site Plan approval for Pet Crematory Services. The property is owned by the applicant and zoned BT.

Don Lewis, AEY Engineering, explained the project for Pet Passages would only have small changes to the building (large gas services) and site work. They have applied to DEC for an emissions permit and it has already approved. Landscaping would be completed to the outside of the building, along with a few windows to make it look more like a funeral home. Parking lot will be small but adequate for the three employees and a “few” customers. We will expand the parking lot if needed. There is no future development for the second lot.

Chairman Leaty read the Wayne County comments into the record:

*At its regularly scheduled meeting on August 30, 2017, the Wayne County Planning Board reviewed the above referenced referral and recommended approval of the Preliminary/Final Site with the following comments:*

- 1) the crematory furnace should be confirmed to be smokeless and odorless to help avoid impacts on adjacent properties,*
- 2) the operation must conform to all applicable NYS pet crematorium rules and regulations,*
- 3) screening (e.g. fence, berm, landscaping, etc.) should be used to help the proposed development remain compatible with surrounding land uses (i.e. mitigate visual and noise impacts between this proposal and adjacent land uses),*
- 4) development/property maintenance 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,*
- 5) proposed on-site traffic circulation, building area 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,*
- 6) all toxic/hazardous materials that may be associated with any of the on-site businesses (if applicable), should be properly stored, handled and disposed of,*
- 7) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Uniform Fire Prevention and Building Codes and NYS Department of Environmental Conservation) and*
- 8) future plans (if any) for the total acreage (2 parcels) 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: Pet Passages  
Preliminary/Final Site Plan  
348 Route 104, Ontario, NY 14519  
Tax Parcel Number: 61117-10-257598**

WHEREAS, Michael Harris submitted an application for Preliminary/Final Site approval for Pet Passages at 348 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, Short EAF was submitted on August 16, 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 September 19, 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	Absent
Stephen Leaty voted	Aye
Michelle Wright voted	Aye
Jason Coleman voted	Aye
Tab Orbaker voted	Aye

Adopted by the Planning Board on September 19, 2017.

**APPROVAL RESOLUTION  
TOWN OF ONTARIO  
PLANNING BOARD  
RE: Pet Passages  
348 Route 104, Ontario, NY 14519  
Tax Parcel Number: 61117-10-257598**

WHEREAS, Michael Harris submitted an application for Preliminary/Final Site approval for Pet Passages at 348 Route 104 in the Town of Ontario; and

WHEREAS, the Planning Board issued a Negative Declaration, pursuant to SEQRA, on September 19, 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 September 19, 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 AEY Engineering, bearing drawing number E137 and dated August 16, 2017.
3. This is only for the parcel located at 348 Route 104. The parcel located at 358 Route 104 will be addressed as a separate application at a later time.
4. Approve 6 parking spaces as proposed and pavement within one year of occupancy.
5. Landscaping will be done according to plan.

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 voted	Absent
Stephen Leaty voted	Aye

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

Adopted by the Planning Board on September 19, 2017.

### **6360 Dean Parkway – Preliminary/Final Site Plan**

The application of William Kilpatrick Sr. is requesting Preliminary/Final Site Plan approval for Industrial storage and office. The property is owned by the applicant and zoned I.

William Kilpatrick, owner of B&C Auto Restoration, builds and restores vehicles from around the country and is looking to expand his business. This will be a pole barn structure for extra storage of vehicles and office space. He would like an area variance to work around the security lighting on the property.

Chairman Leaty read the Wayne County comments into the record:

*At its regularly scheduled meeting on August 30, 2017, the Wayne County Planning Board reviewed the above referenced referral and recommended approval of the Preliminary/Final Site with the following comments:*

- 1) the proposed on-site traffic circulation, building areas and associated parking areas should be designed/developed in a manner that will provide safe interaction between those items as well as access to Dean Parkway,*
- 2) proposed 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, property maintenance, etc., particularly given that the parcel is located on Dean Parkway and near the highly traveled NYS Rt. 104 corridor,*
- 3) screening (e.g. fence, berm, landscaping, etc.) should be considered/used to help the proposed development remain compatible with surrounding land uses (i.e. mitigate visual and noise impacts between this proposal and adjacent land uses – if applicable),*
- 4) “operational noises” should be mitigated (i.e. noise generated by business activity should not impact other nearby uses),*
- 5) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),*
- 6) any toxic/hazardous materials should be properly stored, handled and disposed of,*
- 7) future plans (if any) for the total acreage should be considered and*
- 8) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Department of Environmental Conservation, NYS Uniform Fire Prevention and Building Codes, etc.).*

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

**SEQRA RESOLUTION  
TOWN OF ONTARIO  
PLANNING BOARD  
RE: B & C Auto Restoration  
Preliminary/Final Subdivision  
6360 Dean Parkway, Ontario, NY 14519  
Tax Parcel Number: 61117-00-230750**

WHEREAS, William Kilpatrick submitted an application for Preliminary/Final Site Plan approval for B & C Auto Restoration at 6360 Dean Parkway 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 August 16, 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 September 19, 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 Michelle Wright, seconded by Planning Board Member Jason Coleman and voted upon by members of the Planning Board as follows.

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

Adopted by the Planning Board on September 19, 2017.

**APPROVAL RESOLUTION**  
**TOWN OF ONTARIO**  
**PLANNING BOARD**  
**RE: B & C Auto Restoration**  
**6360 Dean Parkway Ontario, NY 14519**  
**Tax Parcel Number: 61117-00-230750**

WHEREAS, William Kilpatrick submitted an application for Preliminary/Final Site Plan approval for B & C Auto Restoration at 6360 Dean Parkway in the Town of Ontario; and

WHEREAS, the Planning Board issued a Negative Declaration, pursuant to SEQRA, on September 19, 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 September 19, 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 LaBella Associates, bearing drawing number S1and dated July 14, 2017.
3. If the applicant desires to move the building 25' forward it, the Planning Board supports it, but will need to go to the Zoning board for a variance.
4. Outside storage should be limited and toxic and hazardous materials should be stored properly.

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

Adopted by the Planning Board on September 19, 2017.

**2112 Community Lane – Preliminary/Final Site Plan**

The application of Fedyk Builders LLC /TRIFED Properties LLC, requesting Preliminary/Final Site Plan for Community Ridge Planned Unit Development. The property is owned by the applicant and zoned UR.

Wendy Meagher, from Meagher Engineering, reminded the Board the approved PUD was for 57 acres. We are proposing approx. 7.5 acres for Phase 1 which includes two lots which will need to be combined to form one unit because of the position of the buildings. We are proposing 46 units instead of the 60 units from the approved PUD. We have applied to the Department of Health for water and sanitary sewers. We have also sent the joint application to DEC for the wetland disturbance.

Town Engineer, Kurt Rappazzo, commented the flow of the Phase 1 needs to continue through the development. This includes, drainage, street lights, street trees and parking. The road for Community Lane can extend into Phase 3 and have a turn around there, so it doesn't hinder the sewer/drainage.

Wendy Meagher showed the Board what the two-story buildings with garages and the parking lots would look like. Street lights are located at the end of the roads, to light up the intersections, and on the garages. Wendy wanted to limit the amount of lighting and trees in the Right of Way.

Chairman Leaty again commented that the Board wants to keep the development consistent. With the addition of more trees and lighting this would like to encourage residents to use the sidewalks in the development. The board would like to see more parking spaces because we don't want to see parking on the road. We would like to see an overflow parking area in case needed.

Wendy Meagher discussed the drainage and access easement that crosses their property to Tops Plaza. We are proposing a sidewalk to Furnace Road to discourage the access easement. We are trying to keep as many trees for buffers including walking trails.

Wendy Meagher also had a few comments about the site Plan. The area is very flat and minimum slope on the road. We would like to put shoulders and swales instead of gutters. The swales would be small so that it could be mowed and send drainage into the ponds. If we changed the slope on the road, to put the gutters in, the more we would have to disturb the wetlands and mature trees. Also, we would like to keep the sidewalks on the south side of Community Lane. If staying on the south side, we will need to get easements because of the water main. We will also make a T-shaped turn-around, for the town vehicles when needed.

The application was continued to the next meeting. The public hearing will remain open.

**Informal:**

**369 Route 104 – Extension for approved resolution dated Feb. 12, 2013**

Bob Keiffer, engineer from T.Y. Lin International, representing Harbec Plastics stated Harbec Plastics - Addition was approved February 12, 2013 and would like to re-approve their site plan. We are looking to do a slight change, architecture wise. We would like to change the slope of the roof to face south, instead of north, to allow the addition of Solar Arrays. The approved site plan was a 2 phase process. Phase 1 was to build a 15,000sf building and Phase 2 to build another 15,000sf building. We would like to change it to the following: Phase 1 to build a 20,000sf building and Phase 2 a 10,000sf building. We would like this approved to begin construction in 2018.

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

**RE-APPROVAL RESOLUTION  
TOWN OF ONTARIO  
PLANNING BOARD  
Re: Harbec Plastics  
Re-Approval of Final Site Plan  
369 Route 104, Ontario, NY 14519  
Tax Parcel Number: 61117-00-4282664**

WHEREAS, T.Y. Lin International, has submitted an application for Re-Approval of Final Site Plans, for the construction of an addition at 369 Route 104 in the Town of Ontario; and

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 September 19, 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 prior approvals.

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

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

Adopted by the Planning Board on September 19, 2017.

**Timothy Lane - IDA**

BME representing Fasteners Direct, explained we have submitted an application to come to the October 2017 Planning Board meeting but wanted to come in tonight to explain what our project is. Fasteners Direct has a contract to purchase 8.3 acres of land from Wayne IDA to build a +50,000sf building with a possible additional building at a later time. There are two businesses that will be relocating and expanding to Ontario. H&N Properties LLC will be the landlord and Fasteners Direct will be one of the businesses. The building would be for light manufacturing and storage of wholesale parts.

Chairman Leaty moved to adjourn the meeting, Tab Orbaker seconded. Meeting adjourned at 9:15pm.

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

Adopted by the Planning Board on September 19, 2017.

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Beth Hart  
Planning Board Secretary