

**Town of Ontario
Planning Board Minutes**

October 9, 2018

Present: Planning Board Members – Chairman Stephen Leaty, Gerald Smith, Jason Coleman, Michelle Wright, Dorothy Constable, Planning Board Secretary Beth Hart, Town Attorney Richard Williams, Town Engineer Shaun Logue, Town Board Joe Catalano, Code Officer Brian Smith and 17 members of the public.

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 September 11, 2018 and seconded by Gerald Smith.

Gerald Smith voted - Aye
 Stephen Leaty voted - Aye
 Jason Coleman voted - Aye
 Michelle Wright voted - Aye
 Dorothy Constable voted - Aye
 Vote 5 Ayes, 0 Nays. MOTION CARRIED

Public Hearings

1640 Route 104 (also 1611 Ridge Rd) – Preliminary/Final Site Plan

The application of Aaron Preston requesting Preliminary/Final Site Plan for commercial purposes for a nursery and landscape business. The property is owned by the applicant and zoned BT.

Greg McMahon, McMahon LaRue Associates, reviewed the revised plans and Wayne County Planning Board comments. As for the PRC comments, the only concern they had was the permanent concrete barriers for materials over the easement. They felt that the barriers they would use would be able to be moved if necessary.

At its regularly scheduled meeting on September 26, 2018, the Wayne County Planning Board reviewed the above referenced referral and recommended approval of the Preliminary /Final Site Plan with the following comments:

- 1) all applicable NYS Department of Transportation permits/recommendations must be obtained/followed (e.g. a driveway permit should be obtained, no development should take place in the NYS Department of Transportation right-of-way, there should be no parking on the shoulder of NYS Rt. 104, etc.),*
- 2) a driveway permit should be obtained from the Wayne County Highway Department (if applicable for a new driveway accessing Ridge Rd.) and there should be no development in the Ridge Road right-of-way or parking on the shoulder of Ridge Road,*
- 3) both driveways should have sight distances available that meet AASHTO (American Association of State Highway and Transportation Officials) recommendations and no on-site development should impede available sight distance,*
- 4) development, potentially including the proposed Ridge Road driveway, should be done in a manner, that helps it remain compatible with surrounding land uses (“protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas”),*
- 5) screening (e.g. fence, berm, landscaping, etc.) should be used to help the proposed development remain compatible with surrounding land uses (i.e. mitigate aesthetic, noise and dust impacts – use berms to help reduce noise impacts from use of equipment, pave driveway to reduce dust impacts, etc.),*
- 6) commercial truck traffic should be limited to use of the NYS Rt. 104 driveway only,*
- 7) proposed on-site traffic circulation, display areas, storage areas, building areas, stormwater management areas and associated parking areas should be designed/developed in a manner that will provide safe pedestrian and vehicular interaction between those items, NYS Rt. 104/Ridge Rd and potential future development (if applicable),*
- 8) the sire should be developed/maintained in an aesthetically pleasing manner (i.e. through use of items such as landscaping, screening, etc.) as the parcel is located on the highly traveled NYS Rt. 104 and Ridge Road,*
- 9) outside storage should be limited (e.g. equipment in disrepair should not be permitted to accumulate),*
- 10) any toxic/hazardous materials (associated with any on-site activity) should be properly stored, handled and disposed of,*
- 11) future plans (if any) for the total acreage should be considered and*

- 12)** *all necessary local, federal and state recommendations/regulations and approvals/permits must be obtained/complied with (e.g. NYS Department of Environmental Conservation-Phase II Stormwater Management and Erosion and Sediment Control Regulations).*

Chairman Leaty would like a timeline for phase 1, specifically an end date and written responses from the PRC comments so that the Town can write up a resolution for the November 14th, 2018 meeting.

6698 Lakeside Rd – Preliminary/Final Subdivision

The application of Michael Derks requesting Preliminary/Final Subdivision for a two lot subdivision. The property is owned by the applicant and zoned R2.

Al LaRue, McMahan LaRue Associates, stated they would like to subdivide some land off of Mike Derks property.

Chairman Leaty opened the public hearing. No one wished to speak.

Chairman Leaty closed the public hearing.

At its regularly scheduled meeting on September 26, 2018, the Wayne County Planning Board reviewed the above referenced referral and determined it to have no intermunicipal or countywide impact 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 applicable local and/or New York State (e.g. Department of Health, Uniform Fire Prevention and Building Code) 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) future plans (if any) for the total acreage should be considered,*
- 4) development should be done in a manner that keeps it compatible with surrounding land uses and is also aesthetically pleasing through use of times such as building design/materials, property maintenance, fencing, berms, landscaping, etc. (if applicable) and*
- 5) development must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable).*

A motion was made by Mr. Coleman and seconded by Ms. Wright to approve SEQRA for 6698 Lakeside Road.

Gerald Smith voted - Aye
 Stephen Leaty voted - Aye
 Jason Coleman voted - Aye
 Michelle Wright voted - Aye
 Dorothy Constable voted - Aye
 Vote 5 Ayes, 0 Nays. MOTION CARRIED

A motion was made by Mr. Coleman and seconded by Ms. Wright to approve the Preliminary/Final Subdivision for 6698 Lakeside Road.

Gerald Smith voted - Aye
 Stephen Leaty voted - Aye
 Jason Coleman voted - Aye
 Michelle Wright voted - Aye
 Dorothy Constable voted - Aye
 Vote 5 Ayes, 0 Nays. MOTION CARRIED

Jason Coleman asked to abstain from the next application, due to the location of his property to Hidden Woods Subdivision.

Hidden Woods Subdivision – Preliminary/Final Site Plan and Preliminary/Final Subdivision

The application of Thomas Marcellus requesting Preliminary/Final Site Plan and Preliminary/Final Subdivision for a two lot subdivision to construct two single family homes. The property is owned by Loreta Prachel and zoned R2.

Chairman Leaty opened the public hearing. No one wished to speak.

Chairman Leaty closed the public hearing.

At its regularly scheduled meeting on September 26, 2018, the Wayne County Planning Board reviewed the above referenced referral and determined it to have not intermunicipal or countywide impact with the following comments:

- 1) *the proposed sanitary sewer systems must meet applicable local and/or New York State (e.g. Department of Health, Uniform Fire Prevention and Building Code) 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.*

A motion was made by Ms. Wright and seconded by Mr. Smith to approve SEQRA for Hidden Woods Subdivision.

Gerald Smith voted - Aye
 Stephen Leaty voted - Aye
 Jason Coleman voted - Abstain
 Michelle Wright voted - Aye
 Dorothy Constable voted - Aye
 Vote 4 Ayes, 0 Nays. MOTION CARRIED

A motion was made by Mr. Smith and seconded by Ms. Wright to approve the Preliminary/Final Site Plan and Preliminary/Final Subdivision for Hidden Woods Subdivision.

Gerald Smith voted - Aye
 Stephen Leaty voted - Aye
 Jason Coleman voted - Abstain
 Michelle Wright voted - Aye
 Dorothy Constable voted - Aye
 Vote 4 Ayes, 0 Nays. MOTION CARRIED

2223 Route 104 – Preliminary/Final Site Plan and Special Permit

The application of Adam Houpt requesting Preliminary/Final Site Plan and Special Permit to operate a retail sales of lawn mowers and tractors. The property is owned by the Sean Mac Stringer and zoned BT.

Adam Houpt explained he is purchasing the property to sell/repair tractors and lawnmowers and a parts department. The new equipment would be stored at the front of the property along Route 104. This property is not hooked up to the sanitary system. Adam will be using the existing buildings with outside storage behind the building.

Chairman Leaty opened the public hearing. No one wished to speak.

Chairman Leaty closed the public hearing.

At its regularly scheduled meeting on September 26, 2018, the Wayne County Planning Board reviewed the above referenced referral and recommended approval of the Special Permit/Preliminary /Final Site Plan with the following comments:

- 1) *the parcel appears to contain FEMA flood zone area (approximate mapping available online at <https://msc.fema.gov/portal>) and all planning/development should be done in accordance with applicable regulations,*
- 2) *traffic generating characteristics of the proposal should be considered, including, but not limited to the following: driveway location(s), building areas, display areas, parking areas, septic system location, driveway sight distances (i.e. they should meet American Association of State Highway and Transportation Officials – AASHTO recommendations) and on-site traffic circulation. Proposed on-site traffic circulation, building areas, display/storage areas and associated parking areas 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,*
- 3) *nothing should be parked or displayed in an area that will impede driveway sight distances,*
- 4) *emergency service vehicle access should be provided for,*
- 5) *development should be done in a manner that helps it remain compatible with surrounding land uses and is also aesthetically pleasing through use of times such as building design/materials, fencing, berms, landscaping, etc., particularly given that the parcel is located on the highly traveled NYS Rt. 104,*
- 6) *“operational noises” should be mitigated (i.e. noise generated by business activity should not impact surrounding uses),*
- 7) *outside display/storage should be limited (e.g. equipment in disrepair should not be permitted to accumulate),*
- 8) *any/all hazardous/toxic materials must be properly stored, handled and disposed of and*
- 9) *all necessary local, federal and state recommendations/regulations and approvals/permits must be obtained/complied with (e.g. NYS Uniform Fire Prevention and Building Codes, NYS Department of Environmental Conservation, etc.).*

A motion was made by Mr. Smith and seconded by Ms. Wright to approve SEQRA for 2223 Route 104.

Gerald Smith voted - Aye
 Stephen Leaty voted - Aye
 Jason Coleman voted - Aye
 Michelle Wright voted - Aye
 Dorothy Constable voted - Aye
 Vote 5 Ayes, 0 Nays. MOTION CARRIED

A motion was made by Mr. Smith and seconded by Mr. Coleman to approve the Special Permit and Preliminary/Final Site Plan for 2223 Route 104.

Gerald Smith voted - Aye
 Stephen Leaty voted - Aye
 Jason Coleman voted - Aye
 Michelle Wright voted - Aye
 Dorothy Constable voted - Aye
 Vote 5 Ayes, 0 Nays. MOTION CARRIED

2066 Railroad Ave – Preliminary/Final Site Plan and Special Permit

The application of Kevin Doser requesting Preliminary/Final Site Plan and Special Permit to operate a landscape material company for wholesalers. The property is owned by the Sam Bonacci and zoned BT.

Mike Sponable, Greene Land Surveying, PLLC, stated Kevin Doser would like to operate his landscape material company out of this property. He would put up a pole barn for storing his landscape equipment. Materials would be stored along the side of his property. The floor of the barn will drain into a grease separator before going into the sanitary system. No customers would be coming to the site. All mulch and stone will be delivered by the applicant.

Chairman Leaty opened the public hearing. No one wished to speak.

Chairman Leaty closed the public hearing.

At its regularly scheduled meeting on September 26, 2018, the Wayne County Planning Board reviewed the above referenced referral and determined it to have no intermunicipal or countywide impact with the following comments:

- 1) *a driveway permit must be obtained from the Wayne County Highway Department (if applicable for a new driveway accessing Railroad Avenue and no development should take place in the road right-of-way, there should be no parking on the shoulder of Railroad Ave., etc.),*

- 2) *driveway sight distances should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations and no on-site development should impede available sight distance,*
- 3) *proposed on-site traffic circulation, display areas, storage areas, building area, stormwater management areas and associated parking areas should be designed/developed in a manner that will provide safe pedestrian and vehicular interaction between those items, Railroad Ave. and potential future development (if applicable),*
- 4) *screening (e.g. fence, berm, landscaping, etc.) should be used to help the commercial development remain compatible with surrounding land uses (i.e. mitigate visual and noise impacts between this proposal and adjacent uses if necessary),*
- 5) *the site should be developed/maintained in an aesthetically pleasing manner (i.e. through use of items such as landscaping, screening, etc.) as the parcel is located near the highly traveled NYS Rt. 104,*
- 6) *outside storage should be limited (e.g. equipment in disrepair should not be permitted to accumulate),*
- 7) *any toxic/hazardous materials (associated with any on-site activity) should be properly stored, handled and disposed of,*
- 8) *future plans (if any) for the total acreage should be considered and*
- 9) *all necessary local, federal and state approvals/permits/recommendations must be obtained/complied with (e.g. NYS Uniform Fire Prevention and Building Codes, NYS Department of Environmental Conservation – Phase II Stormwater Management and Erosion and Sediment Control Regulations).*

A motion was made by Mr. Coleman and seconded by Ms. Wright to approve SEQRA for 2066 Railroad Ave.

Gerald Smith voted - Aye
 Stephen Leaty voted - Aye
 Jason Coleman voted - Aye
 Michelle Wright voted - Aye
 Dorothy Constable voted - Aye
 Vote 5 Ayes, 0 Nays. MOTION CARRIED

A motion was made by Mr. Coleman and seconded by Mr. Smith to approve the Special Permit and Preliminary/Final Site Plan for 2066 Railroad Ave.

Gerald Smith voted - Aye
 Stephen Leaty voted - Aye
 Jason Coleman voted - Aye
 Michelle Wright voted - Aye
 Dorothy Constable voted - Aye
 Vote 5 Ayes, 0 Nays. MOTION CARRIED

6513 Fisher Rd – Preliminary/Final Site Plan and Special Permit

The application of MB Innovation Corp requesting Preliminary/Final Site Plan and Special Permit to construct a single family home and to conduct a seasonal mulch and landscape supply operation. The property is owned by the applicant and zoned BT.

Tom Wolanski, Greenman – Pedersen Inc., explained the application of a house and pole barn situated 700ft from property line and would disturb 1.82 acres. Chad Ortega explained the process of making mulch. He would grind up wood/trees for a couple of weeks, dye the chips with a vegetable based dye with no odor, and then truck to his clients. The mulch would only be for his clients and no one would be coming in to buy his mulch. He is not planning to cut down any trees on his property or stock pile mulch. Chad's mulch trucks are 6 wheelers and have less than 10 vehicles a day coming in and out of property.

Discussion ensued about phasing the limit of disturbance total area and SWWP requirements.

At its regularly scheduled meeting on September 26, 2018, the Wayne County Planning Board reviewed the above referenced referral and recommended approval of the Special Permit/Preliminary /Final Site Plan with the following comments:

- 1) *development should be done in a manner that helps it remain compatible with surrounding land uses (“protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas”) and is also aesthetically pleasing through use of items such as building design/materials, property maintenance, fencing, berms, landscaping, etc.,*

- 2) *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, noise and dust impacts – help reduce noise impacts from processor, pave driveway, etc.),*
- 3) *proposed hours of operation should be understood,*
- 4) *traffic generating characteristics of the proposal should be considered, including, but not limited to the following: driveway location(s), building areas, storage areas, parking areas, driveway sight distances (i.e. they should meet American Association of State Highway and Transportation Officials – AASHTO recommendations) and on-site traffic circulation. Proposed on-site traffic circulation, building areas, display/storage areas and associated parking areas should be designed/developed in a manner that will provide safe pedestrian and vehicular interaction between those items as well as access to Fisher Road,*
- 5) *all necessary local, federal and state recommendations/regulations and approvals/permits must be obtained/complied with (e.g. NYS Department of Health, NYS Uniform Fire Prevention and Building Codes, NYS Department of Environmental Conservation – Phase II stormwater management and erosion and sediment control regulations, FEMA flood zone, etc.),*
- 6) *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),*
- 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 any on-site activity should be properly stored, handled and disposed of,*
- 9) *future plans (if any) for the total acreage should be considered (i.e. verify the ultimate scope of activity on this parcel) and*
- 10) *the applicant(s) should be aware that portions of the parcel may contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) as well as FEMA flood zone area (approximate mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations.*

Chairman Leaty opened the public hearing.

Chairman Leaty stated the Planning Board received a letter from a resident on Fisher Road who has concerns about traffic, noise and odor from the property.

Chairman Leaty would like to see signed site plan, MSDS sheet of dye for mulch and a breakdown of the mulch production for the November 14, 2018 meeting.

Mr. Coleman moved to adjourn the meeting, Ms. Wright seconded. Meeting adjourned at 8:25pm.

Gerald Smith voted - Aye
 Stephen Leaty voted - Aye
 Jason Coleman voted - Aye
 Michelle Wright voted - Aye
 Dorothy Constable voted - Aye
 Vote 5 Ayes, 0 Nays. MOTION CARRIED

Adopted by the Planning Board on October 9, 2018.

Beth Hart
 Planning Board Secretary