

DRAFT...DRAFT...DRAFT...

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order at 7:00 p.m. on Thursday, February 04, 2010. All members were present. Chairman Spira read the agenda aloud and welcomed everyone.

APPROVE JANUARY 7, 2010 MINUTES

Chairman Spira read over the minutes of the January 7, 2010 Planning Board meeting. With no additions or corrections, Anthony Collard made a motion to approve the minutes as submitted. Tom Oddy seconded the motion. All in favor; motion unanimously carried.

VICTORIA ORSI PUBLIC HEARING

Chairman Spira read the following Public Hearing Notice:

Subdivision request of **Victoria Orsi**, 1833 Youngstown-Lockport Road, Ransomville to subdivide her property at 3421 East Avenue, Youngstown. Beginning at a point in the centerline of East Avenue at a distance of 1440.60 feet southerly from the intersection of the north line of Lot 31 with said centerline of road, as measured along said centerline; thence easterly at an exterior angle of 88 degrees, 59 minutes, 36 seconds a distance of 33.01 feet to the east line of East Avenue, said point being the principal point of place of beginning; thence continuing easterly a distance of 699.35 feet to a point; thence southerly at an interior angle of 89 degrees, 18 minutes, 40 seconds a distance of 133.05 feet to a point; thence westerly at an interior angle of 91 degrees, 16 minutes, 20 seconds a distance of 700.25 feet to the east line of East Avenue; thence northerly and along said road line a distance of 140.19 feet to the principal point or place of beginning, containing 2.19 acres of land, being the same more or less. This parcel is known as tax map no. 45.00-1-37.11.

Fred Gibson and Brett Gibson have been given permission to represent Ms. Orsi in the subdivision request. Fred Gibson explained the action that is being requested. This is a request to subdivide 12' X 700' from Ms. Orsi's lot and attach it to Brett Gibson's property. There is a driveway that Mr. Gibson has been using that belongs to Ms. Orsi. This action will give Mr. Gibson ownership of the driveway property. With no questions or comments from the Planning Board or audience, Donald McCollum made a motion to close the Public Hearing portion of the meeting. Jipp Ortiz seconded the motion. All in favor. Motion unanimously carried.

Chairman Spira read a letter from CRAWorld Associates. Based upon their field observations and review of available information, the subdivision will not have an adverse impact on the existing Town drainage system. It is noted that a portion of the lot is within the National Wetlands Inventory. However, this item is not expected to have an impact on the proposed action.

Chairman Spira read the SEQR form and completed the back section on behalf of the Planning Board. Anthony Collard made a motion that based on the information and analysis provided the proposed action will not result in any significant adverse environmental impacts. Jipp Ortiz seconded the motion. All in favor. Motion unanimously carried.

Jipp Ortiz made a motion to approve this subdivision request as presented. Tom Oddy seconded the motion. A roll call vote resulted in the following: Jipp Ortiz, yes; Anthony Collard, yes, Donald McCollum, yes; Tom Oddy, yes; Chairman Spira, yes. Motion unanimously carried.

BRETT GIBSON PUBLIC HEARING

Chairman Spira read the following Public Hearing Notice:

Subdivision request of **Brett Gibson**, 3431 East Avenue, Youngstown to subdivide his property at 3431 East Avenue. Beginning at a point in the centerline of East Avenue at a distance of 1581.13 feet southerly from the intersection of the north line of Lot 31 with said centerline of road, as measured along said centerline; thence easterly at an exterior angle of 88 degrees, 24 minutes, 35 seconds a distance of 33.01 feet to the east line of East Avenue, said point being the principal point of place of beginning; thence continuing easterly a distance of 700.25 feet to a point; thence southerly at an interior angle of 88 degrees, 43 minutes, 40 seconds a distance of 111.99 feet to a point; thence westerly at an interior angle of 91 degrees, 16 minutes, 20 seconds a distance of 700.88 feet to the east line of East Avenue; thence northerly and along said road line a distance of 112.0 feet to the principal point or place of beginning, containing 1.80 acres of land, being the same more or less. This parcel is known as tax map no. 45.00-1-37.12

This is a request to combine two parcels into one in order to have ownership of the driveway Mr. Gibson uses (that currently belongs to Ms. Orsi).

Chairman Spira read a letter from CRAWorld Associates. Based upon their field observations and review of available information, the subdivision will not have an adverse impact on the existing Town drainage system. It is noted that a portion of the lot is within the National Wetlands Inventory. However, this item is not expected to have an impact on the proposed action.

Chairman Spira read the SEQR form and completed the back section on behalf of the Planning Board. Donald McCollum made a motion that based on the information and analysis provided the proposed action will not result in any significant adverse environmental impacts. Tom Oddy seconded the motion. All in favor. Motion unanimously carried.

Anthony Collard made a motion to approve this subdivision request to combine two parcels as presented. Jipp Ortiz seconded the motion. A roll call vote resulted in the following: Jipp Ortiz, yes; Anthony Collard, yes, Donald McCollum, yes; Tom Oddy, yes; Chairman Spira, yes. Motion unanimously carried

CODE ENFORCER REPORT

Roy Rogers presented his reports for the month of January. No building permits were issued this past month.

Susan Driscoll, Assistant Assessor, presented a proposal from Barbara Oakes regarding changing the process for merging property together when the parcels are contiguous and owned by the same person. Chairman Spira read from the subdivision law regarding the process currently in place. Discussion ensued regarding changing the way the process occurs presently. This will occur only if the same person owns both lots. One SBL number will be given to show that the parcels have been combined. A preliminary meeting and public hearing will still be required if this change is made. The only change to the current Public Hearing process will be that a deed will not need to be formally filed with the county.

Chairman Spira made a motion to approve the procedure outlined above and review the process in July, 2010 to see how it is working. Donald McCollum seconded the motion. All in favor; motion unanimously carried.

Ms. Driscoll reported that John Stevens applied for a subdivision a few years ago and never followed through with the filing of a deed. According the rules, he must come back to the Planning Board and pay \$40.00. The Planning Board approves of Mr. Stevens filing the deed and feels there is no need to come before the Planning Board in this matter.

ATTORNEY DOWD - no report

Anthony Collard reported that the Master Plan is still in the process of being completed.

Jipp Ortiz voiced concerns about Little Joe's Pizza Shop's relocation.

Chairman Spira requested that the April Planning Board meeting be changed to April 8, 2010.

With no further business to come before the Planning Board tonight, Jipp Ortiz made a motion to adjourn the meeting. Anthony Collard seconded the motion. All in favor. Motion unanimously carried. Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Pamela F. Parker, Secretary
Town of Porter Planning Board