

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order on Thursday, April 2, 2009 at 7:00 p.m. All Planning Board members were present. Chairman Spira read over tonight's agenda and added Radomski subdivision request.

### **APPROVE MARCH 5, 2009 MINUTES**

Chairman Spira read over the Minutes of the March 5, 2009 Planning Board meeting. Anthony Collard made a motion to approve the minutes as submitted. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried.

### **VIRGINIA PEARCE PUBLIC HEARING**

Chairman Spira read aloud the following Notice of Public Hearing  
Notice is hereby given that a Public Hearing will be held by the Planning Board of the Town of Porter, 3265 Creek Road, Youngstown, New York, on Thursday, April 2, 2009 at 7:00 p.m. for the purpose of considering and hearing all interested persons concerning the following: Subdivision request Virginia Pearce, 3597 Curtis Avenue, Ransomville, NY to combine two lots. These parcels are known as tax map no. 62.10.4-24 and 62.10.4-25.

Valerie Culverwell, daughter of Virginia Pearce, came forward to represent this request to combine two lots into one. There is a letter in the file giving Ms. Culverwell permission to represent her mother.

Chairman Spira read from the minutes of the March 5, 2009 Planning Board regarding this request at which time sketch plan approval was given.

With no comments or questions regarding this request, James McIntyre made a motion to close the Public Hearing portion of the meeting. Donald McCollum seconded the motion; all in favor; motion unanimously carried.

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

Chairman Spira read a letter dated March 18, 2008, from the Niagara County Department of Health, Environmental Health Division, regarding the construction approval of the septic system installation at 3597 Curtiss Avenue, Ransomville.

Anthony Collard made a motion to approve this request to combine two lots. Jipp Ortiz seconded the motion. A roll call vote resulted in the following: Jipp Ortiz, yes; Anthony

Collard, yes; James McIntyre, yes; Donald McCollum, yes; Chairman Spira, yes. Motion unanimously carried.

### **WILLIAM AND HEIDI PIPPARD SUBDIVISION REQUEST**

Heidi Pippard came before the Planning Board to request permission to combine two lots that she owns at 3608 Curtiss Avenue, Ransomville, in order to build a garage. James McIntyre made a motion that the Planning Board approves this request to combine two lots. Donald McCollum seconded the motion. All in favor; motion unanimously carried. Upon receipt of necessary documentation, a Public Hearing will be scheduled.

### **RADOMSKI SUBDIVISION REQUEST**

Robin Radomski came before the Planning Board to inquire about the possibility of subdividing a seventeen (17) acre parcel she owns on River Road, Youngstown. This property was formerly owned by Phyllis Hastings. The Radomski's purchased the property in May of 2008. In order to get a bank loan, the house must be separated from the acreage.

Ms. Radomski would like to subdivide the property into three parcels. One parcel would be the house and five acres that would maintain waterfront access, the second parcel would be the rental property and the third would be the vacant area in the back. The town has a drainage easement on the property. James McIntyre stated that the easement does not affect the boundary lines of the property. There are nine apartment buildings in the back that will require a driveway easement for access. Access needs to be determined so that everyone has ingress/egress to the property. A fifty-foot road frontage could be considered for the access to the back lots. There is a private sewer on the property.

The Planning Board recommends that the owner subdivide the parcel with the house on it at this time. The owner will then have time to decide about the remainder of the property at a later date.

Conceptually, the Planning Board approves of a sketch plan to subdivide the house and five acres from the seventeen-acre parcel. This will result in a two-lot subdivision.

### **GEORGE WINGER SUBDIVISION REQUEST**

Brian Winger, 1469 Sunrise Lane, came before the Planning Board to request a 100' X 200' subdivision of property from his father's property. Brian Winger would like to build a garage on this property. Brian Winger owns a house adjacent to the parcel being subdivided that is located on the other side of Sunrise Lane. Once the parcel has been subdivided from George Winger's property, his son, Brian, would request a variance

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from the Zoning Board of Appeals in order to build a garage on a lot that does not have a home on it.

The ownership of Sunrise Lane is in question. Is there a homeowner's association that has control of Sunrise Lane? Sunrise Lane is not a town-dedicated road.

James McIntyre made a motion that:

1. A subdivision by George Winger will be required to create a lot 100' X 200'.
2. After the subdivision has been approved, the applicant can request a variance from the Zoning Board of Appeals for the garage.

Anthony Collard seconded the motion. All in favor; motion unanimously carried.

## **ZONING BOARD OF APPEALS**

### **S & K RACING-Go-karts**

The Planning Board recommends that the Zoning Board of Appeals approve the request of S & K Racing to renew their permit for go-kart racing as requested.

### **S & K Racing-Motor Vehicles**

The Planning Board recommends that the Zoning Board of Appeals approve the request of S & K Racing to renew their permit for motor vehicle racing.

## **ZONING MANUAL REVIEW**

A work session is scheduled for Thursday, April 23, 2009 at 7:00 p.m. for the purpose of reviewing the Zoning Manual.

## **CODE ENFORCER ROY ROGERS REPORT**

Roy Rogers submitted three reports for the month of March for review; an order of violation report, a building permits issued report and a building department report.

With no further business to come before the Planning Board, Anthony Collard made a motion to adjourn the meeting. James McIntyre seconded the motion. All in favor; motion unanimously carried. Meeting adjourned at 8:30 p.m.

Respectfully submitted

Pamela F. Parker Secretary  
Town of Porter Planning Board