

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order at 7:00 p.m., Thursday, July 1, 2013. Donald McCollum was absent. Chairman Spira read over the agenda for tonight's meeting and added Fred Bruening's request to subdivide his property and Michael Olivero, 3135 Ransomville Road, Ransomville to merge two parcels into one.

### **APPROVE JUNE 6, 2013 PLANNING BOARD MINUTS**

Chairman Spira read over the minutes of the June Planning Board meeting. With no additions or corrections the minutes were approved as read; so moved Anthony Collard, second Jipp Ortiz. With all in favor the motion was unanimously carried.

### **PATRICK WALKER PUBLIC HEARING**

Chairman Spira read aloud the following Notice of Public Hearing:

#### **Subdivision request of Pat and Dawn Walker, 1495 Youngstown-Lockport Road, Youngstown, NY.**

All that tract or parcel of land situate in the Town of Porter, County of Niagara, and State of New York, being part of Lots 15 and 16, Township 15, Range 9, of the Holland Land Purchase so called and being further described as follows; beginning at a point in the centerline of Youngstown-Lockport Road, 175 feet northwesterly from the east line of lot 15; thence northerly 260 feet, on a line forming an interior angle of 76°41'51", and parallel to the east line of lots 15 and 16, thence 170.31 feet to the east line of lot 16; thence northerly 50 feet, along the said east line of lot 16; thence westerly 220.31 feet on the line forming an interior angle of 90° to a point; thence southerly 298.17 feet parallel to the east lines of lot 15 and 16 to the centerline of Youngstown-Lockport Road; thence southeasterly 51.38 feet along said centerline to the point of beginning. This parcel contains 0.54 acres more or less and is known as tax map no. 46.00-2-16.

This request was discussed at a previous Planning Board meeting and approval of the concept was given. Surveys were presented. This is a request to subdivide a parcel of property from Patrick Walker and attach it to the neighbor's property (Richard Parson) in order for Mr. Parson to build a garage. With no comments or questions from the audience or Planning Board members Jipp Ortiz made a motion to close the Public Hearing portion of the meeting. Anthony Collard seconded the motion. With all in favor the motion was unanimously carried.

There is a letter from Conestoga-Rovers & Associates that states the subdivision will not have an adverse impact on the existing drainage system of the town.

Chairman Spira read the Short Environmental Assessment Form Part I that is completed by the applicant. The Planning Board completed Part II – Impact Assessment. Thomas

Oddy made a motion that based on the information and analysis and supporting documentation the proposed action will not result in any significant adverse environmental impacts. Jipp Ortiz seconded the motion. With all in favor the motion was unanimously carried.

Anthony Collard made a motion to approve this two-lot subdivision request. Thomas Oddy seconded the motion. A roll call vote resulted in the following: Jipp Ortiz, yes; Anthony Collard, yes; Thomas Oddy, yes; Chairman Spira, yes. Motion unanimously carried.

### **ASSESSOR MERGE-Sandra & Michael Tuck**

The Planning Board approves the request of Sandra & Michael Tuck to merge two parcels on East Avenue (SBL#45.00-1-32.212 and 45.00-1-32.22).

### **ASSESSOR MERGE-Michael Olivero**

The Planning Board approves the request of Michael Olivero, 3135 Ransomville Road (48.00-1-15.1 and 48.00-1-15.2) to merge two parcels. There is a pond on one parcel that is ten (10) acres. In order to be a fish pond a permit from the Department of Environmental Conservation is required. This pond is considered a farm pond and will not require any permit from the town.

### **FRED BRUENING SUBDIVISION REQUEST**

Mr. Bruening came before the Planning Board to discuss the possibility of selling a piece of his property to a developer who is interested in opening a recreational park on the site. Mr. Bruening owns over one hundred forty (140) acres. There is a house and barn on the property. Mr. Bruening submitted a rough drawing of his property and explained what the developer hopes to do. A campground/Recreational vehicle park with a pond for recreation is being considered. This will not be a mining project. Eventually cabins will be added to the park. The park will consist of approximately one hundred (100) acres. The entrance to the park will be from Lutts Road. Forty-four (44) acres will be maintained for the Bruening home.

This is in a Rural Agricultural zone. This is a permitted use and will require a site plan. There is eight hundred (800) feet frontage on Lutts Road. Code Enforcer Roy Rogers provided the Zoning Law regarding this campground.

The Planning Board read over the camping grounds requirements from Section 29, page 39 of the town's Zoning Law. The developer was advised by the Planning Board to read over the requirements set forth in the Zoning Law and come back with a detailed drawing that includes the number of units, layout, laundry facilities, restrooms, etc..

The Planning Board is very receptive to development in the town and encouraged the developer to move forward with the project.

## **CODE ENFORCER/BUILDING INSPECTOR REPORT**

Roy Rogers submitted his monthly reports and the Planning Board discussed the progress Mr. Rogers is making now that he is working full time. The Planning Board is very encouraged with the work Mr. Rogers is doing.

## **LANDLOCKED PARCELS IN THE TOWN**

Assessor Susan Driscoll gave an update on the progress that has been made regarding the landlocked parcels in the town. Four letters were sent out last month by the Planning Board. One response was received. The one response indicated that they are not interested in combining their property at this time.

After much discussion the Planning Board has decided not to pursue the matter of landlocked parcel in the town until further notice.

## **ATTORNEY MICHAEL DOWD REPORT**

Michael Dowd reported that the vote for the Recreation Center will be held July 15.

Chairman Spira read a letter the Planning Board sent to Josh Stack of Boatworks regarding the noncompliance of the permit he was issued.

With no further business to come before the Planning Board tonight Thomas Oddy made a motion to adjourn the meeting. Anthony Collard seconded the motion. With all in favor the motion was unanimously carried. Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Pamela F. Parker, Secretary  
Town of Porter Planning Board