

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, December 2, 2010. All members were present. Chairman Spira welcomed everyone and read over the agenda for tonight's meeting.

APPROVE NOVEMBER 11, 2010 MINUTES

The minutes of the November 11, 2010 Planning Board meeting were discussed. On page 2, under Ben Sutherland/Laurene Buckley, Mr. Buckley should be changed to Mr. Sutherland; in paragraph one line 3 and paragraph 2 line 3. Thomas Oddy made a motion to approve the minutes of the November 11, 2010 Planning Board as revised. Donald McCollum seconded the motion. All in favor; motion unanimously carried.

FAITH INCORVAIA AND PHILIP INCORVAIA PUBLIC HEARING

Chairman Spira read the following Notice of Public Hearing.
Subdivision request of Faith Incorvaia and Philip J. Incorvaia to subdivide their property at 3914 Creek Road, Youngstown, NY.

Parcel A: Beginning at a point on the east line of lot 29 (said east line of lot 29 being the centerline of Creek Road) said point being the southeast corner of lands conveyed to Incorvaia by deed filed in the Niagara County Clerks Office on May 22, 1987 in Liber 2060 of Deeds at page 292. Running thence northerly along the east line of lot 29, 100.0 feet to a point. Running thence westerly forming an interior angle of 89 degrees, 49 minutes, 12 seconds, 533.92 feet to point. Running thence southwesterly forming an interior angle of 126 degrees, 19 minutes, 20 seconds, 124.11 feet to a point. Said point being the southwest corner of the lands conveyed to Incorvaia by deed 2060 at page 292. Running thence easterly forming an interior angle of 53 degrees, 40 minutes, 40 seconds, 607.12 feet to the point or place of the beginning.

Parcel B: Beginning at a point on the east line of lot 29 (said east line of lot 29 being the centerline of Creek Road) said point being 100 feet measured north from the southeast corner of lands conveyed to Incorvaia by a deed filed in the Niagara County Clerk's Office on May 2, 1987 in Liber 2060 of Deeds at page 292. Running thence northerly along the east line of lot 29, 259.04 feet to a point. Running thence westerly forming an interior angle of 89 degrees, 49 minutes, 12 seconds 123.91 feet to a point; Running thence southerly forming an interior angle of 90 degrees, 10 minutes, 48 seconds, 435.0 to a point. Running thence southwesterly forming an exterior angle of 143 degrees, 51 minutes, 27 seconds 167.72 feet to a point. Running thence easterly forming an interior angle of 53 degrees, 40 minutes, 40 seconds, 533.92 feet to the point or place of beginning.

Parcel C: Beginning at a point on the east line of lot 29 (said east line of lot 29 being the centerline of Creek Road) said point being 359.04 feet measured north from the southeast corner

of lands conveyed to Incorvaia by deed filed in the Niagara County Clerks Office on May 22, 1987 in Liber 2060 of Deeds at page 292. Running thence northerly along the east line of lot 29, 100.0 feet to a point. Running thence westerly forming an interior angle of 89 degrees, 49 minutes, 12 seconds, 435.0 feet to a point. Running thence southerly forming an interior angle of 90 degrees, 10 minutes, 48 seconds, 100 feet to a point. Running thence easterly forming an interior angle of 89 degrees, 49 minutes, 12 seconds, 435.0 feet to the point or place of beginning.

Parcel D: Beginning at a point on the east line of lot 29 (said east line of lot 29 being the centerline of Creek Road) said point being 459.04 feet measured north from the southeast corner of lands conveyed to Incorvaia by deed filed in the Niagara County Clerks Office on May 22, 1987 in Liber 2060 of Deeds at page 292. Running thence northerly along the east line of lot 29, 100.0 feet to a point. Running thence westerly forming an interior angle of 89 degrees, 49 minutes, 12 seconds, 435.0 feet to a point. Running thence southerly forming an interior angle of 90 degrees, 10 minutes, 48 seconds 100.0 feet to a point. Running thence easterly forming an interior angle of 89 degrees, 49 minutes, 12 seconds, 435.0 feet to the point or place of beginning.

This is a request for to subdivide four lots at 3914 Creek Road, Youngstown, near Calkins Road. Both Faith Incorvaia and Philip Incorvaia were at the meeting to represent this request. There is a home on Parcel B which is 2.89 acres. Parcel C and Parcel D are 0.88 acres each and Parcel A is 1.33 acres. With no questions from the Planning Board members or audience, Anthony Collard made a motion to adjourn the Public Hearing portion of the meeting. Thomas Oddy seconded the motion. All in favor; motion unanimously carried.

Chairman Spira read the Short Environmental Assessment Form and completed Part II, the Impact Assessment, on behalf of the Planning Board. Thomas Oddy made a motion that, based on the information and analysis the proposed action will not result in any significant adverse environmental impacts. Donald McCollum seconded the motion. All in favor; motion unanimously carried.

Chairman Spira read an email from CRAWorld, the town engineers. Based upon a review of available maps, the proposed four-lot subdivision will not have an adverse impact to drainage patterns associated with the neighboring properties or to the town drainage system.

Chairman Spira read a letter from Clarence Burkwit, P.E. regarding the percolation tests that were preformed in June, 2008. Sand filter disposal systems are recommended for the parcels being subdivided.

Thomas Oddy made a motion to approve this four-lot subdivision as presented. Donald McCollum seconded the motion. A roll call vote resulted in the following: Mr. Ortiz, yes; Mr. Collard, yes; Mr. McCollum, yes; Mr. Oddy, yes; Chairman Spira, yes. Motion unanimously carried.

JILL HESSINGER, 1107 CAIN RD., YOUNGSTOWN SUBDIVISION REQUEST

This is a request to subdivide parcel 60.00-1-41.1 into two parcels, then combine the new second parcel with her home (1107 Cain Road) with parcel 60.00-1-41.2. Ultimately, there will be a new lot created at 3545 Creek Road and the 1107 Cain Road lot will be enlarged. Anthony Collard made a motion to approve the preliminary sketch plan as presented tonight. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried.

ZONING BOARD OF APPEALS REFERRALS

Richard and Jeanette Engel, c/o Forbes Homes, 470 Cheektowaga, are requesting an area variance of 1.34 feet side set. This is a single-family dwelling located at 2161 Lake Road, Ransomville. The house that is being requested will need a side set variance. The current plans show 13.66 feet on each side of the dwelling; fifteen feet is needed according to town law. There is sufficient set back of the house from the high bank of Lake Ontario.

The Planning Board recommends that the Zoning Board of Appeals approve this request for an area variance.

COBELLO/INCORVAIA

Mr. & Mrs. Cobello, Lake Road, came before the Planning Board to discuss a fence that has been built along their west lot line. Phil Incorvaia, owner of the parcel next to Mr. & Mrs. Cobello, built the fence and planted several trees along the fence. Mr. Incorvaia stated he put up the fence because he was concerned about a bilco door on the Cobello property that is very close to the lot line. The fence is four feet high and a building permit for the fence was obtained from Roy Rogers, the Building Inspector for the town. Roy Rogers stated that everything Mr. Incorvaia has done meets town specifications on both properties. Chairman Spira told Mr. & Mrs. Cobello that there is not anything that the Planning Board can do regarding this issue. He recommended that Mr. & Mrs. Cobello contact the Town Board regarding this matter.

TOWN ATTORNEY DOWD – nothing to report

CODE ENFORCER ROY ROGERS

Mr. Rogers completed his monthly reports and went over them with the Planning Board

Chairman Spira spoke about the new zoning law that has recently been approved by the Town Board. The next regular meeting of the Planning Board will be held on Thursday, January 6, 2011.

Respectfully submitted,

Pamela F. Parker, Secretary
Town of Porter Planning Board