PLANNING BOARD
TOWN OF PORTER
3265 Creek Road • Youngstown, New York 14174 • (716) 745-3730 • Fax (716) 745-9022

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order at 7:00 p.m. Thursday, June 5, 2014. Chairman Spira read over the agenda for tonight's meeting. Peter Jeffrey is joining the Planning Board as a new member to replace Donald McCollum. Peter has been a member of the Zoning Board of Appeals for several years and the Planning Board is lucky to have him join our board.

FRED BRUENING PUBLIC HEARING

Chairman Spira read 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, June 5, 2014 at 7:00 p.m. for the purpose of considering and hearing all interested persons concerning the following:

Subdivision request of Fred Bruening, 1472 Youngstown-Lockport Rd., Youngstown, NY to subdivide his property:

New Lot 100

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Porter, County of Niagara and State of New York. Being part of Lot 15, Township 15, Range 9 of the Holland Land Company's survey and more particularly bounded and described as follows: Commencing at a point along the centerline of Lutts Road (also being the west line of Lot 15), 817.52 feet northerly from the southwest corner of Lot 15 measured along said centerline; running thence easterly at an interior angle of 90°-09'-58" from the previous course, a distance of 2,358.33 feet to a point; running thence northerly at an interior angle of 89°-50'-02" from the previous course, a distance of 788.21 to a point; running thence westerly at an interior angle of 90°-13' from the previous course, a distance of 1,050.25 feet to a point; running thence northerly at an exterior angle of 90°-13' from the previous course, a distance of 999.92 feet to a point; running thence westerly at a right angle to the previous course, a distance of 755.00 feet to a point; running thence southerly at a right angle to the previous course, a distance of 997.38 feet to a point; running thence westerly at an exterior angle of 89°-47' from the previous course, a distance of 553.08 feet to a point along the centerline of said Lutts Road, running thence southerly at an interior angle of 89°-50'-02" from the previous course, a distance of 788.21 feet to the point or place of beginning of this description. Area: 59.98 Acres ±

New Lot 110

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Porter, County of Niagara and State of New York. Being part of Lot 15, Township 15, Range 9 of the Holland Land Company's survey and more particularly bounded and described as follows: Commencing at point along the west line of Lot 15 (also being the centerline of Lutts Road), 3,934.68 feet northerly from its intersection with the centerline of Cain Road, measured along said west line of Lot 15; running thence easterly at an angle of 90°-09'-58" in the northeast quadrant along the north line of Lot 15, a distance of 810.68 feet to the true point of beginning; running thence easterly along said north line of Lot 15 a distance of 497.40 feet to a point; running thence southerly at an interior angle of 90°-09'-58", a distance of 1357.84 feet to a point; running thence westerly at an angle of 90°, a distance of 755.00 feet to a point; running thence northerly at an angle of 90°, a distance of 1024.45 feet to a point; running thence easterly at an interior angle of 88°-52'-55", a distance of 201.02 feet to a point; running thence northerly at an exterior angle of 88°-44'-35", a distance of 197.78 feet to a point; running thence easterly at an interior angle of 90-10'-10", a distance of 46.56 feet to a point; running thence northeasterly at an exterior angle of 94°-35'-28", a distance of 141.12 feet to the point or place of beginning of this description. 30' wide ingress-egress easement and right-of-way provides access to new lot 110 from Youngstown-Lockport Road and is described in Liber 1624 of Deeds at page 325, filed in the N.C.C.O. on October 2, 1978. 21.83 Acres ±

New Lot 120

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Porter, County of Niagara and State of New York. Being part of Lot 15 & 16, Township 15, Range 9 of the Holland Land Company's survey and more particularly bounded and described as follows:Commencing at point in the centerline of Youngstown-Lockport Road (f/k/a Molyneux Road) 2,420.94 feet southeasterly of the intersection of west line of Lot 16 (also being the centerline of Lutts Road) and the centerline Youngstown-Lockport Road, measured along said centerline; running thence southerly at an exterior angle of 76°-56'-27", a distance of 176.53 feet to a point along the south line of Lot 16; running thence southerly along the same course as the last, a distance of 2,535.53 feet to a point; running thence westerly at an exterior angle of 90°-13', a distance of 1050.25 feet; running thence northerly at an interior angle of 90°-13', a distance of 999.92 feet to a point along the south line of Lot 16; running thence easterly at an exterior angle of 90°-09'-58" and along said south line of Lot 16, a distance of 711.64 feet to a point; running thence southerly at an interior angle of 90°-09'-58", a distance of 627.50 feet to a point; running thence easterly at an exterior angle of 90°-17'-56", a distance of 628.21 feet to a point; running thence easterly along the south line of Lot 16, a distance of 32.56 feet to a point; running thence northerly at an exterior angle 89°-50'-02", a distance of 179.60 feet to a point along the centerline of said Youngstown-Lockport Road; running thence southeasterly along said centerline of Youngstown-Lockport Road, a distance of 13.76 feet to the point or place of beginning of this description. 52.51 Acres ±

This property is known at tax map no. 60.00-1-8 and 60.00-1-9

Pamela F. Parker, Secretary
Town of Porter Planning Board

This is a request of Mr. Bruening to subdivide his property on 1472 Youngstown-Lockport Road, Youngstown, NY into three separate parcels. Susan Driscoll displayed the map of this request on the overhead projector. There were two parcels originally and the ultimate result will be three parcels. Mr. Fred Bruening came forward to explain this subdivision request to the Planning Board and audience. The Planning Board has looked at this request in the past. The three parcels consist of 59.98 acres that belong to David Erway, 52 acres belonging to Fred Bruening and 21 acres belonging to Diane Bruening. There is an easement on the property for town drainage.

Six residents from the town came forward to look at this subdivision request and express their concern regarding this subdivision. Thomas Schultz, 1456 Youngstown-Lockport Road has four items of concern that he talked about. He stated that a drainage ditch has been filled in by Mr. Bruening and therefore his property does not drain properly. Other neighbors complained about the same issue. Chairman Spira recommended that the neighbors need to work this drainage issue out with the town. This situation has nothing to do with the subdivision request we are looking at tonight. Mr. Schultz is concerned about a Right-of way that Niagara Mohawk has/had with Mr. Bruening. Mr. Spira and Mr. Dowd stated that the Right-of-way agreement with Mr. Bruening has nothing to do with the Town of Porter. Mr. Schultz is concerned that not every property owner adjoining this subdivision request were notified of this Public Hearing tonight. Chairman Spira stated that the Notice was placed in the paper. Mr. Schultz has compared his survey with the deed description associated with this subdivision. He stated that the measurements do not match with his deed description. Chairman Spira said that the deed description cannot be resolved tonight. The boundary issue must be resolved through surveyors or the county deeds department.

The Planning Board will send a letter to Scott Hillman, town highway superintendent, Christian Amico, town engineer, the Town Board and Roy Rogers, code enforcer for the town of Porter.

Anthony Collard made a motion to reissue the Public Hearing Notice for the July 3, 2014 meeting. Public Hearing Notices will be sent to the surrounding property owners. Jipp Ortiz seconded the motion. With all in favor the motion was unanimously carried.

RON MARTIN SUBDIVIDISON REQUEST

Ron Martin came before the Planning Board to inquire about the process required to subdivide property he owns at 2365 Youngstown-Wilson Road, Ransomville. Mr. Martin is interested in subdividing this property into three parcels and will sell the lot in the middle. The lot on the east side will be 150 feet of frontage, the middle lot will have 150 feet of frontage and has a house on it, and the lot to the west will have 197 feet of frontage. The depth of each parcel will be approximately 300 feet. Mr. Martin stated that if the deal to sell the parcel with the house on it fails, he will not go through with the subdivision request. The Planning Board approves of this concept.

MISCELLANEIOUS ITEMS

Chariman Spira read a letter from the Riverkeeper of Buffalo/Niagara. Chairman Spira read a notice from Waste Management regarding Notice of Completion of Application RMU2.

Everyone is reminded of the training session that will be held at 6:00 p.m., Thursday, June 12, 2014 at the Town Hall. This training is required by New York State.

With no further business to come before the Planning Board Thomas Oddy made a motion to adjourn the meeting. Peter Jeffrey seconded the motion. With all in favor the motion was unanimously carried the meeting adjourned at 8:10 p.m.

Respectfully submitted,
Pamela F. Parker, Secretary
Town of Porter Planning Board