

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order at 7:00 p.m. on Thursday, July 6, 2006. James McIntyre and Gary Myers were absent. Chairman Spira read over the agenda for tonight's meeting and added the subdivision requests of Eugene Smith, Cleland Truesdale, Donald Larabee and Will Cammack.

RICHARD AND DEANN BURNS PUBLIC HEARING

Chairman Spira read the following Notice of Public Hearing:

Subdivision request of Richard K. Burns and Deann Q. Burns to combine their property at 2012 Youngstown-Lockport Road, Ransomville, NY

Beginning at a point in the centerline of Youngstown-Lockport Road, said point being 605.47 feet northwesterly of the east line of Lot 3, measured along the centerline of Youngstown-Lockport Road. Thence northwesterly along the centerline of Youngstown-Lockport Road 56.0 feet to an angle point in said Road. Thence northwesterly, at a clockwise angle of 174 degrees, 26 minutes, along the centerline of Youngstown-Lockport Road, 144.0 feet. Thence southerly, parallel with the east line of Lot 3, 754.23 feet, to the south line of land conveyed to Frank Baker and Grace Baker, his wife, by deed recorded in the Niagara County Clerk's Office in liber 673, at page 101. Thence southeasterly, along the south line of said Baker's land, 194.68 feet. Thence northerly, parallel with the east line of Lot 3, 726.52 feet to the centerline of Youngstown-Lockport Road and to the point of beginning, containing 3.30 acres, more or less.

These parcels are known as tax map no. 47.04-1-26 and 47.04-1-27.

Mr. & Mrs. Burns would like to combine their two lots on Youngstown-Lockport Road into one lot. There is a house that has been built on portions of both lots; therefore the lots need to be made into one parcel. Chairman Spira asked if there were any comments or questions from the Planning Board members or the audience. With none, Anthony Collard made a motion to close the Public Hearing portion of the meeting. Douglas Canfield seconded the motion. All in favor; motion unanimously carried.

Chairman Spira read over the Short Environmental Assessment form that Mr. & Mrs. Burns submitted. Chairman Spira completed the back section on behalf of the Planning Board. Jipp Ortiz made a motion that, based on the information and analysis presented; the proposed action will not result in any significant adverse environmental impacts. Donald McCollum seconded the motion. All in favor; motion unanimously carried.

There is no letter from CRAWorld Engineering regarding the drainage; therefore approval will be contingent upon receipt of such approval.

Anthony Collard made a motion to approve this request to combine two lots as presented, contingent upon approval with respect to drainage from CRAWorld Engineering. Douglas Canfield seconded the motion. A roll call vote resulted in the following: Anthony Collard, yes; Douglas Canfield, yes; Donald McCollum, yes; Jipp Ortiz, yes; Chairman Spira, yes. Motion unanimously carried.

EUGENE SMITH SUBDIVISION REQUEST

Eugene Smith came before the Planning Board with a drawing to subdivide a vacant lot he purchased a year ago that is next to his house. Mr. Smith lives at 1809 Youngstown-Wilson Road. The lot to be subdivided is 100' by 300'. He would like to split the lot in two and attach half to his lot and sell the other half to his neighbor, George Brown to be attached to his lot. Two surveys will need to be submitted, one for each new parcel being created. Jipp Ortiz made a motion to approve this sketch plan as presented. Anthony Collard seconded the motion. All in favor; motion unanimously carried.

DONALD LARABEE SUBDIVISION REQUEST

Donald Larabee came before the Planning Board to inquire about subdividing his property on the north side of Lake Road. Mr. Larabee would like to combine two parcels into one in order to build a house on the combined lots. Lot 1 is 130' by 88' and Lot 2 is 54' by 200'. This property is located near Harrison Lane.

Mr. Larabee was advised to contact the Building Inspector for the town in order to determine placement of the new house on the combined lots. Karen Wieland-Schmidt cautioned Mr. Larabee to be sure of the set backs required by town zoning law before moving ahead with the project.

Michael Dowd reminded Mr. Larabee that once two substandard lots are combined the town would not allow them to be uncombined. Therefore, when a standard lot is created by the combining of two substandard lots, it cannot be undone. Given this information, Mr. Larabee will think this request over. The Planning Board will hold off on the approval of this request at this time.

CLELAND TRUESDALE SUBDIVISION REQUEST

Cleland Truesdale owns four parcels of land on Lutts Road and Youngstown-Wilson Road. He would like to subdivide the parcel referred to as "B" on the drawings he presented. The tax map number for this parcel is 46.00-2-19.1. This parcel is naturally divided into two sections by Youngstown-Lockport Road. There is a 30 foot easement on the property and a 66 foot right-of-way. Mr. Truesdale would like sketch plan approval to separate "Lot B" into two parcels. Anthony Collard made a motion to approve this two-lot subdivision request as presented. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried.

WILL CAMMACK/TOM HOGAN SUBDIVISION REQUEST

Will Cammack owns the old railroad right-of-way from Balmer Road to Dickersonville Road. Tom Hogan owns a lot on Dickersonville Road next to the right-of-way that he would like to develop. In order for the old railroad right-of-way to be attached to Mr. Hogan's property, Mr. Cammack must subdivide a portion of the right-of-way and it will be attached to Mr. Hogan's property.

A survey of the new parcel (including the old railroad right-of-way) needs to be submitted in order to move ahead with this request to combine two parcels. Anthony Collard made a motion to approve this sketch plan as submitted for two parcels to be joined into one. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried.

ATTORNEY MICHAEL DOWD REPORT

Town Attorney Michael Dowd reported he has had a conversation with Steve Doleski, Region 9 Plan Administrator for State Historic Preservation Office (SHIPO), as well as with Mr. Plumbo, attorney representing Jedidiah. Jedidiah is working on the full environmental impact statement. Mr. Dowd is organizing a meeting with Mr. Doleski and various town representatives to get a feeling for what the project is going to entail.

Chairman Spira read from the June 1, 2006 Planning Board minutes regarding the Jedidiah development on Lake Road. Chairman Spira asked if a letter has been sent out in order to have the Town of Porter Planning Board named as lead agency for a coordinated review. Rob Lannon, Town of Porter engineer, representing CRAWorld Engineering, stated that he is waiting for corrected revisions to Part 1 of the Environmental Assessment form before moving ahead with lead agency status for the town.

Once the lead agency letter has been sent out the town has thirty (30) days to respond.

Chairman Spira read a letter Robert Slaven sent to the Town Board regarding the denial of his application for rezoning in the Town of Porter.

Chairman Spira spoke about letters that he has received regarding the implementation committee.

Chairman Spira read a letter from Bill Rolland, town of Porter resident, regarding the Jedidiah project.

Bill Choboy spoke about a good meeting he had recently. The final will be presented to the Town Board on Monday night. The next meeting of the committee will be held on July 29.

Bill Rolland spoke about the web site that the town hosts. He would like to have the Planning Board minutes and agenda available on the web site. Mrs. Parker will check with the town office regarding the implementation of this request. Supervisor Wiepert has indicated that the minutes of the meeting should be posted ten (10) days after the meeting.

Chairman Spira read a letter from the New York Department of Environmental Conservation regarding a proposal for a fifty (50) acre landfill CWM is requesting. This

is an RMU-2 zoned area. The meeting will be held on Wednesday, July 26, 2006 at 2:00 p.m. and 6:30 p.m.

ZONING BOARD OF APPEALS REFERRALS

Thomas & Roland Bradley are requesting to renew their current special permit to park and maintain trucks at 3028 Ransomville Road, Ransomville. The current permit expires and was granted for ten (10) years. The Planning Board has no problem with this request and recommends that the Zoning Board of Appeals **approve** this request.

Terry Lewis, 2094 Youngstown-Lockport Road, Ransomville is requesting a variance to put up a six (6) foot fence in her yard. Chairman Spira read a letter from the applicant regarding this request. The Planning Board has no problem with this request and recommends that the Zoning Board of Appeals **approve** this request providing the neighbors do not object.

With no further business to come before the Planning Board tonight, Jipp Ortiz made a motion to adjourn the meeting. Anthony Collard seconded the meeting. Motion unanimously carried. Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Pamela F. Parker, Secretary
Town of Porter Planning Board