



# PLANNING BOARD TOWN OF PORTER

3265 Creek Road • Youngstown, New York 14174 • (716) 745-3730 • Fax (716) 745-9022

**Thursday, December 7, 2023**

The regular meeting of the Town of Porter Planning Board was called to order at 7:00 p.m. with the Pledge to the Flag. Chairperson Fox asked for remembrance on Pearl Harbor Day.

Present: Chairperson Mark Fox, Vice Chairperson Jeffrey Schulze, Member J. Anthony Collard, Member Robert Tower, Member Ryan Ross, Code Enforcer Peter Jeffery, Planning Board Secretary Amy Beaudreau.

Attending virtually: Attorney Michael Dowd

## **Public Hearing for Michael Dowd, 3230 Creek Road, Youngstown for a Two-Family Dwelling in an RA Zoning District.**

Michael Dowd was present virtually to represent the application.

Chairperson Fox read the public hearing notice. A motion to open the public hearing was made by Member Collard and seconded by Member Tower. All in favor, motion carried.

Chairperson Fox stated that the plan is the same as the Sketch Plan approved previously and that the use is permitted with Site Plan approval. Code Enforcer Jeffery stated that the plan is for a 2-unit apartment in the same footprint of the current barn with parking to the north of the building. Each unit will have an outdoor patio.

Member Collard asked if the home lot is already a separate land and Attorney Dowd confirmed.

Chairperson Fox asked for comments or questions from the public. With none, a motion to close the public hearing was made by Vice Chairperson Schulze and seconded by Member Ross.

It was asked if a variance would be needed and Code Enforcer Jeffery stated that no variance would be required.

A motion was made to approve the Site Plan as presented by Member Collard and seconded by Member Tower.

With no further discussion, roll was called.

Chairperson Fox: Yes

Vice Chairperson Schulze: Yes

Member Collard: Yes

Member Tower: Yes

Member Ross: Yes

Motion carried.

**Sketch Plan Review for Alyssa and Jeffrey Schubert, vacant parcel on Porter Center Road between Lockport Road and Braley Road, Youngstown; Tax Map 47.00-1-26.111 for a Minor Subdivision.**

Alyssa and Jeffrey Schubert were present to represent the application.

Code Enforcer Jeffery displayed the subdivision request. Mr. Schubert explained that they would like to subdivide and sell a 300-foot by 370-foot piece of land from a parent parcel of 28-acres. Code Enforcer Jeffery stated that all minimum requirements are met.

The Members agreed this application was clear and concise. A motion to approve the Sketch Plan as presented was made by Member Tower and seconded by Vice Chairperson Schulze.

With no further discussion, roll was called.

Chairperson Fox: Yes

Vice Chairperson Schulze: Yes

Member Collard: Yes

Member Tower: Yes

Member Ross: Yes

Motion carried.

**Sketch Plan Review for Kristin and Todd Savard, property at the end of Lynbrook Drive and Brentwood Drive, Youngstown; Tax Map 59.19-1-1 through 59.19-1-21 and 59.19-1-22 for a Minor Subdivision/Subdivision Consolidation.**

Kristen Savard was present to represent the application.

Code Enforcer Jeffery displayed the Sketch Plan for the application.

After a brief discussion on the abandonment of the Town Road adjacent to Ms. Savard's property, it was determined that the abandonment would be discussed outside of this application as it does not have an impact on her Minor Subdivision plans.

Ms. Savard explained that she wants to abandon the lot lines of previously subdivided property at the end of Lynbrook and Brentwood Drive to recreate one large parent parcel. Then she would like to subdivide an approximate 5-acre parcel from the parent parcel to sell as a building lot.

A lengthy discussion ensued to determine if a variance would be needed for the Minor Subdivision to allow a buildable lot because of the road frontage. Code Enforcer Jeffery and Attorney Dowd are in agreement that a variance would not be needed as Mrs. Savard's property has a total of approximately 160 feet road

frontage. Minimum road frontage is 125-feet. Code Enforcer Jeffery stated that if Ms. Savard applied for a building permit for this parcel he would issue the permit as it meets all code requirements.

Attorney Dowd stated that the only stipulation he would suggest is that the subdivision abandonment be completed prior to the Minor Subdivision approval.

Chairperson Fox stated he was comfortable moving forward with the application based upon the discussion.

A motion to approve the Sketch Plan as presented with the condition that the abandonment of the prior subdivision/lot lines be complete prior to the applicant's Minor Subdivision being approved. This motion was made by Member Collard and seconded by Member Tower.

With no further discussion, roll was called.

Chairperson Fox: Yes

Vice Chairperson Schulze: Yes

Member Collard: Yes

Member Tower: Yes

Member Ross: Yes

Motion carried.

**Site Plan for Phill Anello/Anello Construction, 3636 Creek Road, Youngstown for a recommendation to the Zoning Board of Appeals for a Special Use Permit – Accessory Apartment.**

No representative of the application was present so this item was tabled.

**Expedited lot line adjustment for Paul Brown, 3585 and 3591 Porter Center Road, Ransomville; Tax Map 61.00-1-37.12 and 61.00-1-37.2.**

Code Enforcer Jeffery explained that Mr. Brown asked to be added to the agenda earlier in the week and it was agreed it was appropriate to do so. Mr. Brown asked Code Enforcer Jeffery to represent him at the meeting due to an unanticipated situation where he could not be in attendance.

Code Enforcer Jeffery stated that in speaking with Mr. Brown, he would like to move forward with an expedited lot line adjustment as approved by Sketch Plan in May of 2022. A copy of the application and plan was forwarded to Members for review prior to the meeting.

Code Enforcer stated nothing changed on the application and that Mr. Brown would like to move the lot line of two adjoining properties, making one parcel small and enlarging the other. No new parcel would be created.

A motion to move forward with the Expedited Process for the Conveyance and Merge of a portion of an unimproved adjacent parcel at 3585 Porter Center Road (Tax Map 61.00-1-37.12) to 3591 Porter Center Road (Tax Map 61.00-1-37.2) as presented was made by Vice Chairperson Schulze and seconded by Member Collard.

With no further discussion, roll was called.

Chairperson Fox: Yes

Vice Chairperson Schulze: Yes

Member Collard: Yes

Member Tower: Yes

Member Ross: Yes

Motion carried.

**Code Enforcer Jeffery's report.**

Code Enforcer Jeffery provided his report to the Members and a brief discussion ensued.

**Attorney Dowd's report.**

Attorney Dowd had nothing to report.

**Correspondence / New / Old / Miscellaneous Business.**

None.

With no further discussion, a motion to adjourn the meeting at 8:37 p.m. was made by Member Tower and seconded by Member Collard. All in favor, motion carried.