



PLANNING BOARD TOWN OF PORTER

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**** Approved March 4, 2021 ****

Thursday, February 4, 2021

The regular meeting of the Town of Porter Planning Board was called to order at 7:02 p.m. with the Pledge to the Flag.

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

Excused: Member Robert Tower, Attorney Michael Dowd

Discussion on Minor Subdivision for David and Alan Truesdale, 1074 Cain Road, Youngstown; Tax Map 62.00-2-9

Code Enforcer Jeffery stated that there was a late entry to the agenda for David and Alan Trusedale, who has previously been approved by the Planning Board for a subdivision of their property into 5 lots. Town Code allows the Planning Board to use the regulations for a Minor Subdivision for a division over 4 lots (Minor vs. Major subdivision) if a motion is made by the Board and no infrastructure will be needed to create new roads, water or sewer lines.

Mr. David Trusedale explained that he took his paperwork to Niagara County to complete the subdivision and when he arrived at the County Clerk's office he was informed that they would not accept the subdivision as a minor subdivision and that he must have a water and sewer plan for each parcel. He stated that the County made it clear that they would not accept the Planning Board's approval of the subdivision without this plan.

To avoid further delay, David Trusedale explained that both he and Alan have agreed to modify the subdivision to 3 lots rather than the original 5. The new subdivision will include the current parcel with Alan's home, the farm and the lot that David will own. Code Enforcer Jeffery stated that because a few of the dividing lines will be removed, it is actually less significant from what has already been approved and therefore did not feel that another public hearing was needed.

With no further discussion, a motion to approve the 3 lot subdivision, as modified from the originally approved subdivision for the above application, was made by Member Fox and seconded by Vice Chairperson Schulze.

With no further discussion, roll was called.

Chairperson Collard: Yes
Vice Chairperson Schulze: Yes
Member Fox: Yes
Member Tower: Absent
Member Ross: Yes
Motion carried.

Discussion regarding local law proposals:

LL2-2021 – FLOOD DAMAGE PREVENTION LAW

LL3-2021 – LWRP -LAKE ONTARIO ENVIROMENTAL OVERLAY DISTRICT

LL4-2021 – LWRP – NIAGARA RIVER ENVIROMENTAL OVERLAY DISTRICT

LL5-2021 – LWRP CONSITENCY REVIEW LAW

LL6-2021 – PET WASTE LAW

Code Enforcer Jeffery explained that the Planning Board needed to make a recommendation on 5 local laws for the LWRP (Local Waterfront Revitalization Program) to the Town Board. He explained that the LWRP was developed by a committee and took a period of 5 or 6 years to plan. The purpose is to protect the waterfront with environmental safety oversight for development. Having the plan allows for grant submission at the State level.

Code Enforcer Jeffery stated that the Town Board has already approved the draft of the local laws but the Planning Board must also make a recommendation to approve or not approve the local laws. A draft copy of the above laws was emailed to the Planning Board Members prior to the meeting.

After discussion on the Flood Damage Prevention Law, a motion was made to recommend to the Town Board that they approve the proposed LL2-2021. The motion was made by Member Fox and seconded by Member Ross.

With no further discussion, roll was called.

Chairperson Collard: Yes
Vice Chairperson Schulze: Yes
Member Fox: Yes
Member Tower: Absent
Member Ross: Yes
Motion carried.

After discussion on the Lake Ontario Environmental Overlay District Law, a motion was made to recommend to the Town Board that they approve the proposed LL3-2021. The motion was made by Member Fox and seconded by Chairperson Collard.

With no further discussion, roll was called.

Chairperson Collard: Yes
Vice Chairperson Schulze: Yes
Member Fox: Yes
Member Tower: Absent
Member Ross: Yes
Motion carried.

After discussion on the Niagara River Environmental Overlay District Law, a motion was made to recommend to the Town Board that they approve the proposed LL4-2021. The motion was made by Member Fox and seconded by Member Ross.

With no further discussion, roll was called.

Chairperson Collard: Yes
Vice Chairperson Schulze: Yes
Member Fox: Yes
Member Tower: Absent
Member Ross: Yes
Motion carried.

After discussion on the Consistency Review Law, a motion was made to recommend to the Town Board that they approve the proposed LL5-2021. Member Fox stated that 38 policies included in the law seemed like a lot of red tape and the Members agreed. The motion was made by Member Fox and seconded by Chairperson Collard.

With no further discussion, roll was called.

Chairperson Collard: Yes
Vice Chairperson Schulze: Abstained
Member Fox: Yes
Member Tower: Absent
Member Ross: Yes
Motion carried.

After discussion on the Pet Waste Law, a motion was made to recommend to the Town Board that they approve the proposed LL6-2021. The motion was made by Member Ross and seconded by Member Fox.

With no further discussion, roll was called.

Chairperson Collard: Yes
Vice Chairperson Schulze: Yes
Member Fox: Yes
Member Tower: Absent
Member Ross: Yes

Motion carried.

Approval of the minutes from January 7, 2021 Planning Board meeting

A motion was made to approve the minutes as presented by Member Fox and seconded by Member Ross. All in favor, motion carried.

Discussion regarding local law for small home-based contractor businesses.

Code Enforcer Jeffery stated that he emailed the proposed document to the Members and also distributed it for discussion. He asked for input and after discussion asked that the Members email him comments prior to the Zoning Board meeting so that he could provide the ZBA with a updated proposal based upon the suggestions.

Correspondence / New / Old / Miscellaneous Business

Code Enforcer Jeffery stated that resident Jeff Baker came to him with a possible suggestion to look at the local law on Farm Markets. He stated that there is a concern that currently the law states that the 50% of the produce sold at a Farm Market must be grown locally (the Town or adjacent communities). Mr. Baker asked if it was worthwhile to have a discussion about changing the code to state that 50% of the produce be grown in the Town of Porter so that local farmers are further supported. The Members felt it was worth a future discussion.

Code Enforcer Jeffery's report

Code Enforcer Jeffery's stated he would email his report once completed.

Attorney Dowd's report

Attorney Dowd was absent.

With no further discussion, a motion to adjourn the meeting at 9:35 p.m. was made by Vice Chairperson Schulze and seconded by Member Fox. All in favor, motion carried.