



PLANNING BOARD

TOWN OF PORTER

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Approved March 12, 2020

Thursday, February 6, 2020

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.

Present: Chairperson J. Anthony Collard, Vice Chairperson Jeffrey Schulze, Member Mark Fox, Member Ryan Ross, Code Enforcement Officer Peter Jeffery, Attorney Michael Dowd, Secretary Amy Freiermuth

Excused: Member Robert Tower

Chairperson Collard introduced the board Members, Code Enforcement Officer and Secretary to the audience.

Approval of the minutes from January 2, 2020 Planning Board meeting

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

Public hearing for Minor Subdivision for Peter Baker / Ryan and Jill Harden, 1987 Lockport Road, Ransomville; Tax Map ID 47.00-1-26.112

Chairperson Collard opened the public hearing by reading the above agenda item.

Code Enforcer Jeffery stated that the sketch plan had been approved previously by the Planning Board and that the current parcel size will be doubled by merging this subdivision to that parcel. The pole barn and home will be joined on one parcel and all codes will be satisfied with the merge. Vice Chairperson Schulze asked if any of the details had changed since last presented and Code Enforcer Jeffery stated that everything was the same. He continued that all needed paperwork for the division has been received.

Chairperson Collard opened the public hearing and asked for any comments. With no comment from the audience, a motion to close the public hearing was made by Member Fox and seconded by Vice Chairperson Schulze. All in favor, motion carried.

With no further comments or questions from the Board, a motion was made to approve the Minor Subdivision as presented by Vice Chairperson Schulze 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.

Recommendation to the Zoning Board of Appeals for Shennen Hannam, 2485 Lockport Road, Ransomville, Tax Map 62.14-1-36.2 for an Area Variance for a 7 foot high fence in side yard.

Shennen Hannam was present. Code Enforcer Jeffery stated that Mr. Hannam has an existing fence that is in violation due to height, but he was not aware it was a violation as the contractor of the fence stated it met code. He explained that the fence is 6 feet in height at the rear of the lot line but because it follows the grade of the lot, it is 7.5 feet at the road side. An aerial was displayed to illustrate the location. Code Enforcer Jeffery stated that this variance will be remedial for the fence.

Member Fox asked if the fence is located in front of the house and Mr. Hannam stated that it does not go past the front of the house and is even with the garage. He explained that prior to the fence there was an 8 foot hedge but the maintenance was too much — hence the fence installation. He explained that his brother lives next door and they both agreed to the fence. He continued that the top of the fence is level from front to back.

Chairperson Collard explained this is a recommendation to the Zoning Board of Appeals on the Variance.

With no further comments or questions from the Board, a motion was made to recommend the Variance as presented 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.

Sketch plan review and subdivision size determination (Minor or Major) for David Truesdale, 1074 Cain Road, Youngstown, Tax Map 60.00-2-9

David and Alan Truesdale were present. Code Enforcer Jeffery stated that the parcel of land owned by Mr. Truesdale is going to be subdivided into 6 parcels. He continued that there will be no new roads or utility right of ways added and therefore he feels this subdivision can be treated as a minor subdivision with the Planning Board's approval as per his interpretation of the code. Attorney Dowd verified it can be treated as a minor subdivision. Code Enforcer Jeffery explained that all the newly created lots will meet the minimum lot size and road frontage required.

David Truesdale informed the Planning Board that both he and his brother Alan own the parcel and the application is in the name of both parties.

Code Enforcer Jeffery displayed a satellite image of the property and explained that both Alan and David have homes on the parcel, so this subdivision is logical.

With no further comments or questions from the Board, a motion was made to approve the Sketch Plan for the Minor Subdivision as presented by Vice Chairperson Schulze 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.

Code Enforcer Jeffery explained that for the public hearing to be held in March the survey and legal description need to be received 21 days prior to March 5. A brief discussion occurred regarding that date as the Members determined there would not be a quorum for the hearing. It was decided to move the meeting to March 12 if the 21 day deadline was met for the public hearing.

Sketch plan review for Minor Subdivision for Kirk Tower, 1706 Youngstown-Wilson Road, Ransomville, Tax Map 47.00-1-3.112

Code Enforcer Jeffery stated that Kirk Tower is not available and therefore a letter was received allowing Ann Johnston (his sister) to speak on his behalf. He continued that Mr. Tower has approximately 11.2-12 acres that he would like to subdivide – one lot with the home and barns and the other as land. He continued that the new parcels will meet all road frontage and codes and that he has a potential buyer for one of the parcels (hence Mrs. Johnston representing him during his absence).

An aerial was displayed by Code Enforcer Jeffery to illustrate the subdivision.

With no further comments or questions from the Board, a motion was made to approve the Sketch Plan for the Minor Subdivision as presented 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.

Attorney Dowd's report

Attorney Dowd had nothing further to report.

Code Enforcer Jeffery's report

Code Enforcer Jeffery's report was distributed. A brief discussion of some of the items ensued.

Correspondence / New / Old / Miscellaneous Business

Code Enforcer Jeffery informed the Members that a 6 month moratorium was adopted by the Town Board on the solar law as to allow the formation of a 7 person committee to review the permitted uses and better form the law for the Town.

With no further discussion, a motion to adjourn the meeting at 7:51 p.m. was made by Vice Chairperson Schulze and seconded by Member Fox. All in favor, motion carried.