



PLANNING BOARD TOWN OF PORTER

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Approved July 6, 2017

Thursday, June 1, 2017.

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 Peter Jeffery, Vice Chairperson Anthony Collard, Member Mark Fox, Member John Bis, Member Robert Tower, Attorney Michael Dowd

Approval of the minutes from the Planning Board Meeting on May 4, 2017

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

Public Hearing of Minor Subdivision for Matthew Deering (1751 Youngstown Lockport Road) and Wayne Carter (1737 Youngstown Lockport Road), Youngstown, Tax Map IDs 47.03-1-9.1 and 47.03-1-9.2

Chairperson Jeffery asked Secretary Freiermuth if all documents for the subdivision were in order. She stated that everything from received as needed from the applicant.

Chairperson Jeffery stated that this meeting is a public hearing for this subdivision and asked if any members of the audience had any input. There were no comments.

The survey was displayed and Chairperson Jeffery stated that the subdivision will change the orientation of the property line.

A motion to close the public hearing was made by Member Collard and seconded by Member Bis.

With no further discussion, roll was called:

Chairperson Jeffery: Yes

Member Collard: Yes

Member Fox: Yes

Member Bis: Yes

Member Tower: Yes

Motion Carried.

Chairperson Jeffery read each question to Part II of the SEQR. Each question was answered with “no or small impact will occur” with agreement from all Planning Board Members.

A motion was made to issue a negative declaration for the SEQR by Member Bis and seconded by Member Collard.

With no further discussion, roll was called:

Chairperson Jeffery: Yes

Member Collard: Yes

Member Fox: Yes

Member Bis: Yes

Member Tower: Yes

Motion Carried.

Chairperson Jeffery read the letter submitted by Town Engineer Amico into the record.

A motion to approve the subdivision as presented was made by Member Collard and seconded by Member Bis.

With no further discussion, roll was called:

Chairperson Jeffery: Yes

Member Collard: Yes

Member Fox: Yes

Member Bis: Yes

Member Tower: Yes

Motion Carried.

Chairperson Jeffery stated that Mr. Carter and Mr. Deering are required to record the property Deed within six months with the County Clerk.

Preliminary Review of Minor Subdivision Tom Dugan, River Road, Youngstown, Tax Map ID 59.00-1-9

Mr. Tom Dugan and Mr. Paul Anthony were present to discuss the subdivision. Mr. Dugan stated that he and Mr. Anthony purchased 58 acres south of Youngstown Estates for possible development in the future. They were approached by Doug and Michelle Vanstrom at 400 Glengrove Drive with an interest in expanding the parcel of property that they already own (Tax Map IDs: 59.14-2-76 and 59.14-2-76.1). Currently they have approximately 100 x 227 feet that is undeveloped. Mr. Dugan stated the first subdivision would extend this property 100 feet to the south and 100 feet to the west to allow the Vanstrom's a buffer to future development and a natural woods environment. Mr. Dugan stated that this subdivision would not negatively affect the future development of the remaining land owned by himself and Mr. Anthony.

Chairperson Jeffery asked if the second subdivision that is east of Glengrove Drive and would be 100 x 165 feet would also extend the existing parcel. Mr. Dugan stated that Matthew Christensen (Tax Map ID: 59.14-2-75) would like to extend his parcel with the subdivision.

Member Collard asked if once the parcels were subdivided would they be merged by the Assessor. Attorney Dowd stated that once the Deed was recorded, the merge would also need to occur.

Chairperson Jeffery stated that dimensionally he did not see any issues with the subdivision. Attorney Dowd asked if the plat was ever laid out for the development of the larger parcel from the previous owner. Mr. Dugan stated there was nothing he was aware of.

Mr. Dugan stated that Mr. Vanstrom owns two parcels with his home located on parcel 59.14-2-76 and vacant land on 59.14-2-76.1. Member Fox stated that if the subdivision was merged with the undeveloped land (76.1), the entire parcel would be landlocked causing a potential problem if not merged.

Attorney Dowd stated that the Planning Board can make it a condition of the subdivision that both parcels be merged to the existing lots so that no landlocked parcels are created. He stated that if the owners wanted to develop the land once a road was installed, they could then re-subdivide the land. Mr. Dugan stated that he could grant an easement to the land if the potential owner did not want to merge the properties. Attorney Dowd stated that a merge would be recommended and may save the owner money on taxes with the merge parcels.

Attorney Dowd stated that conceptionally it looks good, but Mr. Dugan will need to discuss the merge with Mr. Vanstrom and Mr. Christensen. If either did not want to merge the land, they would need to present their reasoning with the Planning Board who would then either approve or deny the subdivision. Chairperson Jeffery asked that if the merge was denied by the potential owner, could the subdivision still occur? Attorney Dowd stated that the subdivision without a merge would increase a prior non-conforming use which cannot be approved. He stated that lot 76.1 should not be a parcel on its own because there is no road frontage. Chairperson Jeffery stated that Mr. Vanstrom would not be able to get a building permit for 76.1 currently.

A motion to approve the preliminary subdivision with the that Douglas Vanstrom merge the subdivided parcel into his property at 59.14-2-76 and 59.14-2-76.1 and Matthew Christensen merge the second subdivided parcel into his property at 59.14-2-75 once purchased from the applicant above. This condition is required so as to avoid any landlocked property once the parcel is subdivided. Motion made by Chairperson Jeffery and seconded by Member Fox.

With no further discussion, roll was called:

Chairperson Jeffery: Yes

Member Collard: Yes

Member Fox: Yes

Member Bis: Yes

Member Tower: Yes

Motion Carried.

Secretary Freiermuth provided Mr. Dugan and Mr. Anthony with an outline / timeframe of required materials prior to this subdivision going to public hearing. Attorney Dowd stated that a letter would be required from the potential owners stating that they will merge the property once subdivided.

New / Old / Miscellaneous Business

Chairperson Jeffery stated that if approved by the Town Board, he will be accepting the position of Code Enforcement Officer / Building Inspector due to Roy Rogers' retirement. Therefore, he will most likely be resigning from the Planning Board. Attorney Dowd stated that he will research if Chairperson Jeffery can stay on the Planning Board. Chairperson Jeffery stated that he did not there to be a perceived conflict.

Code Enforcer Rogers' report

Due to Mr. Rogers' retirement on May 31, there was no report presented.

Attorney Dowd report

Attorney Dowd stated that the Bailey Brother's violations are still in court and will be going to trial. Otherwise, he had nothing further to report.

A motion was made to close the meeting at 8:02 p.m by Member Collard and seconded by Member Tower. Motion carried.