



PLANNING BOARD TOWN OF PORTER

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Thursday, November 3, 2022

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 Jeffrey Schulze, Vice Chairperson Mark Fox, Member J. Anthony Collard, Member Robert Tower (arrived at 7:20 p.m.), Member Ryan Ross, Code Enforcer Peter Jeffery, Planning Board Secretary Amy Freiermuth

Attending virtually: Attorney Michael Dowd

Chairperson Schulze announced that agenda item #3 for Willow Beach Campground will be tabled as the application is incomplete.

Sketch Plan for Robert Waddell and Debra Taragon, 3654 and 3656 Lutts Road, Youngstown for a Minor Subdivision to combine and reconfigure adjacent properties.

Robert Waddell and Debra Taragon were present. Mr. Waddell explained that the two property owners would like to divide portions of their property and “swap” pieces to better clean up the lot lines. Mr. Waddell will be dividing a parcel in front of Ms. Taragon’s property while she will divide a strip next to his. Ms. Taragon will then merge the new piece to her exiting lot as will Mr. Waddell. No additional parcels will be created with this Subdivision.

Attorney Dowd stated that it would be wise of the Planning Board to add that the Subdivision is contingent on the Merge of each parcel to the parent parcel. The Members agreed.

A motion was made to approve the Sketch Plan as presented contingent on the final Subdivision parcels to be Merged to the parent parcels. The motion was made by Member Collard and seconded by Vice Chairperson Fox.

With no further discussion, roll was called.

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

Sketch Plan for G. E. Ortiz, 2660 Lockport Road, Ransomville for a Minor Subdivision.

G. E. Ortiz was presented and explained that he would like to build a home behind his business, however, in order to have power run to the rear of the business, a Subdivision is required so that the home power is residential.

Member Tower arrived at 7:20 p.m.

Mr. Ortiz stated that he has been trying to find alternative ways to run power, but this is the most logical and economical. He stated he has been working with National Grid to come up with this plan. He continued that there will be an easement from the business to the personal parcel for utilities and a driveway. He stated that all utilities will be located underground to the homes being built which will include one 1350 square foot home and one 4300 square foot home as allowed by the Zoning in that area.

Attorney Dowd stated that this Subdivision makes sense given the circumstances. Chairperson Schulze stated that this is a unique situation and agrees that there are few other options that exist. He stated that this use fits within the comprehensive plan and that Mr. Ortiz has already made improvements to the property.

A motion to approve the Sketch Plan as presented was made by Vice Chairperson Fox and seconded by Member Collard.

With no further discussion, roll was called.

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

Discussion of Attorney Dowd's proposed language for an expedited Minor Subdivision regulation.

Attorney Dowd provided modifications of wording to the current Code on Minor Subdivisions to include an expedited process. The Planning Board had a lengthy discussion with Code Enforcer Jeffery, Attorney Dowd and Town Board liaison "Jipp" Ortiz. It was determined that the Board would like to see:

- A definition of what is a Subdivision and what will not be included as a Subdivision (and therefore will not need to follow the Subdivision process).
- If lot lines are modified, a Sketch Plan needs to be presented to the Planning Board for oversight.
- A survey for Minor Subdivisions will be provided for the Planning Board Chairperson to sign as approval for Town record keeping.

Attorney Dowd stated he would make the suggested modifications to the wording and recirculate it to the Members.

Discussion of Short-Term Rental Law

Code Enforcer Jeffery provided the Members with a proposed Short Term Rental Homes Form and a lengthy discussion ensued. It was decided that the Members should further review the proposed form to discuss further in December.

Code Enforcer Jeffery's report

Code Enforcer Jeffery provided his report.

Attorney Dowd's report

Attorney Dowd had nothing further to report.

Correspondence / New / Old / Miscellaneous Business

None.

With no further discussion, a motion to adjourn the meeting at 9:22 p.m. was made by Member Collard and seconded by Member Tower All in favor, motion carried.