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The regular meeting of the Planning Board was held on **Thursday, March 4, 2010** at 7:00 p.m. Chairman Spira opened the meeting and welcomed everyone. Mr. Collard read over the agenda for tonight's meeting.

Approve February 4, 2010 Planning Board minutes

Mr. Collard read over the minutes from the February 4, 2010 meeting.

Tom Oddy made a motion to approve the minutes as presented. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried.

TOM O'CONNOR SUBDIVISION REQUEST

Tom O'Connor of 2234 Lake Rd, Ransomville came before the Planning Board for a preliminary request regarding a subdivision. Parcels involved are: 33.00-2-17, 33.00-2-16 & 33.00-2-15.21.

Tom O'Connor is asking for a subdivision of his property on 2234 Lake Road, Ransomville. He would like to transfer a lot to his son. Tom O'Connor outlined the parcels on the overhead projector showing the location of his property and buildings on the lot. This property is across from Old Lake Road in Ransomville. The request is to move lot lines in order to give the lot being subdivided to his son. There is a house on the parcel being subdivided. The lot will be 200' by 200', approximately one acre. There is a drainage ditch on the premises. Drawings were presented and Mr. O'Connor went over them thoroughly. Because the dimensions of the lot are being changed, the assessor cannot intervene in this process as far as the deed filing for the proposed change.

The distance between the greenhouse and house is close, but the setback is sufficient. Roy Rogers has looked at the site with Mr. O'Connor. The surveys have not been conducted yet. This is a farm operation. A variance may be required once the surveys are submitted. A motion to approve this preliminary concept was made by Jipp Ortiz. The motion was second by Donald McCollum. All in favor; motion unanimously carried.

ZONING BOARD OF APPEALS REFERRALS-RICHARD PARSON

Richard Parson of 1549 Lockport Rd, SBL#46.00-2-16, has submitted a request for Home occupation variance permit.

Chairman Spira read the request of Mr. Parsons for a home occupation variance permit. Mr. Parson is a dealer for Amsoil lubricants and would like to sell them from his home. The total amount of business last year was \$3,000. Limited stock is kept at the house. A permit is needed for a home occupation. Chairman Spira read from the Zoning Law Article 563 regarding supplementary regulations relating to home occupations.

The Planning Board does not have a problem with this home occupation and recommends that the Zoning Board of Appeals **APPROVE** this request as submitted. The sign is now 2' X 3' feet and the town law allows a sign 1' X 2'. Mike Dowd brought up the issue regarding the sale of product at retail where you keep stock in trade. Chairman Spira read further from the zoning law regarding stock in trade. The Zoning Board of Appeals should consider limiting the number of customers, employees, cars, and the hours of operation should be no later than 8 am – 8 pm. The business should not occupy no more than 5% of house. The permit should limit the business to the sale of lubricants only. The permit should be issued for only one year.

SUBDIVISION DISCUSSION

Chairman Spira read a letter from Barbara Oaks, assessor regarding subdivision procedure. Chairman Spira and the Planning Board feel there could be a problem with this procedure because it could change the character of the town. The Planning Board does not have a problem with the concept however the applicant should come before the Planning Board for review prior to the assessor doing this. Before any lines are eliminated, the Planning Board requires a preliminary review.

CODE ENFORCER REPORT

Roy Rogers submitted three reports for the Planning Board's review. Mr. Collard asked Mr. Rogers for an update on the zoning law. CO detectors must be hard wired into all houses in the state. Joanne Choboy and Nancy Orsi are spearheading Zoning Law update project. The town board will have the final say for final review. The Planning Board contends that the Code Enforcer is not scheduled for enough hours to resolve issues. This matter will be on the agenda for next month.

CRAWORLD REPORT - Chris Amico no report

ATTORNEY DOWD REPORT

Michael Dowd will present a training seminar on SEQR to be included in the mandated training. Attorney Dowd reported that the Town Board adopted a resolution that the town of Porter is going to strive to become a green town. This resolution will give the town the opportunity to obtain grants. Recycling, wind, and solar energy will be addressed in this initiative.

ASSOCIATION OF TOWNS MEETING

Chairman Spira attended the Association of Towns Meeting in New York City in February. He reported about the comprehensive plan and the requirement for review. New York State wind power will be a class for training. SEQR workshop is always very interesting. A new revised SEQR is being released and will be addressed in the training class in June.

Mr. Collard attended a Citizens Advisory Committee meeting (an advisory committee for CWM) and reported on the meeting.

With no further business to come before the Planning Board, Jipp Ortiz made a motion to adjourn the meeting. Anthony Collard seconded the motion. All in favor; meeting adjourned at 8:15 p.m.

Respectfully submitted,

Pamela F. Parker, Secretary
Town of Porter Planning Board