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Chairman Spira called the regular meeting of the Town of Porter Planning Board to order at 7:00 p.m. on Thursday, April 4, 2013. All members of the Planning Board were present.

APPROVE MARCH 7, 2013 PLANNING BOARD MINUTES

Chairman Spria read over the minutes of the March 7, 2013 Planning Board meeting. Anthony Collard made a motion to approve the minutes as submitted. Thomas Oddy seconded the motion. With all in favor the motion was unanimously carried.

FRANK DESTINO SITE PLAN REVIEW FOR A SPECIAL USE PERMIT TO SELL CARS ON CREEK RD AT SBL#60.00-3-

Frank Destino has submitted a request to sell used cars south of Destino's Pizza Shop on Creek Road, Youngstown. This is a special use permit to sell a maximum of three cars. The parcel that he will be using to sell cars from is separate from the pizza shop. This is in a Rural Commercial zone.

Chairman Spira read from the Zoning Law regarding Rural Commercial zone and Special Use Permit. This is a request for vehicle rental/dealership and is outlined in the Town of Porter Zoning Law on page 62, article 55 Vehicle Rental/Sales Establishments. Mr. Destino has submitted a drawing of the concept he is requesting to use. He is not in attendance at the meeting tonight.

In 2010 a neighbor complained that cars were being sold without a Special Use Permit. The Planning Board recommends that this request be put on hold until Mr. Destino comes before the Planning Board to provide more detailed information regarding this request before a Site Plan Approval can be determined.

SHIRLEY BERGLUND OF 2011 BALMER RD, RANSOMVILLE - SPECIAL USE PERMIT RENEWAL

This request is on the agenda tonight because Ms. Berglund has received a letter from the Zoning Board of Appeals requesting she renew her Special Use Permit. The Planning Board feels that no permit is necessary for Ms. Berglund to have horses on her property. Chairman Spira read from the Town of Porter Zoning Law page 48, article 38, "Keeping of Animals", letter B "Farm Animals", number(6), regarding this request. Ms. Berglund has sufficient acreage to have horses on her property.

This request can be considered an Accessory Use under Article XI "Definitions".

The Planning Board feels that no Special Use Permit is necessary as long as the requirements in the Town of Porter Zoning Law regarding “Keeping of Animals” are being complied with.

DANIEL TRUESDELL, 2003 Lake Road, Youngstown

The Planning Board has looked at this area in the past. Chairman Spira read the Special Use Permit that was issued to Mr. Truesdell in April, 2008.

A Special Permit for the Storage and Rental of Heavy Construction Equipment At 2002 Lake Road, Youngstown, NY 14174. Property is situated on the South Side of Lake Road between Porter Center and Dickersonville Roads in an RHC-360 District in said Town.

Subject to the following Terms and Conditions:

This permit shall expire (7) year(s) from the below date –

Expiration Date: April 27, 2013.

There shall be no storage within one hundred (100) feet of the road and adequate screening shall be provided. Also, the area should be cleaned up.

Chairman Spira would like everyone on the Planning Board to go out and look at the site and read over the Town of Porter Zoning Law Section 79 “Property Maintenance” on page 87.

Anthony Collard made a motion that the Zoning Board of Appeals and Planning Board carefully look at the Property Maintenance section of the Town of Porter Zoning Law before any action is taken on the request. Jipp Ortiz seconded the motion. With all in favor the motion was unanimously carried.

ASSESSOR MERGE REQUEST

Susan Driscoll, Town Assessor, requested the Planning Board look at the request of Barbara Carter to merge her parcels at 2625 Lake Road and 2629 Lake Road, Ransomville. There is a house on the east lot and a house on the west lot. This action would end up with two houses on one parcel if the merge was approved. The Planning Board **does not approve** of this request.

ATTORNEY MICHAEL DOWD REPORT

Michael Dowd reported that sewer rates will most likely be going up in the future. A general discussion was held about water/sewer issues in the town of Porter and village of Youngstown.

CODE ENFORCER REPORT

Roy Rogers, Code Enforcer, was not at the meeting tonight; however he submitted his monthly reports. The Planning Board went over the reports.

With no further business to come before the Planning Board tonight, Jipp Ortiz made a motion to adjourn the meeting. Donald McCollum seconded the motion. With all in favor the motion was unanimously carried. Meeting adjourned at 8:10 p.m.

Respectfully submitted,

Pamela F. Parker, Secretary
Town of Porter Planning Board