

STATE OF NEW YORK
COUNTY OF NIAGARA

ZONING BOARD OF APPEALS
TOWN OF PORTER

The Regular Meeting of the Town of Porter Zoning Board of Appeals was held on Thursday, April 25, 2013 at 7:30 PM, in the Town Offices, 3265 Creek Road, Youngstown, NY 14174

PRESENT: Chairman Duffy Johnston, Member William Leggett, Member Irene Myers, Member Jackie Robinson, Susan Driscoll and Attorney Michael Dowd.

ABSENT: Member Peter Jeffery and Roy Rogers, Building Inspector.

Chairman Johnston called the meeting to order at 7:30 pm.

Chairman Johnston asked if there were any additions or deletions to the March 21, 2013 minutes. William Leggett made a motion to accept the minutes and was seconded by Irene Myers. Roll Call Vote. William Leggett-yes; Irene Myers-yes; Chairman Johnston-yes. All in Favor. Motion Carried.

Please note in the second paragraph, Irene Myers was present instead of Jackie Robinson.

Chairman Johnston read the following:

NOTICE IS HEREBY GIVEN THAT, pursuant to Section 267 of the Town Law and Local Law No. 2 of 2010, as amended, of the Town of Porter, Niagara County, New York, a PUBLIC HEARING will be held by the Zoning Board of Appeals at the Town Offices, 3265 Creek Road, Youngstown, NY on **April 25, 2013** at 7:30 PM for the purpose of considering and hearing all interested persons concerning the following application(s):

Application of Daniel Truesdell, 2002 Lake Road, Youngstown, NY. Under Article II, Section 13 and Article VIII, Section 107, to renew his Special Permit No. 276-2006 for the storage and rental of heavy construction equipment. The property is located in a Rural

Commercial Zoned District on the South Side of Lake Road between Porter Center and Dickersonville Roads in said Town.

It was noted that Daniel Truesdell was present. Chairman Johnston asked if anyone from the audience wished to speak. None. William Leggett made a motion to close the public hearing and was seconded by Irene Myers. Chairman Johnston called for a Roll Call Vote. William Leggett-yes; Irene Myers-yes; Jackie Robinson-yes and Chairman Johnston-yes. All in Favor to close the public part of the hearing.

Chairman Johnston stated that the last time Mr. Truesdell was present was in 2006. It has been seven years with no complaints. Mr. Truesdell helps his neighbors out.

Jackie Robinson read the following from the Planning Board:

Chairman Johnston asked if he could approve for ten years. I don't see any problems with anything. He has a new neighbor.

Irene Myers commented on adequate screening.

Irene Myers made a motion to approve the reapplication of Duane Truesdell at 2002 Lake Road for a period of ten years with all the stipulations approved in the original permit in 2006 and Jackie Robinson seconded. Roll Call Vote. William Leggett-yes; Irene Myers-yes; Jackie Robinson-yes and Chairman Johnston-yes. All in Favor. Motion Carried.

Chairman Johnston stated that before we close we have a new Zoning Code Enforcer. There are two separate jobs and more hours for everybody as problems arise. Maybe we could get things cleared up. You can fill out a list and put it to the attention of Roy Rogers. There are illegal businesses that people have; large signs. People don't pay the \$100 application fee to have a business out of their home. William Leggett stated that we should publicize the hours to the job.

A Motion was made by Irene Myers and seconded by Jackie Robinson to adjourn the meeting. The meeting was adjourned at 7:45 p.m. The next regular meeting will be held on **Thursday, June 20, 2013.**

Respectfully submitted,

Nancy Smithson, Secretary
Town of Porter Zoning Board of Appeals