

**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, July 24, 2008, at 7:30 PM, in the Town Offices, 3265 Creek Road, Youngstown, NY 14174

PRESENT: Chairman William H. Tower, Member Joe Fleckenstein, Member Peter Jeffery, Member Duffy Johnston, Member William Leggett, Member Irene Myers.

ABSENT: Building Inspector, Roy Rogers and Attorney Michael Dowd.

Chairman Tower called the meeting to order at 7:30 pm Chairman Tower asked if there were any additions or deletions to the previous month's minutes. Duffy Johnston made a motion to accept the minutes as written and was seconded by Joe Fleckenstein. Chairman Tower asked for a Roll Call Vote. Duffy Johnston-yes; William Leggett-yes; Irene Myers-yes; Joe Fleckenstein-yes and Chairman Tower-yes. **All in Favor. Motion Carried.**

Chairman Tower read the following:

NOTICE IS HEREBY GIVEN THAT, pursuant to Section 267 of the Town Law and Local Law No. 1 of 1968, 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 July 24, 2008, at 7:30 PM for the purpose of considering and hearing all interested persons concerning the following application(s):

Application of Gary McIntosh, 3586 Ransomville Road, Ransomville, NY. Pursuant to Sections 503.3, 705 and 710, a Variance is requested to erect a six foot in height vinyl fence on the South side of the rear of the property for privacy. Section 503.3 states "Maximum height Residential Districts four (4') feet. Thus, a variance of two feet is requested. Property is located in an ARR-100 Zoned District between Youngstown-Lockport Road and New Road in said Town.

It was noted that Gary McIntosh was present. Chairman Tower asked if anyone in the audience wished to speak. None. Duffy Johnston made a motion to close the public part of the hearing and was seconded by Irene Myers. Chairman Tower asked for a Roll Call Vote. Duffy Johnston-yes; William Leggett-yes; Irene Myers-yes; Joe Fleckenstein-yes; and Chairman Tower-yes. All in Favor to close the public part of the hearing.

Chairman Tower stated that he had nothing from the neighbors and that he looked at the property. Chairman Tower asked Mr. McIntosh if the fence was just going to be in the back yard? You are not going to run to the road? Mr. McIntosh stated that it will stop behind the rear of the house. Chairman Tower asked if it will block anyone's vision. No, replied Mr. McIntosh. Joe Fleckenstein asked if it was going to run East and West on the South side of the house. Irene Myer asked if the fence was for privacy. Mr. McIntosh stated it would be two separate pieces of fence on the South Side back yard. Peter Jeffery stated we should have the fence two feet off the property line in order for the fence to be maintained. Chairman Tower stated that the Planning Board has given their approval.

Joe Fleckenstein made a motion to approve the six foot vinyl fence of Mr. McIntosh on the South Side of the property running East to West. The good side must face the neighbor and must be two feet off the property line. The fence is not to exceed the front of the house was seconded by Irene Myers. Chairman Tower asked if there was any further discussion and asked for a Roll Call Vote. All in Favor. Motion Carried.

Irene Myers made a motion to close the meeting and was seconded by Duffy Johnston. The meeting was adjourned at 7:43 pm. The next regular meeting will be held on Thursday, August 28, 2008.

Respectfully submitted,

Nancy Smithson, Secretary
Town of Porter Zoning Board of Appeals