

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order at 7:00 p.m. on Thursday, February 7, 2013. Jipp Ortiz was excused.

APPROVE DECEMBER 6, 2012 MINUTES

Chairman Spira read aloud the minutes of the December 6, 2012 Planning Board meeting. With no additions or corrections 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.

The Planning Board did not convene in January.

PAMELA MC INERNEY AREA VARIANCE

Pamela McInerney, 248 Bainbridge St., Wilson, has purchased “Little Joe’s Pizzeria” on Youngstown-Lockport Rd., Ransomville. She is taking over the business from Sean Letts, the previous owner. A parking area variance and site plan review is being requested by the Zoning Board of Appeals.

The Planning Board reported that parking is a concern. There is only parking front of the pizza shop. The variance being requested is for zero off-street parking. The Planning Board must submit a site plan approval for this application because there is a new ownership.

Roy Rogers, Code Enforcer for the town, submitted a drawing. Page 131 of the zoning manual was read aloud regarding site plan approval.

This request is to operate a Pizza Parlor at 2555 Youngstown-Lockport Rd., Ransomville, NY. The property is located in a CMU Zoned District on the north side of Youngstown-Lockport Rd., between Ransomville Road and where the Town of Porter ends.

The Planning Board recommends that a permit be issued by the Zoning Board of Appeals subject to the following Terms and Conditions:

1. This permit shall expire (date to be determined by ZBA)
2. Hours of operation 5:00 am – 11:00 pm, Seven (7) days a week.
3. Proper ingress and egress routes for vehicular traffic.
4. Proper parking for patrons and employees
5. This Special Use Permit is not assignable or transferable and its privileges extend only to the above-named applicant.
6. This Special Use Permit shall become immediately null and void in the event that said premises are not at all times maintained and kept in full compliance with the laws of the State of New York and ordinances and regulations of the Town of Porter.

The Planning Board **approves** the site plan and recommends the issuance of a new Special Use Permit in the name of Pamela McInerney. Chairman Spira made a motion to approve the site plan and approve the request for a parking area variance. Anthony Collard seconded the motion. With all in favor the motion was unanimously carried.

RODNEY PARISE SPECIAL USE PERMIT RENEWAL

Mr. Rodney Paris, 3298 N.Falls Blvd., North Tonawanda, NY 14120 request to recondition, repair, sell and NYS inspection of used automobiles at 3708 Ransomville Road, Ransomville, NY 14131. The property is located in a CMU Zoned District between Youngstown-Lockport Road and Balmer Road in said Town.

This request requires a site plan review and referral of the special permit by the Planning Board. The Planning Board read over the existing Special Use Permit provided by Code Enforcer Roy Rogers. Mr. Parise has greatly improved the condition of this area over the last few years.

The Planning Board recommends the following for the Site Plan for the Special Use Permit:

1. This permit shall expire (to be determined) year(s) from the below date –
Expiration Date: to be determined

Hours of Operation shall be: 7:00 am to 6:00 pm Monday – Friday 9:00 am to 6:00 pm Saturday, No Sundays
2. The number of cars on the lot – 37 (this includes five parts cars). All cars are to have four inflated tires. No cars are to be stacked on top of one another. Any outside debris has to be stored in the back (screened from public view). No cars are to be in the front of the building that are not being repaired or unlicensed.
3. The premises must be kept neat, clean and orderly.
4. This Special Permit is not assignable or transferable and its privileges extend only to the above-named applicant.
5. This Special Permit shall become immediately null and void in the event that said premises are not at all times maintained and kept in full compliance with the laws of the State of New York and the ordinances and regulations of the Town of Porter.

Thomas Oddy made a motion that the Planning Board recommend the Zoning Board of Appeals **approve** this request for Mr. Parise to renew the Special Use Permit. Donald McCollum seconded the motion. With all in favor the motion was unanimously carried.

ATTORNEY MICHAEL DOWD REPORT

Attorney Michael Dowd has submitted a draft letter to be sent to residents in the Town who have failed to file deeds or subdivided property without proper Planning Board approval. The main area of concern is the land-locked parcels that have been created that is a violation of the local law. The Planning Board will compile a list of parcels affected and notify the landowners via the letter Mr. Dowd has provided.

Mr. Dowd also reported that the Town of Lewiston is seeking \$20,000 from the Town of Porter to help with the creation of a facility to be built in front of Lewiston-Porter school. The facility is being built using Greenway funds that the Town of Lewiston has secured. The facility will include a 140,000 square foot area for indoor soccer fields/sports fields and a 60,000 square foot senior citizens facility. There will also be a coffee shop, snack bar and community room.

CODE ENFORCER ROY ROGERS REPORT

Mr. Rogers submitted his monthly Building Department report, Building Permits report and Complaints report. The Planning Board discussed the reports as well as the progress Mr. Rogers is making with various issues in the town.

With no further business to come before the Planning Board Chairman Spira made a motion to adjourn the meeting. Thomas Oddy seconded the motion. With all in favor the motion was unanimously carried and the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Pamela F. Parker, Secretary
Town of Porter Planning Board