

Draft...draft...draft

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order at 7:00 p.m. on Thursday, March 3, 2011. All members were present. Chairman Spira welcomed everyone to the meeting and read the agenda aloud. He added Lisa Wills's subdivision request and Destino Pizza request to sell automobiles to the agenda.

APPROVE FEBRUARY 3, 2011 PLANNING BOARD MINUTES

Chairman Spira read over the minutes of the February 3, 2011 Planning Board meeting. With no additions or corrections, Anthony Collard made a motion to approve the minutes as presented. Thomas Oddy seconded the motion. All in favor; motion unanimously carried.

KEITH SHAW PUBLIC HEARING FOR SPECIAL PERMIT

Chairman Spira read the following Notice of Public Hearing:

APPLICATION OF KEITH SHAW, 1434 Lake Road, Youngstown, NY, under Sections 107 & 112 (A) a Special Permit is required to operate a repair garage for agriculture equipment and lawn mower repair. The property is located in an RA Zoned District on the South Side of Lake Road between Diez Road and Porter Center Roads in said Town.

There is a letter in the file giving Wendy F. Shaw permission to act in behalf of Keith Shaw. This permit expired in April, 2010. It was issued for three years and expired last year. Anthony Collard reported that he has been to the property and had a thorough tour of the area. Mr. Collard said the operation is very well kept and maintained. He would like to extend the permit for five years instead of three years. Chairman Spira reported that a representative of a neighbor, Roderick Tower, recommends approval of this request. A neighbor from across the road asked if there would be any equipment for sale outside of the building. The neighbor was assured that nothing will be for sale outside of the building. With no further comments or questions from the Planning Board or audience, Jipp Ortiz made a motion to adjourn the Public Hearing portion of the meeting. Thomas Oddy seconded the motion. All in favor; motion unanimously carried.

Anthony Collard made a motion to renew this Special Permit for five (5) years from today – expiration date will be March 3, 2016. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried.

Chairman Spira encourages all Planning Board members to visit the site of any action on the agenda prior to the Planning Board meeting.

VICE CHAIRMAN

Thomas Oddy made a motion to nominate Anthony Collard Vice-Chairman of the Planning Board for 2011. Jipp Ortiz seconded the motion. With Mr. Collard abstaining the vote, the motion was carried.

RICHARD PARSONS SPECIAL PERMIT REQUEST

Richard Parsons, 1549 Lockport Road, Youngstown, has a Special Permit to operate home and retail sales at his residence. This Special Permit will expire on March 18, 2011. Mr. Parsons came before the Planning Board to discuss this request to renew his Special Permit. This is a home occupation to sell synthetic lubricants. There is no sign at the site. Chairman Spira read from the new law regarding what is allowable for a sign on the premises, as well as other specifications regarding a home occupation.

A Public Hearing will be held on April 7, 2011 for the renewal of the special permit. Mr. Parsons was advised to visit the building inspector to complete the necessary paperwork in order to hold a public hearing.

LISA WILLS/ELBERTA WILLS SUBDIVISION REQUEST

Lisa Wills came before the Planning Board to inquire about subdividing one acre from the family farm owned by her mother, Elberta Wills. There is a letter in the file giving Ms. Wills permission to act on Elberta Wills' behalf. The property is located at Braley Road and Porter Center Road. Lisa Wills would like to have 150 feet of frontage on this one-acre lot. There is a shed on the property. Lisa Wills intends to build a home on the site. She was advised to meet with Roy Rogers, Building Inspector for the town and to arrange to have the lot being subdivided surveyed.

Anthony Collard made a motion to approve this concept as a sketch plan review. Thomas Oddy seconded the motion. All in favor; motion unanimously carried.

DESTINO PIZZA SHOP/CAR SALES REQUEST

Mr. Destino operates a pizza shop on Creek Road, He would like to sell cars from the parking lot south of the pizza shop. This area is zoned rural commercial. A special permit will be required to sell cars on this site.

Mr. Destino stated that there is no lease. He has a month-by-month rental agreement with the owners. A lease is necessary because a special permit will be given in the name of the leaseholder. The special permit will most likely be issued for two years. This area is zoned rural commercial. A site plan is required before any action can be taken.

Vehicle rental/dealership is permitted as a special use in a rural commercial zoned district.

Mr. Destino was advised to present the following at the next Planning Board meeting in order to move forward with the request for a special permit for vehicle rental/dealership:

- A copy of the lease between the owner(s) and Mr. Destino
- A drawing of what Mr. Destino intends to do on the site
- The number of vehicles to be on display

ASSOCIATION OF TOWNS MEETING

Chairman Spira reported that he attended the Association of Towns meeting in New York City in February. He reported that the classes were informative and interesting.

Chairman Spira read a letter dated March 3, 2011 regarding the New York State Smart Growth Public Infrastructure Policy Act. This act was discussed at the Association of Towns seminar he attended.

ATTORNEY DOWD REPORT

Michael Dowd, attorney for the Town of Porter, reported that the water plant project is starting to go forward.

CODE ENFORCER REPORT – NONE

CRA WORLD INFRASTRUCTURE REPORT – NONE

ZONING BOARD OF APPEALS REFERRALS

Louis Antonacci, 2659 Lake Road, Ransomville, would like to get an area variance in order to rebuild a lake cottage on existing footprint. He would like to expand east to three (3) feet from the property line. A variance of three feet, six inches (3' 6") will be needed. The Planning Board does not have enough information to act on this request. The Planning Board does not want the neighbors' view to be further restricted.

MOTION TO ADJOURN

With no further business to come before the Planning Board tonight, Jipp Ortiz made a motion to adjourn the meeting. Thomas Oddy seconded the motion. All in favor; motion unanimously carried. Meeting adjourned at 8:05 pm.

Respectfully submitted,

Pamela F. Parker, Secretary
Town of Porter Planning Board