

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order at 7:00 p.m. on Thursday, May 6, 2010. All members were present. Chairman Spira read the agenda for tonight's meeting and welcomed everyone. Mr. Spira added Ms. Banks' request to subdivide her property.

Approve April 8, 2010 Planning Board minutes.

Anthony Collard reviewed the minutes of the April 8, 2010 Planning Board meeting. Donald McCollum made a motion to approve the minutes as revised. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried. 2nd paragraph tank construction – CWM – the state already has the application and the town is reviewing it for our building permit purposes.

Dale and Terisa Casal of 1139 Cain Road SBL#60.00-1-35.

This is a request to combine two lots into one. It has been brought to the owners attention that there are buildings on both lots and the two lots must be combined in order to comply with town regulations. Everyone on the board is in favor of this request. Anthony Collard made a motion to approve this request and that the town assessor file the deed to combine the lots into one parcel. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried.

Zoning Board of Appeals Referrals –

Gary Zimmerman of 3369 Creek Road is requesting a variance to erect a six foot fence. Mr. Zimmerman provided a drawing of the concept and explained the purpose of the fence that is being requested. The fence will be approximately 5 feet in front of the garage and stay 10 feet off the neighbor's fence/lot line to the south. The owner is getting 2 German shepherd dogs and wants to contain them. The fence will be at least 50 feet from the road. The owner is willing to build the fence in line with the garage rather than 5 feet in front of it. The Zimmerman's do not have a back yard because the creek/ravine is quite close to the back of their house. The zoning law says that a 3 foot high fence is allowed in the front yard. The Planning Board would like to take a look at the site before any recommendation is given. Attorney Dowd feels that, because of the lay of the land, the town has better grounds to give a variance with the ravine taken into consideration. Susan Driscoll connected to Google Earth to show a better view of the area being discussed. Mr. Zimmerman is willing to go 15 feet back from the front of the garage if necessary. The Planning Board would like to look at the site before giving a recommendation and would like to recommend the Zoning Board of Appeals do the same.

Ms. Banks-subdivision 736 Lockport Road, Ransomville. Vacant land that was left in an inheritance. It is being divided in half equally one for her and one for her brother. Ms. Banks explained the concept of the request to the Planning Board. The parcel being subdivided is 260 x 1800 feet deep. It is a seven to one ratio, width to length, although it has been done in the past, the town frowns on this type of lot creation. The land is currently vacant. Ms. Bank was given a few options regarding the future of the subdivision and will take a look at the options available to her.

Gary Rose special permit renewal request. 3435 East Avenue. The Planning Board recommends that the Zoning Board of Appeals grant a five year extension to the permit.

TRAINING

Chairman Spira announced plans for state required training for Planning Board and Zoning Board of Appeals members.. New York State is holding a training session on June 16, 2010 at Niagara County Community College.

On June 10 a training session for the Planning Board and the Zoning Board of Appeals will be held at the town hall at 6:00 – 10:00. Lunch and beverage will be provided. Chairman Spira will go over what he learned at the Association of Town meeting. Attorney Michael Dowd will give an overview of the SEQR. William Tower and Joe Fleckenstein will spend 45 minute to one hour on the right to farm law. Ms. Parker will send a letter to the town clerk, town supervisor, zoning board of appeals members.

ATTORNEY DOWD REPORT

Attorney Michael Dowd reported that he has looked over the statutes submitted by CWM and sent a letter to CWM on behalf of the town.

On May 17, 2010 at 6:00 p.m. there will be a Public Hearing at Lewiston-Porter school held by NYDEC.

CODE ENFORCER ROGERS REPORT

Roy Rogers, Code Enforcer, reported that the fence Joseph Calato ut up on Youngstown-Lockport Road near Ransomville Road is in a commercial zone where an 8 foot fence is allowed.

Chris Amico announced that CRAWorld will have the storage review submitted soon.

With no further business to come before the Planning Board tonight, Tom Oddy made a motion to adjourn. Donald McCollum seconded the motion. Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Pamela F. Parker, Secretary
Town of Porter Planning Board