



PLANNING BOARD TOWN OF PORTER

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Chairman Spira called the regular meeting of the Town of Porter Planning Board to order at 7:00 p.m. on **Thursday, January 2, 2014**. Donald McCollum was absent. Chairman Spira read aloud the agenda for tonight's meeting and welcomed everyone to 2014.

APPROVE DECEMBER 5, 2013 MINUTES

Chairman Spira read over the minutes of the December 5, 2013 Planning Board meeting. The minutes were approved as submitted by a motion from Anthony Collard, seconded by Thomas Oddy. With all in favor the motion was unanimously carried.

SITE PLAN REVIEW – RENEWAL OF SPECIAL USE PERMIT FOR UMH MELROSE, LLC (999 Balmer Road)

Martin Mancini was present to represent this request for a renewal of a Special Use Permit to operate commercial housing at 999 Balmer Road. The ownership of 999 Balmer Road has been transferred to UMH Melrose, LLC, 3499 Rt. 9 North, Suite 3C, Freehold, NJ.

Mr. Mancini stated that UMH Melrose, LLC has been in business since 1968 and owns and operates seventy four (74) properties in nine (9) states, all are mobile home parks. The company also owns commercial buildings as well.

The Special Use Permit is not transferable and must be re-issued to the new owner. The old permit does not go with the change of ownership. The transaction for the purchase of this business closed November 7, 2014 and the deed was filed in the Niagara County Clerk's Office December 11, 2013. UMH Melrose, LLC has purchased the physical assets as well as the property.

Chairman Spira read the current Special Use Permit that was issued September 10, 2007. Chairman Spira read from the town Zoning Law page 51/52 pertaining to Mobile Home Parks Section 43. There are ninety (90) total sites at 999 Balmer Road, seventy (70) of which are occupied at the present time. There is a manager that lives in Hamburg as well as a maintenance staff.

Code Enforcer, Roy Rogers, stated that the town has completed a search of the company and it is very reputable. Mr. Mancini said the new owners plan to clean up the property and replace vacant homes. UMH Melrose, LLC has also purchased an additional 29.10 acres adjacent to the 999 Balmer Road address. That gives a total of sixty nine (69) acres total owner by UMH Melrose, LLC. There are currently twenty (20) vacant spots at the site. All of the homes are individually owned. UMH Melrose, LLC owns the property, not the homes. The current site plan is for ninety (90) spaces. If UMH Melrose, LLC wishes to expand their operation in excess of ninety (90) spaces, they would have to

come back to the town to request more development of the site. That being said, this permit has not changed in forty (40) years.

The Planning Board will make a recommendation to the Zoning Board of Appeals regarding site plan review for this Special Use Permit application. The current permit only pertains to the existing acreage and the ninety (90) parcels that have been developed. The new owner, UMH Melrose, LLC must comply with all §43 of the town Zoning Law with the exception of previous non-conforming uses. The sanitation system has been approved by the Niagara County Health Department and the New York State Department of Environmental Conservation.

The town needs local telephone numbers and contacts from the new owners. The Planning Board would also like documentation from UMH giving Mr. Mancini permission to act in their behalf. Roy Rogers is working with the owners.

Anthony Collard made a motion to recommend approval of the Site plan review for the Special Use Permit as requested by UMH Melrose, LLC. Jipp Ortiz seconded the motion. With all in favor the motion was unanimously carried.

APPOINT VICE-CHAIRMAN 2014

Anthony Collard made a motion to nominate Jipp Ortiz as Vice-Chairman of the Planning Board for 2014. Thomas Oddy seconded the motion. With all in favor the motion was unanimously carried.

Chairman Spira reported that Jipp Ortiz has been appointed to another five (5) year term on the Planning Board and George Spira was appointed Chairman of the Planning Board for 2014. There appointments were made by the Town Board of the Town of Porter.

FRED BRUENING/DAVID ERWAY TRANSFER OF LAND

Susan Driscoll reported that Fred Bruening has subdivided his property and transferred land to David Erway without Planning Board approval. The Planning Board will send a letter to Mr. Bruening instructing him to come before the Planning Board to resolve this matter.

PLANNING SESSION TO DISCUSS TOWN OF PORTER DEVELOPMENT

A session was held to discuss options and suggestions for future development in the Town of Porter looking ahead to the next ten (10) to fifteen (15) years. Assessor Susan Driscoll provided in-depth information regarding residential (322) areas in the town that include residential property greater than ten acres located in rural areas and (311) areas greater than three acres located in the town. Farm land being tilled is not considered vacant.

The Planning Board goal is to take a look at the town and see where development might and should occur in the future. Perhaps the Planning Board should look at the possibility of creating an Industrial Development Association. Perhaps the development of a Port Authority at the town's Dietz Road site could be considered.

CODE ENFORCER ROGERS REPORT

Roy Rogers submitted his reports for the month of December, 2013 and the Planning Board went over them.

ATTORNEY DOWD REPORT

Attorney Dowd reported that the Town Board has instructed him to create legislation regarding lagoons in the town.

With no further business to come before the Planning Board, Thomas Oddy made a motion to adjourn the meeting. Jipp Ortiz seconded the motion. With all in favor the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Pamela F. Parker, Secretary
Town of Porter Planning Board