

Chairman Ortiz called the regular meeting of the Town of Porter Planning Board to order on Thursday, July 2, 2015. John Bis was absent. Chairman Ortiz welcomed everyone and read over the agenda for tonight's meeting.

APPROVE JUNE 4, 2015 PLANNING BOARD MINUTES

Chairman Ortiz read over the minutes of the June 4, 2015 Planning Board meeting. It is noted that the County Tax mapper found an error in the legal description when Gerald Wiepert went to file the deed. The corrected legal description follows:

With the corrected legal description being changed in the June 4, 2015 Planning Board minutes, Mark Fox made a motion to approve the amended minutes. Peter Jeffrey seconded the motion. With all in favor the motion was unanimously carried.

RICHARD SHEARS PUBLIC HEARING

Chairman Ortiz read the following Notice of Public Hearing:

Subdivision request of Richard Shears, 3180 Creek Road, Youngstown to subdivide his property.

TOWN OF PORTER, NIAGARA COUNTY, N.Y. ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Porter, County of Niagara and State of New York, being part of Lot 27, Township 15, Range 9 of the Holland Land Company's Survey and more particularly bounded and described as follows: BEGINNING at a point in the west line of Creek Road which point is 896.94 feet south of the intersection of the north line of said Lot 27 with the said west line of Creek Road, said point also being on the south line of lands conveyed to Richard Shears by deed recorded in the Niagara County Clerk's Office in Liber 2523 of Deeds at page 295; proceeding thence southerly along said west line of Creek Road a distance of 125.00 feet to a point; thence westerly and parallel with said south line of lands conveyed to Richard Shears by deed recorded in the Niagara County Clerk's Office in Liber 2523 of Deeds at page 295 a distance of 250.00 feet to a point; thence northerly along a line parallel with said west line of Creek Road a distance of 125.00 feet to a point in said south line of lands conveyed to Richard Shears by deed recorded in the Niagara County Clerk's Office in Liber 2523 of Deeds at page 295; thence easterly along said south line of lands conveyed to Richard Shears by deed recorded in the Niagara County Clerk's Office in Liber 2523 of Deeds at page 295 a distance of 250.00 feet to the point or place of beginning, being 0.717 acres of land, more or less. This parcel is known as tax map no. 46.00-1-44.

Richard Shears came before the Planning Board to explain this request. The Planning Board has approved the preliminary drawing of this request. With no comments or questions from the audience or Planning Board members, Anthony Collard made a motion to close the Public Hearing portion of the meeting. Peter Jeffrey seconded the motion. With all in favor, the motion was unanimously carried.

Chairman Ortiz looked over the application. There is a letter in the file from C.R.A Infrastructure and Engineering regarding their drainage review. Based upon their review of available information, the subdivision will not have an adverse impact on the existing drainage system.

Chairman Ortiz read the Short Environmental Assessment form and completed Part 2 – Impact Assessment on behalf of the town. Mark Fox made a motion that the Planning Board has determined, based on the information and analysis provided and supporting documentation the proposed action will not result in any significant adverse environmental impacts. Anthony Collard seconded the motion. With all in favor the motion was unanimously carried.

Mark Fox made a motion to approve this one lot subdivision as presented. Anthony Collard seconded the motion. A roll call vote resulted in the following: Mr. Fox, yes; Mr. Collard, yes, Mr. Jeffrey, yes; Chairman Ortiz, yes. Motion unanimously carried.

ASSESSOR MERGE: LARRY WHITE

Larry White has submitted a request to Assessor Driscoll for an assessor merge of his property on Sunrise Lane. There is a right-of-way that is of concern to the Planning Board. Attorney Michael Dowd is not at the meeting to address this matter tonight. The Planning Board needs clarification from Attorney Dowd regarding the right-of-way, therefore this matter is subject to review by the town attorney and the Planning Board will not make a recommendation tonight.

REVIEW MARGARET TOWER SURVEYS

The Planning Board has received surveys for the Margaret Tower estate subdivision. The Planning Board looked over the surveys and the matter will go to Public Hearing at the August 6, 2015 Planning Board meeting.

DISCUSS CREATIVE STRUCTURES SERVICES DOLLAR GENERAL

David E. Pawlik Creative Structures Services, and Lowell B. Dewey, P. E. Site/Civil Group Manager, came before the Planning Board regarding the Dollar General that is being proposed on 3661 Ransomville Road, Ransomville. The site is currently under contract and is moving forward. The area is zoned Commercial Mixed Use. There is less

than one acre of disturbance. Thirty cars can be parked on the proposed site. This number does not meet the zoning requirements of the town. A variance will be needed in order to reduce the number of parking spaces from 45 to thirty.

Code Enforcer Roy Rogers has construction plans/drawings that he will send to the town engineer for review. There are enough drawing of the site plan for each Planning Board member to take home and study before a special meeting of the Planning Board is held on Monday, July 20, 2015 at 7:00 p.m.

Storm water drainage is stored underground and will tie in to the town's storm system. A dumpster will be on site. A six-foot fence will be on site, however, six feet fencing is not allowed in the front normally. The building will be 9,100 square feet in size. This is a typical Dollar General store. Two delivery trucks will typically arrive each week early in the morning. There is no deep dock. Dollar General has national standards for each store.

Elevations will be coming. The developer would like the project to be under construction by the end of September or early October. The August Planning Board meeting will be a review of the Site Plan. If all goes well, a Public Hearing will be held in September. Roy Rogers, Code Enforcer for the town, will provide the Planning Board members with a list of concerns.

The zoning code has been reviewed by the applicant. The applicant has provided the town with site plan drawings.

REPORT ON JUNE FOUR HOUR TRAINING SESSION

The Planning Board and Zoning Board of Appeals held a four hour training session last month on the Right to Farm law. It was attended by all Planning Board members and the information covered was very informative.

CODE ENFORCER REPORT (ROGERS)

Code Enforcer Roy Rogers submitted a list of twelve vacant homes in the town of Porter to Supervisor Wiepert. The Niagara County will work on this matter in order to secure money for property/yard maintenance.

Mr. Rogers also submitted reports of his work for the month of June.

With no further business to come before the Planning Board tonight, Anthony Collard made a motion to adjourn the meeting at 8:10 p.m. Mark Fox seconded the motion. All in favor; meeting adjourned.

Respectfully submitted,
Pamela F. Parker, Secretary
Town of Porter Planning Board