

STATE OF NEW YORK  
COUNTY OF NIAGARA

ZONING BOARD OF APPEALS  
TOWN OF PORTER

The Regular Meeting of the Town of Porter Zoning Board of Appeals was held on Thursday, July 16, 2015 at 7:30 PM, in the Town Offices, 3265 Creek Road, Youngstown, NY 14174

**PRESENT:** Chairman Duffy Johnston, Member Terry Duffy, Member Irene Myers, Member Bryan Meigs, Member Jackie Robinson, Roy Rogers, Building Inspector and Attorney Michael Dowd.

Chairman Johnston called the meeting to order at 7:30 pm.

Chairman Johnston asked if there were any additions or deletions to the May 21, 2015 minutes. Chairman Johnston asked for a Roll Call Vote. Terry Duffy-yes; Bryan Meigs-yes; Irene Myers-yes; Jackie Robinson-yes and Chairman Johnston-yes. All in Favor. Motion Carried.

Chairman Johnston read the following:

**Application of Peter Kaminski, 3570 East Avenue, Youngstown, NY 14174.** An area variance is requested under Sections 9 and 108 to build an accessory structure larger than primary. Property is located on the West side of East Avenue in a LDR Zoned District between Youngstown – Lockport Road S to Blairville Road, East of the Village of Youngstown in said Town.

It was noted that Peter Kaminski was present. Chairman Johnston stated that there were no neighbors present. Chairman Johnston made a motion to close the public part of the hearing and seconded by Terry Duffy and asked for a Roll Call Vote. Terry Duffy-yes; Bryan

Meigs-yes; Irene Myers-yes; Jackie Robinson-yes and Chairman Johnston-yes. All in Favor to close the public part of the hearing.

Peter Kaminski explained to the Board he would like to build a TNT Pole barn, 30' from the neighbor's property. Peter explained that he combined two lots. The building will be to the side. Bryan Meigs questioned the two lots. Irene Myers stated that Mr. Kaminski combined two lots. Chairman Johnston stated the barn is 1500 square feet. Peter Kaminski stated he is leaving the trees as a buffer. The barn will have 14' walls. He plans on storing a boat and his truck from his business.

Chairman Johnston stated all the set backs are in fine shape. No neighbors are here. Irene Myers stated that the house is exceptionally small. Attorney Dowd stated the take a look at the requirements for an area variance (page 140). Irene Myers made a motion to allow the permit for Peter Kaminski in regards to an area Variance under Article VIII, Section 108. She stated the barn would not be a detriment to nearby properties, the property will be maintained; all setbacks will be within code and was seconded by Terry Duffy. Chairman Johnston asked for a Roll Call Vote. Terry Duffy-yes; Bryan Meigs-yes; Irene Myers-yes; Jackie Robinson-yes and Chairman Johnston-yes. All in Favor. Motion Carried.

Peter Kaminski asked what was the next step and he was told he had to get a building permit from Roy Rogers.

Chairman Johnston read the following :

**Application of John and Sandy Mies, 3877 Creek Road, Youngstown, NY.** Under Sections 9 and 108 an area variance is requested from the current 15 feet to 10 feet on the North lot line for a home addition. Property is located on the East Side of Creek Road in an LDR Zoned District between Calkins Road to where the Town of Porter ends in said Town.

It was noted that John Mies was present. Chairman Johnston stated that there were no neighbors present and would like to entertain a motion to close the public part of the hearing and was seconded by Irene Myers. All in Favor. Motion Carried.

Mr. Mies explained that he needs a variance from the 15' to 10' on the North lot line. He approached the Board with drawings. Mr. Mies explained that he wants a first floor bedroom. The house was built in the 1800's .

Irene Myers stated that her only concern is that if you had to replace the septic would it allow enough room? Mr. Mies stated it is a right away. Irene Myers stated it is not going to change anything. Is there anything from the Planning Board? Irene Myers asked if Attorney Dowd had any comment. He stated it is a first floor bedroom.

Mr. Mies stated on the south side there is a right away. Irene Myers made a motion to approve the area variance for the addition and was seconded by Terry Duffy. Chairman Johnston asked for a Roll Call vote. Terry Duffy-yes; Bryan Meigs-yes; Irene Myers-yes; Jackie Robinson-yes and chairman Johnston-yes. All in Favor. Motion Carried.

Attorney Dowd stated the building permit must comply with the variance.

Roy Rogers presented the Board drawing on the proposed Dollar Store on 3061 Ransomville Road and the Board reviewed the drawings.

A Motion was made by Irene Myers and seconded by Jackie Robinson to adjourn the meeting. The meeting was adjourned at 8:00 p.m. The next regular meeting will be held on **Thursday, August 20, 2015.**

Respectfully submitted,

Nancy Smithson, Secretary  
Town of Porter Zoning Board of Appeals