



# Town of Porter

## Special Meeting

~ Minutes ~

3265 Creek Road  
Youngstown, NY 14174

[TownofPorter.Net](http://TownofPorter.Net)

Barb Dubell  
716-745-3730

Monday, November 23, 2015

7:00 PM

Town Hall Auditorium

### I. Call to Order

7:00 PM Meeting called to order on November 23, 2015 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
Mert Wiepert	Town of Porter	Supervisor	Absent	
Larry White	Town of Porter	Deputy Supervisor	Present	
Thomas Baia	Town of Porter	Councilman	Present	
Jeff Baker	Town of Porter	Councilman	Present	
Joe Fleckenstein	Town of Porter	Councilman	Present	
Barb Dubell	Town of Porter	Town Clerk	Present	
Kara Hibbard	Town of Porter	Deputy Town Clerk	Absent	
Mike Dowd	Town of Porter	Attorney	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	

### II. Reports/Resolutions

#### 1. Report 2015-197

#### Discuss Amendments to Local Law 2-2014

Discuss amendments to Local Law 2-2014.

Attorney Dowd: Adopt a resolution calling for a public hearing based on the report. The public hearing will be held on December 14<sup>th</sup>.

A notice of public hearing to amend the zoning ordinance which would restrict the sales and service of garden and farm equipment in an RA area. So that's the notice of public hearing as I have prepared it. Assuming that you adopt this resolution right now, that's the notice that would go in the paper and then we also have to prepare the SEQR.

The resolution is issuing an order for public hearing and you have that, that's the resolution.

**RESULT: REPORT ISSUED**

#### 2. Resolution 2015-98

#### Set Public Hearing

Resolution to set a Public Hearing on Monday, December 14, 2015 @ 7:00 PM in the Porter Town Hall,

3265 Creek Road, Youngstown, NY 14174 to receive public input concerning the resending Local Law 2-2014 which authorized the repairing of lawn and garden equipment in zoning area RA.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Joe Fleckenstein, Councilman
<b>SECONDER:</b>	Thomas Baia, Councilman
<b>AYES:</b>	Larry White, Thomas Baia, Jeff Baker, Joe Fleckenstein
<b>ABSENT:</b>	Mert Wiepert

**3. Resolution 2015-99**

**Amend Town of Porter Zoning Ordinance**

Whereas; the Town of Porter adopted a Town Zoning Law on November 8, 2010, and

Whereas; said Town amended said zoning law to permit sales and service of garden and farm equipment in areas zones Rural Agricultural by local law Number 1 of 2014; and

Whereas; the Town Planning and Zoning Boards, after having considered the Town’s Master Plan, have recommended that such amendment be rescinded as not being in harmony with said Master Plan; it is hereby

Resolved; that the Town adopt a local law amending Article II, Section 7, Figure II-1 of the Town of Porter Zoning Law related to the sales and service of garden/farm equipment in the Town of Porter by amending the Permitted Primary Use Table as follows:

Use	RA	LDR	WR	MDR	CMU	RC	M-1	M-2	M-3
Sales and Service of					SP	SP	SP	SP	
Garden/Farm Equipment									

And it is further;

Ordered, that pursuant to Section 264 of the New York State Town Law and Section 100 and 109 of the Town of Porter Zoning Ordinance the Town Board of the Town of Porter, shall meet at the Town Hall, 3265 Creek Road, Youngstown, New York, on the 14th day of December, 2015, at 7:00 o'clock P.M., for the purpose of conducting Public Hearing on the proposal to amend the Town of Porter Zoning Ordinance as described above, and it is further

Ordered, that the Town Clerk refer this proposed amendment to the Town of Porter Zoning Ordinance to the Niagara County Planning Board pursuant to General Municipal Law 239 for its recommendation, and it is further

Ordered, that a copy of this Order be immediately sent to the Village of Youngstown, New York, Town of Lewiston, New York, Town of Wilson, New York and Town of Cambria, New York

Ordered, that the Town Clerk of the Town of Porter, is directed to publish a notice of Public Hearing in the Niagara Gazette for the date and time stated above and to post a copy of the same on the signboard

of the Town of Porter.

---

Merton K. Wiepert, Supervisor

The special meeting of the Porter Town Board was adjourned at 7:18 pm. Motion was made by Councilman Baker and seconded by Councilman Fleckenstein. Motion carried.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Baker, Councilman
<b>SECONDER:</b>	Larry White, Deputy Supervisor
<b>AYES:</b>	Larry White, Thomas Baia, Jeff Baker, Joe Fleckenstein
<b>ABSENT:</b>	Mert Wiepert

---