

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order on Thursday, September 7, 2006. Gary Myers, Douglas Canfield, and Anthony Collard were absent (Mr. Collard arrived late from another meeting.) Chairman Spira read over the agenda and added the Jeffrey Stevens Public Hearing.

CRAWORLD ENGINEERING REPORT

Dave Britton stated that Rob Lannon has put together a summary of the projects CRAWorld Engineering is currently working on for the Town of Porter. Chairman Spira read from the report regarding the issues that are relevant to the Planning Board. They include Jedidiah development on Lake Road, Blairville Road development, Slaven/Candella development on Lake Road, Sanger Development on Lake Road.

JEFFREY STEVENS PUBLIC HEARING

Chairman Spira re-opened the Public Hearing for Jeffrey Stevens subdivision of property on Lower River Road, Youngstown. This public hearing was scheduled for the August 3, 2006 Planning Board meeting but there was no one at the meeting to represent Mr. Stevens, therefore, the Public Hearing was adjourned until September. Chairman Spira read from the August 3, 2006 Planning Board minutes regarding this request. H. Martin Stevens was present at the Planning Board meeting to represent this matter. There is a notarized statement in the file giving H. Martin Stevens permission to represent his son in this matter.

This is a request to subdivide Mr. Steven's property in half. The purpose is to separate the house. The access from Lower River Road is an easement. There is not a public road. Each individual property owner in the vicinity has access to Lower River Road via an easement. The piece being subdivided is a sufficient size for a building lot. Karen Wieland-Schmidt stated that the new deed should refer to the easement in order to have access to Lower River Road.

With no further comments or question regarding this subdivision request James McIntyre made a motion to adjourn the Public Hearing portion of the meeting. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried.

Chairman Spira read the Short Environmental Assessment form and completed the back section on behalf of the Planning Board. Jipp Ortiz made a motion this action will not result in any adverse environmental concerns. Donald McCollum seconded the motion. All in favor; motion unanimously carried.

Chairman Spira read comments from CRAWorld regarding drainage on the property. CRAWorld states there are no issues with respect to drainage on this property.

Donald McCollum made a motion to approve this subdivision request as presented. Jipp Ortiz seconded the motion. A roll call vote resulted in the following: James McIntyre,

yes; Donald McCollum, yes; Jipp Ortiz, yes; Chairman Spira, yes. Motion unanimously carried.

PUBLIC COMMENT

William Choboy commented on the minutes of the August 3, 2006 Planning Board meeting regarding the Zoning Committee report. His comments were taken into consideration and are available for review upon request.

ZONING BOARD OF APPEALS REFERRAL-Scott Macvie

Application of Scott MacVie, Youngstown, NY. Under Sections 472.3, 705 and 710, a Special Permit is required to place a propane tank for distribution located on Tax Map No. 60.00-2.29.4 on the North Side of Balmer Road in an M-2 Zoned District between Creek Road and Lutts Road in said Town.

Mr. Macvie is requesting a special permit for petroleum storage on his property next to Jippter's. There is a survey with a drawing on it that indicates the location of the tank. The Planning Board would like to know if the request included distribution of petroleum products.

Scott Macvie and George Barella came before the Planning Board to clarify the request for a special permit to place a propane tank for distribution located on Mr. Macvie's property on Balmer Road, Youngstown. There is already a petroleum products storage facility on Ransomville Road operated by NOCO Petroleum Products on the Baker farm. Chairman Spira read a letter from TPS Petroleum Products regarding their desire to move into the area with petroleum products (specifically propane). This is a mobile tank and one bobtail truck will come to fill up with propane on Monday, Wednesday and Friday to take a load out and deliver the propane house to house in the area. This operation will be fenced in as shown on the drawing Mr. Barella provided. TPS Petroleum Products will be leasing the property from Scott Macvie, therefore the application is in Scott Macvie's name.

Mr. Macvie stated that there is about three feet of fill that has been brought in to the area over the past three years. There is no water laying anywhere. Drainage is not an issue. The tank will have 18,000 gallon capacity. Michael Dowd, reminded the Planning Board that the town must make sure that the standards for petroleum storage are being met. Chairman Spira took out the NOCO request for petroleum storage on Ransomville Road. This request is a little different because a zoning change is not required. Chairman Spira read from the April 4, 2004 Planning Board minutes regarding this action. This area on Balmer Rod is zoned for this type of operation. TPS will meet the standards as set forth by the fire code of New York State regarding flammable gas. The tank area will be lighted around the clock. The nearest house is at least 1,500 feet away. Some concern regarding the cellular phone tower in the area was raised. Supervisor Merton Wiepert indicated concern about the height of the cell tower versus the propane storage facility. Roy Rogers, Code Enforcer, will inspect the site to be sure there is no possibility of the tower falling on the storage tank. The Youngstown Volunteer Fire Company Fire Chief

will meet with Scott Macvie and TPS before final placement is determined. The Planning Board recommends that the Zoning Board of Appeals **approve** this request.

APPROVE AUGUST 3, 2006 MINUTES

James McIntyre made a motion to approve the minutes of the August 3, 2006 Planning Board. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried.

MISCELLANEOUS ITEMS

Chairman Spira spoke about the Strategic Plan for preserving agricultural lands and revitalizing the agricultural economy in the town of Porter. A meeting will be held Monday, September 11, 2006 regarding this matter.

Anthony Collard reported on the Youngstown Cold Storage facility. The New York State Department of Environmental Conservation held a Public Hearing on this matter tonight. Sixty residents attended the meeting. The results of the D.E.C study were given and it appears the plan that involves the least amount of remediation regarding the environmental clean-up options will be implemented. The ownership of the facility needs to be determined before anything is done on the site.

Chairman Spira submitted the budget request to the bookkeeper.

There will be a meeting of the Lake Ontario Ordinance Works Project on September 25, 2006 at 7:00 p.m. The meeting will be held at the Lewiston Senior Center.

Chairman Spira read a letter from Planning Board member Gary Myers. Mr. Myers has resigned immediately.

With no further business to come before the Planning Board a motion to adjourn was made by James McIntyre. Jipp Ortiz seconded the motion. All in favor; meeting adjourned at 9:10 p.m.