

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order on Thursday, June 7, 2007. William Rolland and Jipp Ortiz were absent. Chairman Spira read over tonight's agenda and welcomed everyone.

APPROVE MINUTES of April 5, 2007 (revised) and May 3, 2007

Chairman Spira read the revised minutes of the April 5, 2007 Planning Board meeting. Anthony Collard made a motion to approve the minutes. James McIntyre seconded the motion. All in favor. Motion unanimously carried.

James McIntyre made a motion to approve the minutes of the May 3, 2007 Planning Board as presented. Donald McCollum seconded the motion. All in favor; motion unanimously carried.

ZONING BOARD OF APPEALS REFERRALS

MATTHEW LEADRINI, 364 Howard Drive, Youngstown submitted a use variance request to build a six (6) foot fence for privacy and to enclose his dogs. The Planning Board recommends that the Zoning Board of Appeals approve this request.

THEODORE & SHELLY SHAW, P. O. Box 372, Ransomville, NY submitted a request for a use variance. The Planning Board recommended approval of this request last month.

CHRISTINE SGRUI, 1707 Harrison Lane, Youngstown, submitted a request for a use variance to build a six (6) foot fence in the back of her property for privacy around a swimming pool. The Planning Board recommends approval of this request.

WILLIAM WOLF, 439 Old Lake Road, Youngstown, has submitted a request for an area variance in order to build a garage (22' X 20') on his property. His lot is 6,000 square feet which is substandard. Most of the residents of the area are over the allowable limit of lot coverage already. The Planning Board recommends that the Zoning Board of Appeals approve this request for a garage.

YOUNGSTOWN ESTATES MOBILE HOME PARK-Mr. DeMarco, attorney representing the purchaser of the site on Balmer Road, Youngstown, NY, came before the Planning Board to request a special use permit as required by town law. The permit is identical to the existing one, only the owner's name has been changed. This request is for a 20 year permit renewal. The special use permit is not automatically transferred to a new owner. The purchasing company has run major mobile home parks similar to this in the past. Mobile Home Park ownership is the business the new owner is in. The Planning Board recommends that the Zoning Board of Appeals approve the transfer of this special permit to Mark Coleman-Melrose.MHP.LLC. The Planning Board recommends the permit be issued for twenty (20) years. It is also recommended that the name of a local manager be included should the town need a contact.

NANCY SANGER – EAST GARRISON RESIDENTIAL DEVELOPMENT

Nancy Sanger came before the Planning Board tonight in order to get preliminary site plan approval for her development on Lake Road near Old Lake Road, Youngstown. This area is zoned MF80. Tonight a pre-application conference is being held. Dave Giusiana, the architect for the project, explained that this will be an eighteen (18) unit condominium complex. The majority of the windows will face south to get the most advantage of the sunlight. Each unit is approximately two thousand (2,000) square feet in size. The layout differs by the model; however, stylistically the units are the same.

Each unit is an independent condominium. The town of Porter does not have any provisions in the town law for zero lot homes. There is a provision in the town law for an apartment complex. It is the responsibility of Nancy Sanger to apply for the necessary paper work from the state for a condominium complex.

The overall concept at the present time is for a condominium complex. The Planning Board should be clear in the site plan approval that this is a condominium complex and has to be approved by the Attorney General's Office of New York State. The condominium association will be one single owner. This will be one parcel and one tax bill.

Each unit has a two-car garage with room for an additional two or three cars to be parked in the driveway. The cost for the units will be between \$200,000 and \$300,000 each.

Old Lake Road is owned by the Town of Porter; therefore, the town will be responsible for the maintenance of the road. Rick Haight, an engineer contracted by Ms. Sanger, reported he has been in contact with Supervisor Merton Wiepert. He has inquired about the possibility of Mr. Sanger purchasing an area of the road. Supervisor Wiepert stated that the road is not for sale because the sewers need to be maintained by the town.

Drainage in the area is an on going problem. Nancy Sanger stated she has addressed the drainage on the site. There is an existing drainage ditch on the site. The water that comes on the site initiates from the west. Chris from CRAWorld is concerned with a culvert that is in the design. The concern of the neighbors is that the water will back up on to their property. The neighbors from Fort Niagara Beach and the Demiglio property need to be taken into consideration as far as the drainage concerns.

The drainage is something that the engineers need to work out. CRAWorld does not believe that this development will create a problem. CRAWorld recommends that an additional hydrant be added on the northwest corner of the Lake Road. CRAWorld also recommends that the PVC sewer go to the eight (8) inch sewer.

Chairman Spira read a letter provided from CRAWorld. Ten areas of a concern were outlined in the letter. The developer has addressed the comments sufficiently as far as CRAWorld is concerned.

Chairman Spira would like the Planning Board to send a letter to the Porter Town Board requesting they examine the drainage in the area in order for Ms. Sanger to move ahead on the development of the area. The town needs to verify that the existing culvert can handle the flow of water in the area.

A written approval with modifications will be needed. Chairman Spira would feel better if the Planning Board held a public information meeting. Ms. Parker will place a notice in the Niagara Gazette announcing that a Public Information Meeting will be held on Monday, June 18, 2007 at 7:00 p.m. to discuss the East Garrison Development on Old Lake Road and Lake Road, Youngstown.

Anthony Collard made a motion to approve the preliminary site plan contingent on the drainage issues outlined by CRAWorld as well as the adjustment of the location of the four-unit building to assure a fifty (50) foot set back from the Robert Moses Parkway being addressed. James McIntyre seconded the motion. A roll call vote resulted in the following: Anthony Collard, yes, James McIntyre, yes, Donald McCollum, yes; Chairman Spira, yes. Motion unanimously carried.

LAURINE BUCKLEY SUBDIVISION REQUEST

Laurine Buckley, Lake Road, Ransomville, would like to subdivide a 1.5 acre parcel she owns on Lake Road, Ransomville. There will be three lots, each about 30,000 square feet. The parcel is a triangle area that has not been surveyed yet. The Planning Board approves of the concept for this request. A public hearing will be required in order to subdivide the area. This is a four-lot subdivision. James McIntyre made a motion to approve the sketch plan. Donald McCollum seconded the motion. All in favor; motion unanimously carried.

WILLIAM MC LAUGHLIN SUBDIVISION REQUEST

William McLaughlin came before the Planning Board to subdivide a parcel of land he owns on Ransomville Road south of the elementary school. Mr. McLaughlin owns a total of fifty (50) acres on the east side of the road. He would like to subdivide lots one and two from the fifty (50) acre parcel. Mr. McLaughlin provided a drawing of the concept to the Planning Board for the two lots he is interested in subdividing.

Anthony Collard made a motion to approve the sketch plan as presented. Donald McCollum seconded the motion. All in favor; motion unanimously carried.

CODE ENFORCER REPORT

Roy Rogers has issued sixteen (16) building permits during the month of May.

With no further business to come before the Planning Board tonight, Anthony Collard made a motion to adjourn the meeting. James McIntyre seconded the motion. All in favor; motion unanimously carried. Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Pamela F. Parker, Secretary