

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order at 7:00 p.m. on Thursday, July 5, 2007. Donald McCollum was absent. Chairman Spira read the agenda aloud and added the Anna Madra subdivision request

### **APPROVE MINUTES**

Chairman Spira read over the minutes of the June 7, 2007 Planning Board meeting. James McIntyre made a motion to approve the minutes as presented. William Rolland seconded the motion. All in favor; motion unanimously carried.

Chairman Spira read over the minutes of the Special Meeting the Planning Board held on June 18, 2007 regarding the East Garrison Development request of Nancy Sanger. James McIntyre requested that EIS be changed to EAF. James McIntyre made a motion to approve the minutes of the special meeting with the change of EIS to EAF. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried.

### **ZONING BOARD OF APPEALS REFERRALS**

#### **VERNON & MARY WALLACE AREA VARIANCE REQUEST**

Request of Vernon and Mary Wallace, 1709 Harrison Lane, Youngstown for an area variance to erect a 20' by 30' pole barn on their property. Originally, this request was for a larger building. An Article 78 has been filed by Mr. & Mrs. Wallace regarding this request. The Zoning Board of Appeals has already given their approval for a 20' by 30' building with some conditions. The conditions include the removal of some out buildings on the property. There are three buildings that need to be torn down in order for the approval to be final. Jipp Ortiz made a motion to approve this request for the construction of the 20' by 30' pole barn as long as the three sheds are removed within sixty (60) days after the completion of the garage. Anthony Collard seconded the motion. All in favor; motion unanimously carried.

#### **NOCO ENERGY CORP.**

NOCO Energy Corp, 13613 Main Road, Akron, NY is requesting the renewal of a special use permit to store propane at 2977 Ransomville Road. David Kruger, representing NOCO Energy Corp. stated that the storage of propane at the site is for rural delivery to farms, businesses and homes. This is a remote site. The Planning Board recommends that the Zoning Board of Appeals approve this request for a special use permit for ten (10) years.

#### **DAWN S. WALKER RECREATIONAL POND REQUEST**

Dawn Walker came before the Planning Board to request their approval to dig a recreational pond at her residence at 1495 Youngstown-Lockport Road. The purpose for the pond is to use the dirt to backfill and grade her house. Chairman Spira read a letter from the Niagara County Soil and Water Conservation Department regarding their pond site evaluation. Based upon the mapped soils at the property, the proposed site should provide suitable conditions for a functional pond.

The approximate size of the pond is one acre. The home owners will follow everything in the local law regarding recreational ponds. No soil will be removed from the site. The Planning Board recommends approval of this request for a recreational pond.

### **CONNIE GRAY SUBDIVISION REQUEST**

Connie Gray, 191 Jackson Ave., N. Tonawanda, would like to combine two lots at 2318 and 2324 Lockport Road, Ransomville. Mr. Scrivani is the current owner of the property. Ms. Gray would like to purchase the two lots, combine them and build a home. Her purchase of the lots is contingent upon the lots being combined. The Planning Board recommends approval of the sketch plan to combine the two lots. In order to move ahead on this request, a formal public hearing will have to be held. Ms. Gray will need permission to act on behalf of the owner. A notarized statement will be necessary for her to do so.

### **RICHARD HASTINGS/KEN GREULICH SUBDIVISION REQUEST**

Richard Hastings would like to subdivide his property that is located south of the town hall. The property was previously known as the Howard Tower Farm. Ken Greulich an agent of Dan & Lucy Wilson real-estate is representing Mr. Hasting. There is a contract to sell three parcels; therefore a subdivision request is necessary. One property lot line will be in the center of Four Mile Creek. William Rolland asked about the Planning Board's position regarding flag lots being created in the town. It was determined that lots of this dimension are in the area.

Anthony Collard made a motion to approve the sketch plan as presented for the subdivision of three lots on this parcel. Jipp Ortiz seconded the motion. All in favor; motion unanimously carried.

### **EAST GARRISON DEVELOPMENT/NANCY SANGER**

Kristen Gamble, representing Advanced Design, came before the Planning Board to give an update to the drainage on the East Garrison Development site on Lake Road and Old Lake Road, Youngstown. Ms. Gamble has followed up with CRAWorld regarding the culvert capacity on the site. This request will be sent to the Niagara County Planning Board for their approval. Drainage in the area is an issue irregardless of the development of this site. It is imperative that the drainage in the area be resolved. The drainage study that the town requested has not been completed as of yet. The north/south drainage problems down stream seem to be an issue that Ms. Sanger would not be responsible for. The New York State Department of Transportation will look into a speed study in the area of Jackson Street and Oak Lodge according to Councilwoman Nancy Orsi.

The Parkway culvert is a problem. The Planning Board is waiting for the town to determine who is responsible for the paving of the road so that it is usable. Ms. Sanger has met with Supervisor Wiepert regarding the road and its repair/maintenance. The road issue must be resolved because the cost would seriously impact the future development of this parcel by Ms. Sanger. Should Ms. Sanger be responsible for the road it is doubtful the project would commence. Roy Rogers will forward information regarding the East Garrison development to the Youngstown Fire Company

The town needs to do a complete repair of the road. This road is a dedicated town road; therefore; the town is responsible for its repair and maintenance.

An application for final site plan approval should be submitted by the developer.

### **ANNA MADRA SUBDIVISION REQUEST**

Although Ms. Madra is not present tonight, Roy Rogers submitted her request for a minor subdivision. This is a pre-application at this point. A deed for the combining of these two lots was filed a few months ago and a formal subdivision proceeding was held by Ann Johnston ( a piece of property was given to Ms. Madra by Peter Tower and added to her existing lot.) James McIntyre expressed concern about the size of the lot that is being created and the fact that this was combined because it was the understanding that is would not create a building lot. The owners intend to build another house on the lot that is being subdivided.

### **ZONING LAND USE PROPOSAL**

Councilwoman Nancy Orsi presented a document for the Planning Board to look over closely. She would like to encourage the Planning Board to attend a meeting on July 16 at 7:00 p.m. for the purpose of moving toward adopting this proposal. The document will be examined page by page. The town would like to streamline the process.

With no further business to come before the Planning Board James McIntyre made a motion to adjourn. Jipp Ortiz seconded the motion. All in favor; meeting adjourned at 8:30 p.m.

Respectfully submitted,

Pamela F. Parker, Secretary

Town of Porter Planning Board