

Draft...draft...draft

Chairman Spira called the regular meeting of the Town of Porter Planning Board to order at 7:00 p.m., Thursday, March 01, 2007. All members were present. Chairman Spira read over tonight's agenda. He reminded everyone that items for the agenda must be called in to George or Pam ten (10) days prior to the first Thursday of each month in order to be heard.

PAMELA AND DAVID ERWAY PUBLIC HEARING

Chairman Spira read the following Notice of Public Hearing:

Notice is hereby given that a Public Hearing will be held by the Planning Board of the Town of Porter, 3265 Creek Road, Youngstown, New York, on **Thursday, March 1, 2007** at 7:00 p.m. for the purpose of considering and hearing all interested persons concerning the following:

Subdivision request of David and Pamela Erway, 4202 Willow Road, Wilson, New York, to combine five lots at the south-east corner of the intersection of Youngstown-Lockport Road and Ransomville Road, Ransomville, New York. The lots are known as tax map numbers: 62.14-1-24, 62.14-1-25, 62.14-1-29.2, 62.14-1-26, and 62.14-1-27.

This is a request to combine five (5) parcels in Ransomville on the southeast side of the intersection of Youngstown-Lockport Road and Ransomville Road. Timothy Arlington, Apex Consulting, came before the Planning Board to represent this action on behalf of David Erway. There are five (5) small parcels that are being combined to ultimately be one parcel consisting of 1.2 acres. All of the buildings on the parcels will be removed when site plan approval is given. Both commercial and residential buildings were included in the five parcels. Chairman Spira read from the February 1, 2007 Planning Board minutes regarding this subdivision request. The Planning Board has looked at this request in the past.

Ronald Johnston, adjoining land owner, reported that there needs to be a drainage plan for the back of the lots being combined. There is a swail in the back that will need to be properly maintained in order for sufficient drainage to occur in the area. The developer will put in a swail that drains to a storm sewer system. Mr. Johnston said that the drainage should occur from the back to the street.

With no further questions or comments from Planning Board members or the audience, Jipp Ortiz made a motion to close the Public Hearing portion of the meeting. James McIntyre seconded the motion. A roll call vote resulted in the following: William Rolland, yes; J. Anthony Collard, yes; James McIntyre, yes; Donald McCollum, yes; Jipp Ortiz, yes; Chairman Spira, yes. Motion unanimously carried.

This action must be submitted to the Niagara County Planning Board for approval because it is on the state road. The deadline for submission to the Niagara County Planning Board is March 9 and the meeting will be held March 19.

CRAWorld has not submitted a letter regarding drainage because they are working the drainage out with the applicant.

Chairman Spira read over the Short Environmental Assessment form submitted by the applicant and completed the back section on behalf of the Planning Board. Anthony Collard made a motion that, based on the information and analysis presented; the proposed action will not result in any significant adverse environmental impacts. Jipp Ortiz seconded the motion. A roll call vote resulted in the following: William Rolland, yes; J. Anthony Collard, yes; James McIntyre, yes; Donald McCollum, yes; Jipp Ortiz, yes; Chairman Spira, yes. Motion unanimously carried.

William Rolland made a motion to approve this subdivision as presented. Jipp Ortiz seconded the motion. A roll call vote resulted in the following: William Rolland, yes; J. Anthony Collard, yes; James McIntyre, yes; Donald McCollum, yes; Jipp Ortiz, yes; Chairman Spira, yes. Motion unanimously carried.

The Planning Board will forward the necessary documentation to the Niagara County Planning Board for their review. The items that are to be sent: Check for \$75.00, Short Environmental Assessment form, Survey, Notice of Public Hearing.

Chairman Spira read from the Zoning Law regarding Site Plan review and Preliminary Site Plan, page 162. This action will require a special permit from the Zoning Board of Appeals. Although though there is not a formal referral from the Zoning Board of Appeals, the Planning Board can begin the review process.

Chairman Spira passed out the paper work submitted by Mr. Erway and his developers. Mr. Arlington went over the phases of the development submitted today with the Planning Board. This is a request for the preliminary site plan for a 3887 square foot convenience store, an eight pump petroleum pumping station, nineteen (19) parking spaces in the front of the store and along the south side, underground storage tanks for the petroleum products. There is access around the building for deliveries. The existing curb cut is being used.

Mr. Arlington went over the utility plan. There is no septic system because a perk test has not been done yet due to the weather. A design will be submitted to the Niagara County Health Department as soon as the perk test has been done. An absorption field with 12" to 18" of fill may be needed. Permits from the Department of Environmental Conservation will be required because of the underground petroleum storage tanks.

Mr. Arlington went over the grading plan and discussed drainage. There is a swail on both sides of the leach field and an existing storm sewer on Ransomville Road. James McIntyre recommended that an end section include an additional piece of drainage tile in order to go a little deeper. Anthony Collard asked about the proximity of a fire hydrant. Mr. Erway said

there was one across the street from the store near the intersection of Youngstown-Lockport Road and Ransomville Road.

Mr. Arlington went over the landscaping design. The Planning Board feels that the landscaping design needs more greenery, signage, sidewalks and enhancement. Parking is based on the square footage of the building. The building has a pitched roof with dormers, a brick front. The heating, ventilation, and air conditioning are on the roof in the back of the building. The dumpsters will be screened. The lighting was discussed. The hours of operation are tentatively set from 6:00 a.m. until midnight.

It is noted that this is the Pre-Application Phase. A long environmental assessment form has been submitted to the town engineering firm. Michael Dowd read from the Zoning Law 506.2 on page 86 regarding the necessity of a set back permit versus a variance.

Lighting was discussed. A high intensity light on the corner is in the drawings submitted. William Rolland would like the developer to look at something less intense and stark. Mr. Rolland would like something that is in keeping with the ambiance of the hamlet of Ransomville, keeping in mind the safety of the customers.

A side walk should go all the way around the perimeter of the property for pedestrian safety.

Rob Lannon, engineer for CRAWorld, will review the information presented tonight and the next move will be a preliminary site plan review.

CODE ENFORCER REPORT

Code Enforcer Roy Rogers reported that he has been in training all week. He is working with Mr. & Mrs. Wells, 206 Lake Road, on a major renovation of their house.

ATTORNEY REPORT

Nothing to report

MISCELLANEOUS ITEMS

Chairman Spira read the new local law filing that reduced the membership of the Planning Board from seven (7) members to five (5) members.

Anthony Collard is concerned about the petroleum business on Balmer Road. A special permit has not been issued yet, and it appears that business is being conducted on the site.

Chairman Spira, Anthony Collard and Pamela Parker reported on their experience at the Association of Town meeting held recently in New York City.

Chairman Spira passed out the draft review "Request for Board Action" prepared by Karen Wieland Schmidt. Mr. Wieland Schmidt should be notified of any changes that are deemed necessary.

APPROVE MINUTES 2/1/07 AND 2/15/07

Chairman Spira passed out minutes of the work session the Planning Board held on February 15, 2007. The minutes of the work session were approved as presented. The minutes of the February 1, 2007 Planning Board meeting were approved as presented. All in favor.

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; meeting adjourned at 9:00 p.m.

Respectfully submitted,

Pamela F. Parker, Secretary
Town of Porter Planning Board