



TOWN OF PORTER

3265 Creek Road ♦ Youngstown, New York 14174 ♦ (716) 745-3730, ext. 7 ♦ fax (716) 745-9022 ♦

STATE OF NEW YORK
COUNTY OF NIAGARA

ZONING BOARD OF APPEALS
TOWN OF PORTER

The regular meeting of the Town of Porter Zoning Board of Appeals was held on April 22, 2021 at 7:00 PM, in the Town Hall Auditorium located at 3265 Creek Road, Youngstown, NY 14174.

	<u>Date</u>	<u>Present</u>	<u>Absent</u>
Jackie Robinson, Chairman	04/22, 2021	yes	
Terry Duffy	04/22, 2021	yes	
Paul Brown	04/22, 2021	yes	
Marshall Hibbard	04/22, 2021		yes
Steve Zappy	04/22, 2021		yes
Atty Michael Dowd	04/22, 2021	yes	
Peter Jeffery, Code Enforcer Officer	04/22, 2021	yes	

Chairman, Jackie Robinson called the meeting to order with the pledge of allegiance at 7:00 pm.

Chairman Robinson asked for approval of the March 25, 2021 minutes. Member T. Duffy made a motion and was seconded by Member P. Brown to approve March 25, 2021 minutes. All in Favor. Motion Carried.

Code Enforcement Officer (CEO) Peter Jeffery passed out two drafts on “home based contractor/small business zoning law proposals and Farm Market, Roadside Stands and Farmers’ Markets to the Board members. This is going to be a working session and discussion on the above two.

CEO Jeffery stated with regards to a farm market, the revised definition should be the same as ag & farm definition -- 50% of the product grown or produced on a one acre or more farm. We need to go a step further to include that the product is produced in the Town of Porter. We would like to keep this definition simple. There are three markets – farmers’ markets, farm markets and roadside stands. CEO Jeffery gave a definition of each.



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He stated that we should include that the product is produced on the premise farm.

Farm Market – CEO Jeffery asked how specific do we want to be? It should be a Town of Porter farmer.

Attorney Dowd raised the question if a farm market needs a special use permit. There was a discussion among the Board members. CEO Jeffery asked if the proposed additional language is it enough. There was also a discussion on whether you need a building permit for a farm market – possibly “expedite site plan review”. We could also make sure there is “off street parking”.

Chairman Robinson brought up a point about possible signage in certain areas of the business during high volume or peak times. CEO, Jeffery asked if the Board wanted to have anything in our code about signage for farm markets.

CEO, Jeffery stated that he had a good feel about the ZBA’s interest and discussions on the proposed draft on Farm Market, Roadside Stands and Farmers’ Markets. Another point brought up about farmers’ markets that needed to be addressed was there are no specifics on multiple farmers selling products. We should define it in our code, and where we are going to have it. I think it would be a good thing if we could find a suitable space to house a farmers’ markets. A question was also raise about proof of insurance. Member T. Duffy discussed what happens in Lewiston and what is required. CEO Jeffery stated that maybe we could have someone (single source) who is responsible for the farmers’ markets. Chairman Robinson asked if we could issue a special use permit; and in that case, we can have recommendations for the market. Attorney Dowd stated he was going to forward to the Secretary “Farmers’ Market Federation of New York” that the Board could use as a tool kit and regulations. Secretary Smithson will email to all the Board members and a copy to Secretary Freiermuth for the Planning Board.



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Zoning Law Proposal – Home Based Contractor/Small Business. There were two questions raised about “Two (2) bay – vehicle repair” – on a $\frac{3}{4}$ acre parcel. CEO Jeffery asked the Board if they had any questions about $\frac{3}{4}$ acre – was it large enough for a two bay garage. Chairman Robinson also brought up about the lay out of the road. Chairman Robinson stated she felt better with a one acre parcel. “Race Car/Motorsports Vehicle Service Shop”, There was a discussion about the $\frac{3}{4}$ acre, and it was recommended the size should be a one acre. It should say “Race Car/Motorsports Vehicle Repair Shop.

CEO Jeffery stated this was a very good work session, and he was going to revise the draft and present it to the Planning Board at their next meeting.

A motion was made to adjourn the meeting at 8:25 pm by Member Terry Duffy was seconded by Member Paul Brown.. The next meeting is scheduled for Thursday, May 27, 2021.

Sincerely,

**Nancy Smithson
Secretary, Zoning Board of Appeals**