



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 February 24, 2022 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	02/24/2022		yes
Terry Duffy	02/24/2022	yes	
Paul Brown	02/24/2022	yes	
Scott Szarejko	02/24/2022	yes	
Steve Zappy	02/24/2022	yes	
Atty Michael Dowd	02/24/2022		Yes
Peter Jeffery, Code Enforcer Officer	02/24/2022	yes	

Vice Chairman, Terry Duffy called the meeting to order with the pledge of allegiance at 7:00 pm.

Vice Chairman, Terry Duffy asked for approval of the January 27, 2022 minutes. Steve Zappy made a motion to approve the minutes and was seconded by Terry Duffy. All in Favor. Motion Carried.

Vice Chairman Terry Duffy stated that we have a very light agenda tonight. He asked Code Enforcement Officer (CEO) Peter Jeffery to discuss the proposed Rural Residential Business (RRB) Options 1 and 2. CEO Jeffery passed out updated copies to the Board members. He stated that the Town Board is looking for recommendations by both the Zoning and Planning Boards. Attorney Dowd has some concerns. There was a pretty good discussion at the Planning Board earlier this month. Attorney Dowd had quite a bit of input on how the RRB would align with the Town's Comprehensive Plan. It should be in agreement with the Comprehensive Plan. Once you say these are allowed in a certain zoning district, even though you set parameters, you can't say "no" for a special use permit.



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Paul Brown had some reservations and some concerns. I think there is a need for some version, and my biggest concern is what we don't address in our law today. If there is anything that isn't allowed, they are not allowed.

Tony Collard stated that CEO Jeffery has been working, I think about a year on this. Paul Brown talked about the seven changes. We are not against all of them but about four were too restrictive, and we discussed this.

CEO Jeffery stated that the Town Board has tasked this to both the Planning and Zoning Board to address this. There was a work session with the Town Board – no action was taken. They were trying to get points for feedback. On Option 1 page 3 of 5 – A suitable RRB – list a thru g. There was a discussion on the seven types and how this list came about. There was also a general discussion on vehicle repair shops. They tried to get a more definitive guideline on how to operate. CEO Jeffery discussed the Comprehensive Plan and when the last time it was updated. He stated you want to review it properly on how you want the town to develop. It is an extensive process to go through. Tony Collard agreed that it was time to update it. CEO Jeffery stated do we want to make a recommendation to the Town Board to update the Comprehensive Plan. In general, do we think this is something that needs to be pursued at this time or leave the laws the way they are right now? Paul Brown brought up the question on contractors – “What is the concern about having this in the law?” CEO Jeffery discussed home based businesses. He stated that this is his perspective in defining this law and establishing parameters. There was a discussion on the different parameters such as deliveries and maximum number of employees. We don't want to create a precedent – referred to the solar law.

Paul Brown stated it seems like there is more concern on the Comprehensive Plan. Paul Brown also brought up a few questions on “Cause for Revocation”.

Vice Chairman Terry Duffy asked if there were any more comments. CEO Jeffery asked, “If the Board would like to put this “on hold” until we do something with the Comprehensive Plan?” Vice Chairman Terry Duffy asked if we could get some feedback from the Town Board on the Comprehensive Plan.

Vice Chairman Terry Duffy asked if there were any additional items for discussion.



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CEO Jeffery stated that we have scheduled the airport and skydiving operation next month. He also stated that at the Planning Board they mentioned they would like to add an annual festival (a 3 to 4 day event). In the past, we issued a temporary use permit. They would like to continue an annual event once a year. There was also a discussion about extending the season.

CEO Jeffery also discussed the possible sub-division on the Bob Fuller property located at 2498 Youngstown-Wilson Road, Ransomville, NY.

A motion was made to adjourn the meeting at 8:00 pm by Paul Brown and was seconded by Terry Duffy. The next meeting is scheduled for Thursday, March 24, 2022.

Sincerely,

Nancy Smithson
Secretary, Zoning Board of Appeals