

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 21, 2016 at 7:30 PM, in the Town Offices, 3265 Creek Road, Youngstown, NY 14174

PRESENT: Chairman Duffy Johnston, Member Bryan Meigsm
Member Terry Duffy, Member Irene Myers, Member
Jackie Robinson, Building Inspector, Roy Rogers, and
Attorney Michael Dowd.

ABSENT: Assessor, Susan Driscoll.

Chairman Johnston called the meeting to order at 7:30 pm.

Chairman Johnston asked if there were any additions or deletions to the March 27, 2016 minutes. None. Chairman Johnston asked for a motion to accept the minutes. Terry Duffy made a motion and was seconded by Jackie Robinson to approve. All in Favor. Motion Carried.

Chairman Johnston read the following:

NOTICE IS HEREBY GIVEN THAT, pursuant to Section 267 of the Town Law and Local Law No. 2 of 2010, as amended, of the Town of Porter, Niagara County, New York, a PUBLIC HEARING will be held by the Zoning Board of Appeals at the Town Offices, 3265 Creek Road, Youngstown, NY on **April 21, 2016** at 7:30 PM for the purpose of considering and hearing all interested persons concerning the following application(s):

APPLICATION OF RICHARD PARSON, 1549 Youngstown-Lockport Road, Youngstown, NY. To renew his Special Permit property is located in a RA Zoned District on the North Side of Lockport Road (Rte. 93) between Lutts and Porter Center Roads in said Town.

It was noted that Mr. Parson was present. Chairman Johnston asked if anyone from the audience wished to speak. None. Jackie Robinson made a motion to close the public part of the hearing and was seconded by Irene Myers. All in Favor. Motion Carried.

Chairman Johnston asked Mr. Parson if he would like to continue with what he is doing? Mr. Parson stated that he is selling synthetic oil mostly by word of mouth. Irene Myers asked if there were any changes? Mr. Parson stated that he has between 20 to 25 customers. He stated that there is no sign as he couldn't get the exact location.

Irene Myers made a motion to renew the special permit of Mr. Parson with the same terms and conditions for a period of ten years and was seconded by Terry Duffy. Chairman Johnston asked for a Roll Call Vote. Terry Duffy-yes; Bryan Meigs-yes; Irene Myers-yes; Jackie Robinson-yes and Chairman Johnston-yes. All in Favor. Motion Carried.

Irene Myers commented that the place is spotless.

Chairman Johnston read the following:

APPLICATION OF DAVID JAKUBOWSKI, 1135 Cain Road, Youngstown, NY. To renew his Special Permit to operate a small golf club repair shop and club making business at 1135 Cain Road. The property is located in a LDR Zoned District on the North Side of Cain Road between Creek and Lutts Roads in said Town.

It was noted that Mr. Jakubowski was not present. Chairman Johnston stated that he couldn't make it here tonight. Mr. Jakubowski did contact Chairman Johnston. He stated that he might be leaving the area and has some supplies left. He did send in a \$100 check, and I would like to table this application until next month's meeting. We would like Mr. Jakubowski present. Irene Myers made a motion and was seconded by Terry Duffy to table the application of David Jakubowski until next month. Roll Call Vote. Terry Duffy-yes; Bryan Meigs-yes; Irene Myers-yes; Jackie Robinson-

yes and Chairman Johnston-yes. All in Favor. Motion Carried to table the application for 30 days.

The Fleckenstein's were present about their request for Board action. Attorney Dowd explained that they need site plan approval. The Planning Board has to go through the process. The Planning Board will make a recommendation to the Zoning Board about granting a variance. He stated that the Planning Board meets on the first Thursday of the month and the Zoning Board on the third Thursday of the month.

Chairman Johnston mentioned to the Board that the Planning Board meets at 7:00 pm as well as the Town Board. There was a discussion about the possibility of the Zoning Board meeting at 7:00 pm. A request was made that a formal letter be sent to the Town Board stating that the Zoning Board would like to change the meeting time to 7:00 pm.

Chairman Johnston stated that Ransomville Speedway would like an extension on their permit. What happened is another person bought the name and rights to Ransomville Speedway. The application was sent to the wrong address (business location), and therefore they did not get the application on time. I would like to ask for an extension until next month. It was partially our fault as it was sent to the wrong address. It has to be a new permit.

Chairman Johnston asked for a Roll Call Vote. Terry Duffy-yes; Bryan Meigs-yes; Irene Myers-yes; Jackie Robinson-yes and Chairman Johnston-yes. All in Favor to extend Ransomville Speedway for a month so that they can run under the current permit until we can discuss the public notice. The motion was made by Terry Duffy and Irene Myers.

Chairman Johnston stated that he would contact Track Vision LLC personally, and they will be heard on next month's docket.

A Motion was made by Bryan Meigs and seconded by Irene Myers to adjourn the meeting. The meeting was adjourned at 7:50 p.m. The next regular meeting will be held on **Thursday, May 19, 2016.**

Respectfully submitted,

Nancy Smithson, Secretary
Town of Porter Zoning Board of Appeals