

TOWN OF PORTLAND PLANNING BOARD

REGULAR MEETING - JUNE 27, 2017

MEMBERS PRESENT: Harold Smith, Chairman, Robert Patterson, Daniel Thompson, Daniel Larish, Signe Rominger, Code Enforcement Officer, Carol Horlacher, Secretary

OTHERS PRESENT: Gregory D. Drab, Esq., Drab Law Office, P.C.

Harold Smith brought the meeting to order at 7:36PM. Attendance was taken with all present. The meeting agenda was approved with a motion made by Daniel Thompson and seconded by Robert Patterson.

Harold Smith - Aye, Robert Patterson - Aye, Daniel Thompson - Aye, Daniel Larish - Aye, Carried

A motion was made by Robert Patterson and seconded by Daniel Thompson to accept the minutes from the 5/30/2017 Regular Meeting and Public Hearing minutes for Patricia Zanghi.

Harold Smith - Aye, Robert Patterson - Aye, Daniel Thompson - Aye, Daniel Larish - Aye, Carried

The Town of Portland Code Enforcement Report for May 2017 was distributed to each member with no comments made.

It was decided that the discussion regarding a small subdivision for property at 6091 Rt. 5 would be done prior to Old and New Business. A motion to make this change was made by Robert Patterson and seconded by Daniel Thompson.

Harold Smith - Aye, Robert Patterson - Aye, Daniel Thompson - Aye, Daniel Larish - Aye, Carried

Attorney Drab:

Attorney Drab stated that he represents the Seller and Purchasers in this transaction. The parties wish to correct an encroachment. The Kuschel's parcel (SBL #127.20-1-9) contains improvements that encroach on the neighboring parcel owned by MRC Energy

Management, LLC (SBL # 127.20-1-8). The Kuschel's pole building encroaches approximately nine (9) feet at its widest point over the property line. Additionally, the Kuschel's patio encroaches approximately four (4) feet over the property line. The Kuschels intend to move the shed and doghouse onto their lands. Attorney Drab provided ("Exhibit A)" reflecting this change.

MRC Energy Management, LLC has agreed to sell and the Kuschels have agreed to buy an approximately 19 x 186-foot strip of land to correct the encroachment. The parties had the strip of land surveyed by Woodbury Pietro Surveying on June 21, 2017. A copy of said survey was distributed to each board member. The parties are seeking approval from the Planning Board to have said parcel added to the existing SBL#127.20-1-9 subsequent to the closing of the above transaction - (Exhibit B) was provided to all board members. Attorney Drab request approval of the transaction as he has outlined to the Planning Board. Attorney Drab also provided two (2) certified survey prints and the Surveyor's description.

A motion was made by Daniel Larish and seconded by Daniel Thompson to approve this transaction as outlined by Attorney Drab. Approval was given to add SBL#127.20-1-8 to SBL#127.20-1-9 as a minor subdivision.

Harold Smith - Aye, Robert Patterson - Aye, Daniel Thompson - Aye, Daniel Larish - Aye, Carried

OLD BUSINESS:

Appointment of New Planning Board Member:

A letter was received on 6/13/2017 from Dale Furman expressing his desire to become a Planning Board Member, replacing Thomas Vitale. A motion was made by Robert Patterson and seconded by Daniel Larish to make a recommendation to the Town Board approving Dale Furman as a Town of Portland Planning Board Member. The Town Boards next meeting is scheduled for 7/12/2017. Carol will forward the information to them.

Harold Smith – Aye, Robert Patterson – Aye, Daniel Thompson – Aye, Daniel Larish – Aye, Carried

Solar Law and Zoning Ordinance, Article 200, Section 201 - Accessory Building or Use:

Carol Horlacher advised the board that both Local Laws were adopted at the Town Board Meeting on 6/14/2017 and have been sent to the State to be filed.

Codification of Town Laws:

A copy of letter sent to the Town Board by Harold Smith, Chairman was distributed to each member. The letter requested the possibility of consolidating all Town Laws into one book or Town Code. Daniel Schrantz, Supervisor advises that all Board members were receptive to the idea and would also consider the possibility of hiring a grant writer to help defray the cost. They will keep the Planning Board advised.

Court Cases Pending and Violations on Rt. 20 and Webster (drive-by inspections by Signe and the Town Board):

An update was given by Signe Rominger, Code Enforcement Officer. Progress is being made to resolve all court cases and open violations. Signe will keep the Planning Board updated monthly.

NEW BUSINESS:

LWRP Meeting:

The Chautauqua County Planning Board (Patrick Gooch and Don McCord) will hold a meeting at the Portland Office on 7/24/2017 at 7:15PM to discuss the Local Waterfront Revitalization Program. They have requested that the Planning Board be present and give their ideas/suggestions. A copy of the Boundary Area and Pros and Con Sheet was distributed to each member for discussion. All members made suggestions to be presented at the meeting.

MRB Group Initiative:

Harold Smith, Chairman was given a copy of a memorandum from MRB Group to Richard Purol, Supervisor for the Town of Dunkirk by Daniel Schrantz, Supervisor. The initiative was a four- hour Saturday morning Planning and Zoning Board training at a cost of \$2000 with an undetermined number of participants. Harold Smith stated that he would contact Supervisor Schrantz after the 4th of July and asked each Planning Board member to review and give their input at the next regular meeting.

Change in Meeting Date for the Planning Board:

A motion was made by Robert Patterson and seconded by Daniel Larish to hold the Planning Board's next regular meeting on July 24, 2017 at 7:00PM, instead of July 25, 2017 at 7:30pm. The meeting will be held prior to the LWRP meeting that same date. Harold Smith - Aye, Robert Patterson - Aye, Daniel Thompson - Aye, Daniel Larish - Aye, Carried

A motion was made by Daniel Thompson and seconded by Daniel Larish to adjourn the meeting at 8:23PM. Harold Smith - Aye, Robert Patterson - Aye, Daniel Thompson - Aye, Daniel Larish - Aye, Carried

Respectfully Submitted,

Carol Horlacher
Secretary

