

From: D Larish

Sent: Wednesday, September 25, 2019 10:37 AM

To: Harold Smith <Hlksmith@netsync.net>; Bob Patterson * <jillp@cecomet.net>; Dale C. Furman <Dfurmanhd@roadrunner.com>; lojo@fairpoint.net

Cc: Signe Rominger* <ceo@town.portland.ny.us>

Subject: Planning Board Meeting

The August 2019 meeting of the Town of Portland, N.Y. Planning Board was called to order by Chairman Harold Smith at 7:30pm with Board members Dale Furman, Daniel Larish and Code Enforcement Officer (CEO) Signe Rominger present. Late: Robert Patterson Sr. at 7:47pm.

Absent: Lori Foster.

In attendance, approximately 15 guests and public, including Town of Portland Supervisor Dan Schrantz. Sign-in sheet provided by CEO Rominger.

The Pledge of Allegiance to the United States was lead by Chairman Smith.

Mr. Furman made a motion to accept the July 2019 meeting minutes as recorded, seconded by Mr. Larish. Motion carried - (voice vote - Smith, Furman and Larish - Yes).

At 7:38pm, Chairman Smith opened a public hearing (see Town of Portland Legal Notice) for an application request submitted by Nick Rizzo for a site plan review (see application) and action on property at 6319 Route 20, Town of Portland - SBL 161.10-1-19-. Mr. Rizzo addressed/answered Chairman Smith question on the buildings inside layout and storage usage. Chairman Smith asked the public in attendance for any comments, none received. At 7:49pm a motion was made by Mr. Larish to approve the application request and charge a permit fee of \$40.00. Mr. Furman seconded the motion. Motion carried - (voice vote - Smith, Furman and Larish - Yes; Mr Patterson Sr. did not vote due to arriving at the meeting at 7:47pm).

***Note for record - Chairman Smith noted that the public hearing should have been closed before the motion and vote received.

The Board members agreed to move forward with the regular board meeting at 7:51pm with Chairman Smith opening the meeting with old business.

Old Business :

1. Codification Of Town Laws - Chairman Smith reported that the Codification is a "slow process". The town attorney has been ill and was not available for consultation. A July 31, 2019 phone conference with the company hired to perform the codification did not happen.

July 2019 Code Enforcement report presented by CEO Rominger, who stated that she had/received 35 "walk-ins", demolition and debris removal of a house on Route 380 completed; 1/2 demolition completed on another house located on Ellicott road.

2. Court Case (Seavy) - CEO reported that a trial was held and the Judge found in favor for the Town of Portland, Fine was assessed at \$1,500.00 pending an appeal of the trial.

New Business:

1. Rizzo Hearing (see above public hearing)

2. Split property (Rizzo) - Board reviewed the application and property survey of the proposed lot sub division. A motion by Mr. Furman to approve the sub-division as recorded in the application, seconded by Mr. Larish - Carried (voice vote - Smith, Patterson Sr., Furman and Larish - Yes).

3. Split property (Corbin Meleen) Board reviewed the application and property survey of the proposed Lot sub division. A motion by Mr. Furman to approve the sub-division as recorded in the application, seconded by Mr. Larish - Carried (voice vote - Smith, Patterson Sr., Furman and Larish - Yes).

4. Rt. 20 East end cars - CEO notified the board of a potential problem with a "build up of vehicles" on property being rented to a Medical Transport Company (unknown name of transport co. at time of this meeting). CEO stated that she has had conversations with the renters and the property owner, who stated that the vehicles in question will be removed within ten days. CEO will follow-up and report status at the September 2019 Planning Board meeting.

5. Solar Farms - Planning Board Involvement / Review for Town board. - The Town Board asked the Planning Boards participation in a review and recommendations on proposed solar farms. Chairman Smith stated that the Town is waiting for the return recommendations from a requested review by NYSERDA of the current Town Solar and Battery Storage Laws. Mr. Patterson Sr. stated that we do not need a moratorium on the Town Solar Laws, stating that there is a moratorium on "Wind" with little or no progress, Mr. Patterson Sr., stated that we should review the solar law and add modifications to the current town laws as needed. Supervisor Schrantz informed the planning board, that Town Board members Gary Miller and Jerry Boltz are the Town Boards representatives for town solar laws. Chairman Smith recommended and the planning board members agreed that a workshop, involving the Town Councilmen, the Planning Board Members and the Town Attorney be convened with recommendations before the next scheduled Planning Board meeting. Chairman Smith will coordinate the meeting date/time.

6. Discuss moratorium on Solar farms - see #5 above - The Planning Board members agreed that there was no need for a moratorium.

7. This item added under new business at the meeting - "Wind Law" moratorium update: Supervisor Schrantz and CEO Rominger stated that the Town Attorney is reviewing the Town Wind Laws / comparing with State Law.

Chairman Smith invited the public to join the discussion on Wind - The Planning Board received and noted a letter dated 27 August 2019 from Mr. Dale Carlson with his comments/concerns regarding the EWT project. Another resident stated that he is not taking a position on Town wind/solar projects, but he wants the town boards to consider the town residents first and foremost, asking the town boards to work towards fair and balance laws and regulations that protect the town residents if wind and solar companies projects are approved, noting "improving property set backs, good economy study and community involvement" regarding the wind and solar companies. CEO Rominger stated that the Town Clerk has set-up files for letters received from concerned citizens for/against wind/solar projects.

Mr. Furman made a motion to adjourn the meeting at 8:27pm, seconded by Mr. Patterson Sr.. Carried (voice vote - Smith, Patterson Sr., Furman and Larish - Yes).