

The February 25, 2020 meeting of the Town of Portland, N.Y., Planning Board was called to order by Chairman Harold Smith at 6:30pm with Board members Robert Patterson, Dale Furman, David McIntyre, Daniel Larish, Code Enforcement Officer (CEO) Wendy Spinuzza and Town Attorney Joel Seachrist. Alternate board member Dale Carlson present/public attendance. See sign-in sheets for public attendance.

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

Mr. Furman made a motion and seconded by Mr. Patterson to accept the January 28, 2020 meeting minutes as recorded. Motion carried by voice vote (4.0). Mr McIntyre did not vote.

Old Business:

a. Subdivision of Munson property Rt 5:

Chairman Smith asked the representative/owner of Evolution Site Services to come forward and present / explain the proposed site plan for a new tower on property located on Lake Road / New York State Route 5. Currently owned by Nancy Munson.

Mr. Christopher Cioffi, Principal Owner of Evolution Site Services introduced himself and proceeded to explain the proposed tower project and the land location, using visual aids.

Mr. Cioffi stated that "he" would be purchasing a 4 acre plot located in an existing 17.3 acre parcel. The "fall zone" (addressed at the January 28, 2020 planning board meeting) will now be almost exactly inside the 400' X 400' parcel. The proposed site will utilize an existing 45'wide Right Of Way (ROW), improving the ROW with 12' gravel driveway with underground utilities. No residential traffic will use the right of way and the frontage (acreage) in front of the proposed 4 acre site will not be used or owned by the applicant.

Q. - Chairman Smith: what about the 5 acres in back? Mr. Cioffi stated that that will remain in the possession of the current owners for future useage with access from the 45' ROW.

Q - Chairman Smith: what is the difference in elevation contours on the map. Mr. Cioffi stated that the contours are 2' and that the proposed site is basically level with a slight downward grade toward Route 5.

Q. - Chairman Smith: what about abandonment of the property. Mr. Cioffi stated that he is basically a Realestate developer and will own the 4 acres, build the tower and provide all the maintenance for his client Verizon.

Mr. Patterson stated that there is a need for this tower location, citing poor coverage in the surrounding area, including the State Park. Mr. Cioffi presented the Verizon maps showing the existing and new increase signal coverage ranges. Chairman Smith cited this projects public safety benefit.

A motion was made by Mr. Furman and seconded by Mr. Patterson to approve a Minor Subdivision of the property located on County Map 128.13-1-10 (Southside of Route 5) for the proposed project. Motion carried by voice vote (5-0).

b. Public hearing Rt 5 cell tower

6:44pm Chairman Smith open the meeting to the Public, reading the Published "Legal Public Hearing Notice" (maintained by Town Clerk Office) and Resolution #1 (provided by Town Attorney Seachrist). Chairman Smith confirmed with CEO Spinuzza that surrounding properties within 500' of the 17.3 acre parcel had been sent notification. CEO Spinuzza stated "yes".

Chairman Smith invited the public to comment - None

Attorney Seachrist read Resolution #2 and spoke on the three part application process, noting that the Agricultural section was not completed/submitted. Mr. Cioffi stated that he thought it was not need

for this application process. On further discussion, Mr. Ciolfi stated that he would complete the Agricultural section if the board wanted it.

Q.- Mr. Patterson: asked about the size of the fuel Tank. Mr Ciolfi refers to photograph tab #7 and stated tank is under 100 gallons.

Q. - Chairman Smith: related the tower height of 195' plus a 4' lighting rod and discussion with regards to Bald Eagle nest building. Mr. Ciolfi stated that with good maintenance checks, any nest would be removed before the Bald Eagles could become established on the tower. And if one did get established, then they would have to "work around" the nest in accordance with Federal /State laws /regulations.

Q. - Chairman Smith: during construction what is your plan for mud on Route 5? Mr.Ciolfi stated that the plan is to use "8" or 6" minus stone / road fabric" to help keep the road clean.

Chairman Smith asked CEO Spinuzza if the CEO office had received calls / letters from the public or adjoining property owners regarding the Public Hearing. CEO Spinuzza stated "No".

Chairman Smith stated "let the record show that".

At 7:10pm a Motion by Mr. Patterson and seconded by Mr. McIntyre to closed the public hearing. Carried by voice vote (5-0).

A motion was made by Mr. Larish and seconded by Mr. Furman to approve Resolution #1.

Carried by voice vote (5-0).

A motion was made by Mr. Furman and seconded Mr. Patterson to approve Resolution #2. Chairman Smith asked for a individual voice vote: Mr.Larish: Yes;

Mr. McIntyre: Yes; Mr. Furman: Yes; Mr. Patterson: Yes; Chairman Smith: Yes; Motion Carried (5-0).

c. 6363 Second St., - Mr. John W. Hanmann:

Mr. Hanmann presented to the board members "printed" copies (see attached copy) of the chronological steps taken to bring the property/building located at 6363 Second Street into compliance with Planning Board recommendation on first floor restroom facility and building usage. Chairman Smith asked Mr. Hanmann to present verbally or read the two page printed document to the board members and public. Mr. Hanmann read his printed document in its entirety.

Several questions asked by Mr. Larish were answered by Mr. Hanmann. The board members agreed that Mr. Hanmann next step was to renew a building permit with the CEO office.

New Business:

a. Erica Karrfalt possible Bed & Breakfast:

Ms. Karrfalt presented to the board a 20 page Business Plan for a potential B & B located in the historic 1865 "Skinner" home on Route 20, across from 21 Brix Winery. Ms. Karrfalt stated that she wanted to appear before the planning board to determine if the "proposed business would be allowed on the property and in the town". Mr. Patterson informed Ms. Karrfalt that "yes, the property is in a zoned R-3 District". Chairman Smith stated that this type of business venture would be a welcome addition to our town. Town Attorney Seachrist suggested that Ms. Karrfalt's attorney should have a contingence clause put in the real estate contract/offer contingent on the B & B usage approval. Ms. Karrfalt thanked the board for their input.

Code Enforcement Portland and Brocton-Report

CEO Spinuzza handed out copies of the report. Board members had no questions of the CEO at this time.

Any other business:

Mr. Patterson made a motion to send a letter to the Town of Portland Town Board requesting that the Town Board hire a clerk (18-20 hours per week) to assist / support the CEO office, seconded by Mr.

Larish. Mr. Patterson and planning board members Smith, Furman and Larish agreed that even with the newly increased hours of the CEO position, the office is understaffed. Motion carried by voice vote (5-0).

Motion by Mr. Patterson and seconded by Mr. McIntyre to adjourn the meeting at 7:45pm. Carried by voice vote (5-0).

Respectfully submitted by,
Daniel Larish
Board member & recording secretary.