

June Planning Board Meeting

On June 24, 2020 at 7:30pm, Planning Board Chairman Harold Smith call the scheduled meeting to order, leading the the board and guest in the United States Pledge of Allegiance. The regular schedule meeting was changed [from Tuesday](#) due to Primary Election conflict.

In attendance, Board members Chairman Smith, Mr. Bob Patterson, Mr. David McIntrye, Mr. Dale Carlson, Mr. Daniel Larish and Code Enforcement Officer (CEO)

Wendy Spinuzza. Absent: Mr. Dale Furman.

Public guest, Mr. Kevin Powell and representatives of Solar Liberty (see sign in sheet).

Motion by Mr. Patterson and seconded Mr. McIntrye to approve the April 2020 meeting minutes as recorded. Motion carried (5-0-0).

CEO Spinuzza presented the May 2020 Code Enforcement Office report.

Mr. Patterson noted that property used by Bob Harris appears to be "accumulating cars around the garage". CEO Spinuzza stated that she has contact with a Mr. Tolbert and the property owner, who resides in Florida.

Motion by Mr. McIntrye and seconded by Mr. Carlson to accept the CEO report.

Old Business:

a. Chairman Smith reported that the Rt 5 cell tower permit / paperwork has been completed. Unknown date when work will begin.

b. CEO Spinuzza confirmed that the driveway improvements on the Rt. 5 property split (VanNye) has been completed.

c. Chairman Smith reported that a previous old case "2017" , request for subdivision of property located at 6044 Rt. 5 (Meginnis) maybe coming before the board for tonight or in future meetings. One or two parties are interested pursuing the property.

Note: No person(s) of interest showed up at this meeting.

New Business:

a. John Riffel, previously, made an inquired about a subdivision of property at 6812 on Rt. 5; Chairman Smith informed Mr. Riffel to updated the property search and have his lawyer contact / work with the Town Attorney regarding is project.

b. Subdivision 6044 Rt.5 - Meginnis was addressed in old business item "c".

c. -1: Chairman Smith reported that the solar farm proposed for the VineCliff farm on Rt. 5 has been withdrawn by the developers. The reason for the withdrawal was the 8 million dollar price tag quote by National Grid to update the transmission lines , Interconnection's and infrastructure grid.

c - 2: Mr. Kevin Powell presented a "two part" request to the planning board, asking the planning board make a formal recommendation to the Town of Portland Board to "change or modify portions" of Local LAW No. 2 of 2019 - "A Local Law Amending The Solar Energy Systems Law", (1.) removing completely the restrictions on solar development on Chenango lands or (2.) exempting Mr. Powell's two parcel's located on Rt. 20 from the Chenango restrictions so Mr. Powell could lease up to land to Liberty Solar for development of a combined 40 acre solar project.

Mr. Powell introduced Mr. Adam & Nathan Rizzo, owners of Solar Liberty. The owners presented a handout/ booklet, speaking on the History of Solar Liberty and proposed project on Mr. Powell's two parcel on Rt. 20. The Portland project would be located on Chenango soil, is a fix system, have a maximum height of eight (8) feet off the ground, the solar panel material is made of sand, glass and aluminum and will not utilize storage batteries. Mr. McIntrye asked if the transmission lines / Interconnection's are 13-2 or 14800. Mr. Rizzo stated 13-2.

Mr. Powell read "snippets" from the Town of Portland Comprehensive Plan, highlighting how his project aligns with the plans economic developments and green energy, fitting in the " other business" category, utilizing sheep & Apiary / bees / wild flowers in and around the project site and that he has contacted most of his neighbors stating that they all are in favor of the project.

The tax benefits to the Town, revenue of \$40,000- \$50,000 dollars. Mr. Rizzo stated that the project would be applying for a 15 year pilot program after which the Town would see a full tax assessment, with a life expectancy of 25 years. Also, Mr Rizzo stated that they would like to negotiate a direct Host Community Agreement (HCA) with the town. Mr. Rizzo noted that solar liberty has invested over \$100,000.00 into this project.

Mr. Powell spoke about the decline of the concord grape acreage, disrepair of grape acreage in chenango gravel districts and future infestation of the "spotted lanternfly", now in Pittsburgh, PA.

Questios:

Mr. Carlson

-noted that when he was the Supervisor of the Town of Lyndon, Solar Liberty completed a solar project for the town, stating Solar Liberty was very good to work with.

- the percentage of community sign up? Answer was 60% has to be residential customers.
- Mr Carlson noted that there are two Community solar projects already available to Portland residents.
- Mr. Carlson asked Mr. Powell if he told his neighbors about the 10% community rebate? Answer No.
- Mr. Carlson stated that bees don't go where you plant the flowers.

Mr. Powell stated that if the project is approved, then his proposal for wind turbines will be no more.

Mr. Patterson

-asked have you negotiate with Chautauqua IDA ? How much of the \$41,000.00 (pilot) will come to the Town, School District and County? No specific answer by Solar Liberty who stated they would be open to a " host agreement".

-how much land will be used for the project. Mr. Powell stated 60 acres will be leased with 40 acres solar.

Chairman Smith commented / addressed the following:

- What percentage of Chenango gravel is significantly distressed in the Town?
- Sheep grazing brings coyotes
- Bee hives and pesticides (used on grapes), no apiary/apiarist will put their hives pesticide usage.
- dismal report about the spotted lanternfly? The state reports say the infestation is under control through a fungus.

Chairman Smith read a email from Mr. Doug Walter - the email was in regards to Mr. Powell's Thayer Road project.

Mr. Larish

- questioned the projects lack of specifics, especially give that Solar Liberty has invested over \$ 100,000.00 in the project. What type of trees and earth barriers are going to be used. Location on maps of the barriers, screening etc..

- without a more comprehensive project plan, Mr. Larish stated he was not in favor of making a recommendation either way to the Town Board.

Mr. McIntrye stated that the \$100,000.00 cost was probably with The electric company.

Chairman Smith

- Ag/ Markets - no way should prime farm land be developed for other than farming.

Motion by Mr. Patterson and second by Mr. McIntrye to table Mr. Powell's request for a recommendation to the Town Board removing the Chenango soil district requirement from the 2019 Local Law No.2 or Mr. Powell's seconded request of exempting his two parcels from the Local Law, until addition project plans / specifics are rendered by Mr. Powell and Solar Liberty. Carried (5-0-0)

Motion by Mr. Patterson and seconded by Mr. Carlson to adjourn @ 9:40pm.

Carried (5-0-0)

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