

TOWN OF PORTLAND PLANNING BOARD
REGULAR MEETING AUGUST 23, 2016
PUBLIC HEARING CONTINUATION FOR VERIZON WIRELESS

MEMBERS PRESENT: Harold Smith, Co-Chairman, Robert Patterson, Thomas Vitale, Signe Rominger, Code Enforcement Officer, Joel Seachrist, Town Attorney, Carol Horlacher, Secretary

OTHERS PRESENT FOR PUBLIC HEARING and REGULAR MEETING: Joseph and Lucy Rasinski, Dale Morse, Lee and Judy Takats, John Engelbert, Jared Lusk, Kelly Cross, Dale Morse, Bryan Tempio, Rick Manzella,(Town Board), Jerry Boltz(Town Board)

Harold Smith, Co-Chairman brought the **Regular Meeting** to order at 7:04pm. Harold Smith, Co-Chairman reopened the **Public Hearing** (continuation from the 7/26/16 hearing) for the proposed Verizon Wireless Tower. Harold Smith then asked for any public comments.

Comments by Joseph and Lucy Rasinski concerning location of tower, coverage area and blocking of Norfolk pines across the road from the tower were all addressed. Jared Lusk, Attorney for Verizon Wireless stated that a Stormwater Pollution Plan must be done and reviewed by the DEC as they do not have a legal right to do it.

Harold Smith, Co-Chairman stated he has a major concern with safety, stating the towers should be inside a fenced area to avoid any potential law suits. Joel Seachrist, Town Attorney also wanted to know what security measures would be taken. Jared Lusk explained at length security measures that will be taken noting that the cabinets are locked. He also stated that the proposed transformer and proposed mesa fiber cabinet are located outside allowing maintenance by utility workers. The utility workers would not otherwise have access to the equipment given that the compound is secured by a locked gate. The proposed fence to surround the tower compound would be a 6-foot chain link fence with additional 1-foot barbed wire, consistent with the industry standard.

It should be noted that all inaccuracies and/or inconsistencies identified by the Planning Board were corrected and answered to the Planning Board's satisfaction.

At 7:32pm a motion was made by Robert Patterson and seconded by Thomas Vitale to close the Public Hearing.

Aye 3, Nay 0, Carried

At 7:33pm commencement of the Regular Meeting was reopened by Harold Smith, Co-Chairman.

A motion was made by Thomas Vitale and seconded by Robert Patterson to grant a Special Use Permit for the tower with conditions.
Aye 3, Nay 0, Carried

Joel Seachrist, Town Attorney stated that the permit will expire on January 1, 2018 should the tower not be erected by then. John Engelbert(Engineer for Verizon Wireless) stated that the actual construction is usually 3 months. He stated that construction with start in October or November 2016.

The Resolution for Negative Declaration with the Negative Declaration attached was adopted by the Town of Portland Planning Board followed by adoption of the Decision - Special Use Permit.
Aye 3, Nay 0, Carried

A motion was made by Robert Patterson and seconded by Thomas Vitale to accept the minutes from the July 26, 2016 Planning Board Meeting and Public Hearing.
Aye 3, Nay 0, Carried

The Town of Portland Code Enforcement Report for July, 2016 was distributed to each member with no comments made. Specifics were covered by Signe Rominger, Code Enforcement Officer.

OLD BUSINESS:

Court Cases Pending:

Status report was given by Signe Rominger, Code Enforcement Officer for the following cases:

1. Wolter - violation closed as both house and barn have been removed.
2. Piesnak - adjourned to 9/7/16 (trial)
3. Stalter - adjourned to 9/7/16 (trial)
4. Bigelow - was served and court date of 9/21/16 set
5. Selig - adjourned to 9/7/16
6. Berry - land bank deal - Dan Schrantz and Joel Seachrist doing letter
7. Guest - town attorney to send letter from the Town Board

Ed Miller Properties:

Tabled from the 7/26/16 Planning Board Meeting. Planning Board had requested to look at a preliminary survey showing how he proposes to sell the property on Parkview. Signe had requested the board to look at the plan and Subdivision Plan. This was tabled until the next Planning Board Meeting on 9/27/16.

Definition:

Signe had asked the Planning Board to review the new definition of “a vehicle and “motor vehicle”. New Code NYS effective 10/6/16 states “0” vehicles when it previously stated “1” vehicle. Harold asked Signe if she had contacted “Western Southern Building Association” with reference to a press release. Signe stated this has not been done to date.

ZBA recommendation to change “Side and Rear Yard Setbacks:

Joel Seachrist, Town Attorney stated that a separate zoning district for VBP (Van Buren Point) should be considered. Signe Rominger stated that she would call Al Zurowski for further input. A motion was made by Harold Smith and seconded by Thomas Vitale to table until the next Planning Board Meeting on 9/27/16.

Aye 3, Nay 0, Carried

NEW BUSINESS:

Planning Board - New Members:

Rick Manzella and Jerry Boltz representing the Portland Town Board were present to discuss solicitation of new members. Input from the Planning Board with reference to giving stipends was the topic of discussion. The Town Clerk had surveyed other municipalities to find out what they offered, if anything. Several suggestions by the Planning Board members were recommended and will be discussed further at the next Town Board meeting on 9/14/16.

A motion was made by Robert Patterson and seconded by Thomas Vitale to adjourn the regular meeting.

Ayes 3, Nay 0, Carried

Respectfully submitted,

Carol Horlacher
Planning Board Secretary