

## **TOWN OF PORTLAND PLANNING BOARD REGULAR MEETING - MARCH 22, 2017**

**MEMBERS PRESENT:** Harold Smith, Chairman, Daniel Thompson, Co-Chairman, Robert Patterson, Carol Horlacher, Secretary

**OTHERS PRESENT:** Joel Seachrist, Town Attorney, Daniel Schrantz, Supervisor - Town of Portland

**ABSENT:** Thomas Vitale, Signe Rominger, Code Enforcement Officer

Harold Smith, Chairman brought the meeting to order at 2:00PM. Attendance was taken with all members present, except Thomas Vitale and Signe Rominger, Code Enforcement Officer. The meeting agenda was approved with a motion made by Robert Patterson and seconded by Daniel Thompson.

Harold Smith - Aye  
Daniel Thompson - Aye  
Robert Patterson - Aye  
Aye 3, Nay 0, Carried

A motion was made by Daniel Thompson and seconded by Robert Patterson to accept the minutes from the February 28, 2017 Planning Board Meeting.

Harold Smith - Aye  
Daniel Thompson - Aye  
Robert Patterson - Aye  
Aye 3, Nay 0, Carried

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

## **OLD BUSINESS:**

### **Solar Law:**

Joel Seachrist, Town Attorney was present to finalize the Solar Plan. Copies of the revised plan, completed by Joel Seachrist were distributed to each Board member reflecting a change to the "Solar as Principal Use: 1. Large Scale Systems as requested by the Planning Board. Upon further discussion, it was decided that Joel Seachrist would reword this portion. Additionally, he will also add the name and addresses of both Fire Departments under "Notification to the Fire Department". The final format will be sent to Carol Horlacher and will then be referred to the Town Board for adoption upon holding a Public Hearing. A motion was made by Robert Patterson and seconded by Daniel Thompson to accept the new draft copy.

Harold Smith - Aye

Daniel Thompson - Aye

Robert Patterson - Aye

Aye 3, Nay 0, Carried

### **Court Cases Pending:**

Tabled until next meeting due to absence of Signe Rominger, Code Enforcement Officer. Carol Horlacher, Secretary advised the Board that Jerry Reeves and Richard Gilbert had been served and were arraigned this past week. A full update will be given at time of next meeting.

### **Violations on Rt. 20 and Webster:**

Carol Horlacher, Secretary advised the Board that efforts are ongoing to conclude all violations. The Board was advised that letters had been sent to all home owners giving them a deadline date of May 1, 2017.

### **Vacant Planning Board Appointment:**

Robert Patterson advised that there are two potential candidates from the Greencrest/Van Buren area. He will be

in contact with them next week and will advise outcome at time of next meeting.

## **NEW BUSINESS:**

### **Southern Tier West - Conference:**

Registration forms for the upcoming conference to be held on May 10, 2017 were distributed to each Planning Board member.

Carol Horlacher advised anyone who wants to attend should fill out the registration form and return to her.

### **Zoning Ordinance, Article 200, Section 201-Accessory Building or Use:**

Daniel Schrantz, Supervisor was present to discuss possible changes to the Zoning Ordinance outlined above. Copies of this Ordinance were distributed to each Planning Board Member. Joel Seachrist, Town Attorney also distributed copies of Local Law No. 1 for 2014 for the Town of Westfield permitting certain storage buildings as principal structures. After a lengthy discussion, it was decided to table this subject until the next meeting. Daniel Thompson is to do a draft letter stating what interpretations and definitions for accessory building (shed and garages) being built on a lot would need to be amended. It was the consensus of the Board that an accessory structure, (i.e. storage shed, garage, tool barn, etc.) being built on a lot as a stand-alone structure or being built prior to the construction of the primary residence, will be allowed, subject to all zoning and building requirements of the town, provided that the structure is used only for the purpose intended and will not be used for residential or living quarters. The structure would also be prohibited from being used in any commercial

venture, (i.e. mechanic shop, auto garage, body shop etc.) as defined and regulated by Town Law.

**Klinger Rd. Properties:**

Daniel Schrantz, Supervisor advised the Planning Board that there are three (3) property owners on Klinger Rd. who have built structures (identified as cabins) similar to a mobile home. All property owners have been cited for not complying with Town Law in that Building Permits were never obtained. Pictures of these structures were shown to each Planning Board Member. It was the consensus of the Board that these properties should be assessed as permanent “mobile home” structures by the Town Assessor. Dan Schrantz, Supervisor agreed with this decision. Dan Schrantz is to advise the Assessor and Carol Horlacher will forward a copy of the minutes to the Assessor. A motion was made by Robert Patterson and seconded by Daniel Thompson to assess these properties as permanent “mobile Home” structures by the Town Assessor.

Harold Smith - Aye

Daniel Thompson - Aye

Robert Patterson - Aye

Aye 3, Nay 0, Carried

A motion was made by Robert Patterson and seconded by Daniel Thompson to adjourn the meeting at 3:10PM.

Harold Smith - Aye

Daniel Thompson - Aye

Robert Patterson - Aye

Aye 3, Nay 0, Carried

Respectfully Submitted,

Carol Horlacher  
Secretary