

MINUTES OF THE SPECIAL TOWN BOARD MEETING OF THE TOWN OF FORT ANN HELD ON THURSDAY, NOVEMBER 17, 2016 AT 6:00 P.M. AT THE FORT ANN TOWN HALL, 80 GEORGE STREET, FORT ANN, NY

PRESENT: Supervisor Richard Moore
Councilwoman Deb Witherell
Councilman Dennis Fletcher
Councilwoman Gretchen Stark
Councilman Floyd Varney

OTHERS PRESENT: Barbara Winchell, Town Clerk, Jeff Meyer, Town Attorney, Bookkeeper, Mark Miller, Enforcement Officer, Dan Monahan, Tracy Monahan, Don Siano, David Foote, Claire Greene, Karen Campbell, Don Pierce

Meeting was called to order at 6:00 p.m. with the Pledge of Allegiance to the Flag.

This meeting was announced in the Post Star 11/8/16 and appeared under Today's Meetings section of the Post Star November 17, 2016.

A twelve (12) page copy of the DRAFT entitled "Town of Fort Ann Noise Control Ordinance" was made available to all in attendance.

Councilwoman Stark reminded those in attendance that the noise control ordinance was brought about from a complaint received by letter late 2015, at the Hadlock Inn campground, then routed itself again in the Spring of 2016. Supervisor Moore had about a 45 minute meeting with all parties involved at the Hadlock Inn and all parties involved seemed to be satisfied with the results.

Supervisor Moore wanted those in attendance tonight to realize this would be a town wide noise ordinance if adopted by way of public hearing and other steps. This is not just for motocross because the only people in attendance tonight are those from a motocross standpoint. Supervisor Moore stated tonight, as he has at other meetings, we are not here to put people out of business. A very big question is how would this noise ordinance be monitored/enforced?

The Town Board agreed that this DRAFT needs a lot more work. For instance letter J on page 7 of 12 "A sound plainly audible at a distance of fifty (50) feet from its source" would have to be eliminated.

Councilman Varney asked does the Town of Fort Ann really need a noise ordinance?

Supervisor Moore stated that he did an unofficial survey of approximately fifty (50) people and only found two (2) that wanted to see a noise ordinance.

Dan Monahan asked if Supervisor Moore spoke to other Towns in Washington County and/or Warren County. Supervisor Moore stated he had reached out to the Town of Fort Edward Supervisor which has a police presence through the Village of Fort Edward. He also stated to put aside the track and look for protection for the town residents going forward.

The Enforcement Officer, Mark Miller, stated it is good that the Town Board is looking at this and the site plan review process can put conditions on new businesses.

Councilman Fletcher stated it is his understanding that the Town of Fort Ann doesn't have the infrastructure or the money for infrastructure. He stated that what might be offensive noise to one (1) person is not necessarily offensive to another. He stated that when the motocross ran a couple of weekends he was not available to go to different locations to understand the noise concerns. He offered in the Spring to go to the Campbell residence on Goodman Road when the track reopens so that he can experience the noise. Karen Campbell said she would welcome him or any other Town Board Member's that need to experience what her and her family experience. She stated this is a disruption of their daily lives.

Councilman Fletcher stated he would like to reach out to the Deputy Mayor of the City of Glens Falls to see what they have for a noise ordinance.

After about a half hour of going through different sections of the twelve (12) page DRAFT Supervisor Moore opened the meeting to those in attendance.

Dr. David Foote stated common sense tells him the Town of Fort Ann has a sound problem. There is a reason communities have noise ordinances. He stated we all deal with difficult situations but it's easier to do nothing. He also stated that research has found noise is harmful to people's health.

Supervisor Moore asked what the board wanted to do. It was decided that another workshop would be in order. Councilwoman Witherell stated she needed time to review the twelve (12) page document. Attorney Meyer stated the only difference in the previous DRAFT document and tonight's DRAFT document is what is in italicized letters. Councilman Varney stated he also needed time to review the twelve (12) page document because a baseline would need to be set.

Supervisor Moore adjourned the meeting at 7:24 p.m.

Respectfully submitted,

Barbara Winchell, Town Clerk
Town of Fort Ann, New York

Dated: November 18, 2016