

**Planning Board Public Hearing**  
**Jeremy Treadway-ADK,MX**  
**Site Plan – Proposed Motorcross Track**  
**Town of Fort Ann, NY**  
**June 27, 2016**

A Public Hearing was held by the Planning Board of the town of Fort Ann, County of Washington, and the state of New York was held at the Fort Ann Central School, 1 Catherine Street, Fort Ann, NY on the 27th day of June 2016 at 7:00 pm.

**PRESENT:** Donald Bedeaux                      Chairman  
                    William Hohmann                      Vice Chairman  
                    Brian Mattison  
                    Butch (Lewis) Barrett  
                    Jeff Meyer, Esq                      Attorney  
                    Deborah Fified                      Secretary

**ABSENT:** Curt Rehm  
                    Chad Wilson

**OTHERS PRESENT:** Tracy Monahan, Shawn Linendoll, Derrick Fleury, Bill Roberts, Deb Witherell, Mike Faranda, Carol Larasse, Nancy Burdick, John Coddington, Jo Siano, Roy Harrison, Sherry LaPan, James Black, Ruth Cartier, Kendra Cartier, Jon Lapper, Tim McAuley, Ralph Greene, Bob Dawson, Paul LaPan, Cody Cutting, Jamie Anson, Jeff Houston, Patricia Carte, Lindsey Carte, Betty Godfrey, Sheila Sharrow, L.E. Killmeier, Debra Foote, David Foote, Adam Knapp, Tyler Henley, Kelly Mattison, Joe Mattison, Christine Stevenson, Bruce Stevenson, Susan Pearce, Sue Shull, Ed Shull, Don Siano, Bill Toscano, Nicholas Mattison, Gloria Quinlan, Mildred Baldwin, Kenneth Baldwin, Harry Treadway, William Brown, Bonnie Shannon, Karen Mattison, Ty Tolene, Don Schuster, Greg Lehoisky, Chris Winchell

**OPEN PUBLIC HEARING:**

Chairman Donald Bedeaux called the public hearing to order. Jeremy Treadway is proposing to build a Motorcross Track located at 10786 State Route 149, Fort Ann NY 12827.

**Jon Lapper, Esq, Attorney for Jeremy Treadway:** Mr. Lapper explained the Applicant picked this site because of the appropriate location. He is currently under contract and plans to live in the adjoining home and run the restaurant. He did not anticipate the controversy that it would cause and as a result of this, an acoustical engineer and a traffic engineer were hired, as these seem to be the main concerns. No questions from the board or public.

**Lucas Dobie w/Hutchins Engineering:** Presented a formula scale showing where more topography had been added at the request of Washington County Planning Board. He stated that the stormwater and layout have not changed. No questions from the board or public.

**Ken Wersted w/Creighton Manning:** Presented the findings of the traffic impact study. This finding is available upon request. No questions from the board or public.

**Rodney Aldrich w/Sterling Environmental Engineers:** Presented the findings of the sound impact study. This finding is available upon request. Chairman Bedeaux questioned where the 2 locations were that were done. William Hohmann questioned the proposed berm. Chairman Bedeaux asked what was used to get sound decibels, a motorcycle?

**The Board had questions for Jeremy Treadway/Applicant:** Chairman Bedeaux-When project was first started it was to run Thursday-Sunday, now it is Wednesday-Sunday. Jeremy- it was always his intention to run Wednesday-Sunday. Track will open in AM and be open thru-out the day. There will be rest periods and break periods, such as 25 minutes, then break. No facility runs 11 hours. Most races on the weekends are done by 3:00pm. At this point the original application was found that states Thursday-Sunday. Jeremy agreed to stick to Thursday thru Sunday. Williams Hohmann- How many motorcycles on the track? If you have 6 or 7 on the track, what happens if there are 8 in the field causing extra noise? Jeremy- yes there will be extra noise, but for insurance purposes you cannot ride thru the parking lot, only in the track area. Who polices the noise (such as no muffler)? Jeremy will be on the area 24/7 and will police the noise along with up to 14 employees he will have. His end goal is to be a reputable facility up to AMA standards. How many motorcycles does he expect on a Saturday race day? He hopes for 20-30 in the beginning. Race day will be Saturday and maybe Sunday.

How many spectators? On a large weekend 100 would make him happy. The parking issue was also raised. Jeremy does not anticipate this to be a problem.

#### **Floor opened to the public for comment:**

Michael Borgos/Attorney from Queensbury, representing several residents of 149 in the area surrounding this property- pleased to see the Applicant is heeding the advice and suggestions of the County Planning Board to have a rigorous sound and traffic study done. However, he is disappointed that it was not submitted in enough time for the planning board and the public at large to see a copy before the public hearing. He suggests that the public hearing be kept open so everyone can digest the materials in there and provide comment in the future. He understands the Applicant for business purposes would like to have this approved, but this is an Application of a large magnitude and deserves to have a thorough review. He also is of the understanding that the planning board rules and policies require a review by the town engineer for comment by him as well. His concerns are number of people attending, parking and its impact, stormwater, the standards of the trailers being towed by the pick-up trucks, and the traffic on 149.

Dave Shalamar- been involved with motorcross his whole life. A first rate facility is being built, lot of money in this sport and a lot of supervision. They are a good group of people and the area will benefit greatly.

Timothy McAuley/Environmental Consultant- sits on several panels for the National Academy of Sciences in Washington, and the Senate advisory committee that reports to Congress. Has first hand experience to sit behind closed doors to review traffic, air pollution and noise standards. The traffic study is limited. It does not take into account holiday traffic, heavy traffic on the weekends in the summer, 18-wheelers, etc. As for the noise, he feels this was inadequately done. Noise levels will be higher than projected. Other noise in the area was not

included. Also wind changes noise and no study was done in the evening. Study has significant gaps in it. The impact on the environment has not been studied. Whose monitoring the gas source that is brought in, oil and gas leaks on the track. A study needs to be done on the restaurant also. That will present a health hazard also. People are only being provided with a fraction of the information.

David Foote- 35 Tupper Way, stated he is a Physician who will provide medical information on noise, hydro-carbons and dust. People's health is at risk. 1. Noise: once you go over 85 decibels the body starts to have health issues. Poor sleep, anxiety, heart issues and diabetes. It should be moved from the residential area because sound travels in real life more than you would think. 2. Hydro-carbons: known carcinogens that cause heart and lung disease. 3. Dust: which has not yet been addressed can lead to asthma. He has addressed the dust to the DEC. Lastly, he noted that he is the village health official and he would like the board to consider the health issues of the people living in the area.

Lindsey Carte- 10662 State Route 149, strongly opposes the track. There are approximately 25 homes in a 3,500' radius. The excessive noise generated by up to 20-30 motorcycles racing for, regardless of what is said, up to 11 hours a day, would be a detriment to the homeowners of the adjoining property and lower their property value if they decide to sell. Fortunately in 1990 the people of Fort Ann proposed and passed Local Law #4 which sets forth rules the planning board needs to follow when reviewing site plan reviews. Section 7 states when considering the approval of a site plan, the planning board shall take into consideration the public health, safety and general welfare for the comfort and convenience of the public in general and the residents of the immediate neighborhood in particular and shall find that the proposed development meets all the requirements of this local law. Paragraph J states that protection of the adjacent properties against noise, glare and unsightliness and other objectionable features. This section clearly does not provide for a motorcross to be built next to existing houses. The planning board should look out for the local citizens and particularly this local law and not approve this.

Bill Roberts, Hadlock Pond Road- raced motorcross 20 years ago. Never a house in site when he raced. Always out in the boondocks. It's a good idea, but a bad location.

Nancy Burdick, 5447 Firehouse Way- states there is no noise ordinance in this town. She has dealt with this with Darlene Dumas and Ritchie Moore. If you have a town with no ordinance, there is nothing the sheriff's office can do for you. So this planning board needs to set a noise ordinance.

Joanne Siano, 10670 State Route 149- she has concerns on the impact of the fire department and the rescue squad. If they are at the track dealing with fires, oil spills, accidents they will not be available for the Town for fires, car accidents and illnesses. They will not be available for Town emergencies. Please consider this aspect very carefully.

Don Schuster, West Road- people never complained about Schermerhorn. They bring uncovered tractor trailers and tandem trucks onto 149. Or the airport, they are now advertising sky diving and helicopter rides. Or the recycling plant. No one ever complained about them. But now we are complaining about a new business.

Carol Lagrasse, PO Box 75 Stony Creek- President of the Property Rights Foundation of America. She also said she is a volunteer. She feels people are trying to hang onto the past and claim something like this will change their bucolic atmosphere. She thinks this will be

exciting for the town. And yes there is a danger, but there is a danger to any sport. She said this is a fine planning board, and she wishes you well.

David Shulmar- was not going to speak. Said the guy from Washington still doesn't have it right. He heard that recommendations were required. Doesn't know Jeremy, but he went and had these studies done. Said he is a fireman, and there isn't a fireman in this community that wouldn't welcome more business. He also is a pilot, and the helicopters that fly out of the airport create more noise. This is a young guy that wants to bring more business to the town, so maybe these concerned citizens should sit down with him to see how can be worked out and welcome him. Motorcross is one of the top three most demanding sports. Said Jeremy is doing it right, building a top-notch facility and would love to bring his son here to ride.

James Anson, 3379 Fisher Hill Mineville- has no degree, but has common sense. Followed Jeremy from afar for years. He is intelligent, a perfectionist, and has a big heart and will not attach his name to anything that is not top-notch. Helped him get his start in motorcross. Motorcross is a life style. Very family oriented sport. We need to sacrifice this for the kids. Can't lose sight of this.

Bonnie Shannon, 37 Goodman Road- nurse at Glens Falls Hospital. Upset that Treadway is using the term guinea pig. Tired of pulling off Goodman Road and back onto it. She could move, but loves where she lives. Upset that the measurements were for only 2 locations. Doesn't feel that is acceptable. Since Hadlock Dam broke, forestry is damaged and noise is louder. She is just asking that you consider the quality of life to the people that live in the vicinity as well as the safety of those that have to pull out onto 149 where there could be up to 275 motorcross people and their fans. Please take that into consideration.

Ralph Greene Jr., 10680 State Route 149- concerned citizen of Fort Ann. Life-long resident. Acquired property in 1983, with the help of family and friends, built home in 1988. Takes great pride in home, enjoys quiet. The constant noise will interfere with their peace and quiet. They will no longer be able to enjoy cookouts, gardening or relaxing by their pools. Thanked the board for listening.

Debbie Allen, Goodman Road- moved to her house six months ago. Concerned about the noise and the ability to sell her home. Most people looking to buy a home would not live here. Thank you

Roy Harrison, Copeland Pond Road- questioned the fact that a lot of people speaking were not residents of Fort Ann. Informed by William Hohmann it was a public hearing. Requested that an impact study be done on other tracks. Feels no matter which way this goes it will come down to the Courts. From what he can find on the internet, Courts are not very favorable to motorcross. If it comes to a lawsuit, there's a possibility that you could be sued individually. Need to draw up a map of what a zone map would look like.

William ?, Sullivan Drive Lake George- grew up in an area where dirt bikes weren't allowed. Got in a lot of trouble as he would ride where not allowed. Didn't have proper facilities, so that was their only option. Facilities like this are like baseball and soccer fields. To be able to ride in something like this is far cry from sand pits and running away from local police. Impact will be a place for kids to go after school.

Sean Linendoll, 372 Sly Pond Road- his concerns are what is it going to bring to the Town. There are no hotels, not going to bring money in. Already restaurant established there. Is

Fort Ann the proper place? Why jeopardize the quality of life of Fort Ann for someone to have a business and bring in people from the outside. Not many people in Fort Ann that race AMA motorcycles. No foresight put into other businesses on 149. We have that chance to do that with this. Once this is approved, Applicant can do what he wants, and who is going to regulate him then.

Derrick Fleury, Ticonderoga- motorcross family, son races. Don't go on vacations, use motorcross for vacations. Use local restaurants and hotels. Keeps families close and teenagers out of trouble. Feels this will help our community.

Ralph Colb, 10602 State Route 149- concerned about effect on enjoyment of life and value of properties. Concur with points that have been made. People that buy homes in Fort Ann are also creating jobs by hiring people to work on their homes. People will leave homes because they can't live in them and people will not build here. He has heard 2 completely different versions of how this will affect. He urges that this will be along marriage, let's not rush into this.

Dan Monahan, 10700 State Route 149- handed in a petition with 275 signatures. Lived on 149 for 25 years, in Fort Ann for 49 years. There is already a business on site, restaurant, golf course. Is this going to bring in any business? That's great that motorcross brings in a lot of business, but so do a lot of other sports. There are a couple tracks in Washington County now that people can go to. Believes that this is the Fort Ann planning board, and you represent us. Not against businesses, but this is going to be a noise issue and a nuisance. Spent out entire life purchasing homes, and now who is going to want to be at their homes. The state environment form is only in short form, it needs to be done in long form so if things need to be done, they will have to be done before it can pass. In closing, asked the board if this was going in next to their home, would they be ok with it.

Jon Lapper, Esq.- what is good about this site is distance from homes. People brought up sand pit and transfer station and airport. This isn't a residential neighborhood, it's a mixed residential area and that is what Fort Ann is. You don't have zoning, so people should expect that. Jeremy is a respectful guy who will run the restaurant very well and the track professionally. AMA track is something special. Hope board approves it. Will be positive thing for community.

Chairman Bedeaux- would like to table till next meeting. People that didn't speak, write your comments down and send them in. Would like the town engineer to review the stormwater and parking. Do not like the idea of parking on the grass, wants to see parking lot.

William Hohmann- would like the long form done, and would like the town engineer at the next meeting. And would like any other experts brought in that the town engineer sees fit.

Chairman Bedeaux- will be \$2,500 for the town engineer to review.

Jeff Meyer/Town Attorney- would like to see a DOT report done.

William Hohmann- would like DEC report that includes stormwater and endangered species.

William Hohmann made motion to table public hearing until next meeting on 7/25/2015.  
Seconded by Butch Barrett.

Vote: Ayes- 4 Nays 0 Abstain 0

Motion made by William Hohann to adjourn meeting at 9:20 pm. Seconded by Brian Mattison.

Vote: Aye- 4 Nays 0 Abstain 0

Deborah A. Fifield  
Planning Board Secretary  
Town of Fort Ann

AD

R

quir

