

**Town of Ancram
Town Board
Public Hearing
February 28, 2008**

Present: Supervisor Thomas Dias Councilman James Bryant
 Councilman Robert Podris Councilman Gerald Roberts
 Councilman John MacArthur Town Clerk Monica Cleveland

Others: Linda Dias, Patricia MacArthur, Perry Miller, Jim Stickle, John Tennier, Daniel Hoysradt, Brook Stickle, Linda Stickle, James Seymore, Will Lutz, David Boice, Jennifer Boice, Jean Lilley, Carol Bryant, Rob MacArthur, Gerry Boice, Kermit Hoyt, Lisa Funk, Annie Walwyn-Jones, Murdock Morrison, Joanne Dwy, Kevin Dwy, Nancy Bryant, Anne Carrier, Jean Brant, Ron Brant

Supervisor Thomas Dias called the Public Hearing to order at 7:00pm with a salute to the flag.

Town Clerk Monica Cleveland read the public notice.

Supervisor Dias opened the floor to comments.

Nancy Bryant stated that she supported the law and asked how it would be enforced.

Mr. Dias stated that he would like wording added to allow the law enforcement to enforce the law.

Mr. John Tennia of the Ancram Mill addressed the board. He had concerns with section 8A due to the fact that the mill has a sound system that is used 24 hours a day. 8H is a concern due to the equipment and tools that are used seven days a week. Councilman MacArthur stated that while at a building near the mill he heard a loud noise coming from the facility and that it took a long time to be fixed. Can they address these types of noises in a more timely matter he wondered. Mr. Tennia stated that they try to be sensitive to the neighbors. Mrs. Carrier asked if there was anyone at the mill in charge of regulating the noise. Mr. Tennia stated that there are shift supervisors.

Mrs. Trish MacArthur from Undermountain Golf Course addressed the board. She stated that there needs to be flexibility in the law for those businesses who produce noise. Some businesses begin before the 8:00am time and that businesses like hers operate on weekends.

Mr. Murdock Morrison stated that he felt it was an excellent first draft. He wondered how the ZEO will handle infractions. Mr. Dias stated that he would have a decibel meter.

Mr. Kermit Hoyt stated that the law was not written for the contactors. They will take advantage of the summer hours and those daylight hours are later then the law allows.

Mrs. Jen Boice asked how alarms will factor into the law. The decibels for the home alarms are over 10G's and may take more then five minutes to deactivate.

Mr. Jim Stickle stated that the 8H section was not written with contractors in mind. They have to work when the weather permits. He stated that the ZEO cannot handle his present workload, how can he be expected to have this extra responsibility.

Mr. Terry Boyles asked where the fee amounts came from for the law. Mr Dias stated that this was a draft written up by the attorney and that it is not set in stone.

Mr. David Boice stated that he felt the penalties are high for a small town Noise Ordinance. He stated that a residential leaf blower runs at 75 dcbls. The backup alarm on trucks has to be 85dcbls to be legal.

Mrs. Clara VanTassel asked who the law is written for. Mr. Dias stated the towns people had complained about noise and to prosecute it, the existing document was not effective. Attorney Jason Shaw stated that he had prosecuted a violation last year and that it was a hard case due to the Towns law.

Mrs. Lisa Stickle stated that the noise violation from last year was children riding law mowers. She stated that her son also does this. She stated that summer nights in the country have noise because the children are out. She wonders what will become of Ancram and if the children of the town will stay in the area.

Mrs. Carol Bryant stated that recreation is needed for the children in town.

Ms. Jean Lilley stated that she felt it wrong that a person be arrested for a little party noise after 11:00pm. She stated that the town is getting out of control with its permits and rules. It is not enjoyable to live in Ancram.

Mr. Dias stated that this will not be all about money. He stated that the Town has to get the attention of the "bad apples".

Mr. Dan Hoysradt stated that he was a hunter and that the section that deals with dogs barking for more then 15 minutes is impossible when they are on the sent while hunting.

Mrs. Jen Boice stated that she had witnessed the activity in Ancramdale one afternoon and was appalled. She said that the parents need to be in control of the children.

Mr. Murdock stated that there does need to be more recreation in Ancram but doesn't believe that the ordinance is to penalize the businesses but to stop deliberate non useful noise.

Mr. Dias stated that he has read the Copake noise ordinance and that it is similar the Ancram's existing ordinance except that the fines are larger.

Mr. Terry Boyles asked why Ancram cannot have our own noise ordinance not based on another towns. Mr. Dias stated that it was for informational purposes.

Mr. Ron Brant suggested instead of changing the entire law why not make the existing document stronger. Why can there not be a difference between town noise and open land noise.

Mr. Ron Mosher stated that he was from Pine Plains and that Ancram should be happy with the board that they have.

Councilman Roberts stated that the law has to be customized to Ancram. He stated that from the conversation he felt the board needs to look at the following: Grandfathered parts of the Law, the penalties may be to high, look into seasonal businesses, take into consideration of running an industrial business and a consensus.

Mr. Dias stated that he felt the draft could be rewritten and another public hearing held.

Mr. Dias declared the public hearing closed.

Respectfully submitted,

Monica Cleveland
Town Clerk