

## Town of New Scotland

### Public Hearing

May 11, 2016

The following Town Officials were in attendance:

Supervisor:	Douglas LaGrange
Councilperson:	Patricia Snyder
	William Hennessy
	Adam Greenberg
	Laura Ten Eyck
Town Attorney:	Michael Naughton
Town Clerk:	Diane Deschenes

#### 1. Call to Order

Supervisor LaGrange called the meeting to order at 6:15 PM regarding Proposed Local Law C of 2016. This will change our code as it pertains to farming activity both personal and larger. The parameters those definitions were under had been a 5-acre cut off. If something was a farming activity, personal, it was 5 acres and under. Farming, agricultural nursery in the broader definition is over 5 acres. The intent of this amendment is to change that from 5 to 7 acres. This does nothing to affect agriculture in the community. It just gives us the opportunity to do a site plan review which is already part of the farming activity, personal. They have to come in for a site plan and go through the process with the Planning Board. This just raises that threshold to 7 acres, and that would trigger them coming in. This would also raise the number of horses allowed. It was three for 5 acres, and then each additional horse could be added with 2 more acres each time. Now, since the threshold is 7 acres, it moves up to 4 horses and then every 2 acres after that an additional horse would be allotted.

Supervisor LaGrange advised that the Planning Board sent this passed to us with a positive recommendation with a 5 to 0 vote. The one thing that was suggested by Mr. Hart of the Planning Board is that we might include in the exempted calculation for the 5 or 7 acres things like wetland or streams or personal roadways. He thought it might be advisable to add the 17% slope areas. That's something that we do in the building code. Again, it wouldn't affect the farm usage or exempt it. It would just raise the number of things that do not go into the calculation of the 7 acres. That's something we could entertain. Supervisor LaGrange thought it was a reasonable addition to this. Councilperson Snyder thought it was consistent in practice, too. Supervisor LaGrange added that the main purpose of this is just to give the Planning Board a couple of more acres where somebody would be coming in to do a farm activity, personal. We have had a couple of issues where that would have been helpful. Generally when you get much over that, the state uses that separation for those two sizes in a couple of different places. It seems like it would make it consistent with their cut off. The main thing is to give us a better overview on some of these smaller agricultural enterprises. Councilperson Hennessy asked if the 17% doesn't apply to site plan approval anyway. Supervisor LaGrange said it would, but that wouldn't help in the calculations of the 7 acres. If there was a tremendous amount of slope land, it would be exempt from it or it would cause that to trigger the 7 acres. Councilperson Hennessy added that the 17% might also be only in the residential. He added that he thought it might be in commercial too. Supervisor LaGrange said that we could easily find out.

Councilperson Ten Eyck said she spoke about it last time and that really hasn't changed after she thought about it more. She added that she knows the point is to have public comment. Councilperson Greenberg added that he was curious to see how many people would come and speak on this issue and what some of the smaller farmers thought of this.

Sharon Boehlke said she thinks it's difficult for farmers to come when they are not personally invited.

If you really want comments from the farmers, these people should be notified. Putting it in the Altamont Enterprise ends up a small space. Unless they get online, that has not been effective in getting the word out as of yet.

Francis Desmarais asked if the objective of this revision is to ensure more stabilizing of the character of the Town of New Scotland being a farming community. Do you see the advantages there?

Supervisor LaGrange said that the main intention of the Right to Farm Law was to do just that. This is as we get into more growth and have more residential in agricultural areas and a type of farm that would like to start up. They've already had to come in for a site plan if they were 5 acres or under. That gives the opportunity for people to come out and express concerns and maybe mitigate those concerns. The only thing this does is to increase that threshold to 7 acres. You can have a 7-acre place in close proximity to one of our hamlet areas. This would just help to mitigate any problems.

Francis Desmarais might occur in the

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commented on the publication of these notices in the Altamont Enterprise. It's one of the most inadequate ways of getting the word out. Are there other ways to notify residents so they are aware of what's going on, especially in an issue like this?

Supervisor LaGrange said that our website is one place to go. Without having a weekly newsletter it would be tough to address everything. When we have issues with the ZBA or the Planning Board we send out notices within a certain area, and the neighbors are notified. That used to be 500 feet along the road. Now we're going off the property line 500 feet. Supervisor LaGrange said that he'd like to see that increased to 1000 feet, although that wouldn't help in this instance necessarily.

Francis Desmarais said he didn't know about this meeting until yesterday. It was by word of mouth that he got it.

Town Clerk Deschenes encouraged residents to sign up on the Town's website to get notices by email.

Sharon Boehlke said that she's not opposed to this law. There is no way for people to know about meetings unless someone solicits them. When you're talking about farmers, is there really that many that they couldn't have been notified?

Supervisor LaGrange said that the ones he would contact are well over 7, 10, or 200 acres because that's what we have for farms. This is something that we'd be considering for someone wanting to start up, farming personal.

Supervisor LaGrange recapped the purpose of the meeting for those just coming in. He then asked for any other comments.

Judith Fritz asked if this has anything to do with the South Road issue.

Supervisor LaGrange said that we actually don't have anything to do with the South Road tonight. That's an application but we will get to that in a minute.

Judith Fritz said to add to what other people have said she was counting about 12 people out of 16 who were probably notified the same way she was. A resident left something in her doorway yesterday.

Supervisor LaGrange asked if it had to do with this.

Judith Fritz said that it was about the South Road development, but you were talking about notification and being informed. She added that almost two-thirds of the people were probably notified the same way she was.

Supervisor LaGrange said we would get to that in a second. There will be a hearing next on Local Law B which concerns the Board entertaining a new definition in our zoning code.

## 2. Adjourn

Supervisor LaGrange made a motion to adjourn, seconded by Councilperson Greenberg. The public hearing adjourned at 6:30 PM.

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Diane R. Deschenes, Town Clerk