

# TOWN OF EAST BLOOMFIELD

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## Planning Board Minutes August 21, 2014

**Planning Board Members Present:** Brad Bennett, Gene Rogers, Brud Hedges, Daniel Compton, and Kip Jugle.

**Absent:** Julie Pellett, Karl W. Smith.

**Others Present:** Andy Hall (CEO), Kim Rayburn (Secretary), Art, Babcock (Agent).

**Bennett opened the meeting at 7:30 pm and waived the reading of the public hearing, all Board members present voted aye. Vote was carried unanimously.**

**Bennett made a motion and Compton seconded the motion to close the public hearing, as there were no public comments. All Board members present voted aye, vote was carried unanimously.**

**I. 7:30pm # TS7-14 Preliminary/Final Review, 1 lot subdivision. Art Babcock (Agent) The Ski Company (owner) Lands located at 3036 Rt 64 Bloomfield, NY 14469 tax map # 81.00-1-93.100 parent parcel is 14.8 ± acres creating parcel B of 4 acres with an easement on existing lot owned by Nedloh Brewery of tax map # 81.00-1-93.200, leaving 10.804 ± acres of parent parcel.**

Babcock stated that the sixty (60) foot access would be close to the forced main for the septic on the South side of the building per the as- built drawing , but also stated that there is enough room for a twenty five (25) foot drive lane if it was to ever be installed. Compton asked how deep the forced main is, as the access would cross the main if ever installed; Babcock stated he assumes it's between two (2) to four (4) feet because it will most likely be below the frost line. Bennett stated that the access would have crossed the forced main in the original plan as well. He also explained the proposed layout of the access into and out of the new parcel, a ninety (90) degree intersection into the curve of the existing driveway instead of a Y intersection is proposed because a Y would not have a controlled traffic pattern. The angle will cause traffic to come around the corner and stop before exiting onto 5&20 so it would not interfere with the traffic into and out of the Brewery. Bennett asked if there were any further comments, there were none.

**Compton made a motion and Hedges seconded the motion to declare this an Unlisted Action with a negative declaration with no further review required.**

**All Board members present voted aye. Vote was carried unanimously.**

### **Planning Board Decision:**

**Compton made the motion and Jugle seconded the motion to approve # TS7-14 Preliminary/Final Review, 1 lot subdivision. Art Babcock (Agent) The Ski Company (owner) Lands located at 3036 Rt 64 Bloomfield, NY 14469 tax map # 81.00-1-93.100 parent parcel is 14.8 ± acres creating parcel B of 4 acres with an easement on existing lot owned by Nedloh Brewery of tax map # 81.00-1-93.200, leaving 10.804 ± acres of parent parcel.**

**Whereas:**

- 1. Land Transfer Only**
- 2. Final map has required information**

### **Record of Vote:**

Brad Bennett Aye  
Gene Rogers Aye  
Brud Hedges Aye  
Dan Compton Aye  
Kip Jugle Aye

**All Board members present voted Aye, Vote carried unanimously.**

## II. Review noise ordinance

Compton asked Hall if he had received any further updates on the situation on Eddy Road, Hall stated that he read in the paper that it has been quieter, but that was a week ago and he has not heard anything further. Bennett stated that he has not had any further conversations with Supervisor Crowley on possible conversations she has had with Povero or the District Attorney. He also stated that the Town needs to be careful about the wording they use if they want to pursue a noise ordinance as he feels it could cause other issues we currently do not have. Hall stated that he thinks the residence feel the same way; they would like Law Enforcement to take care of the issue. Bennett stated that the general consensus was and is that more ordinances and regulations may not solve this issue and they did not want to push more regulations onto themselves and the other Town residences. Compton stated that unless it becomes a hot point issue, he is not in favor of a noise ordinance. Bennett questioned the need for a noise ordinance and stated it should be handled by Law Enforcement as taking care of the issue could take longer to resolve going through this avenue. Jugle stated that we should continue to discuss the issue and speak with Supervisor Crowley to get any input she may have gotten from Povero. He also stated that the Board could suggest an ordinance on amplified noise, which may help this issue, and does not put unnecessary regulations in place that cause or create other issues for the rest of the Community. Bennett stated the Victor code has a section on amplified noise and he read the following:

*The following shall constitute excessive noise from the hours of 11:00 p.m. until 7:00 a.m.:*

(1)  
*The playing of any radio, television, musical instrument, or other machine or device for producing, reproducing, or amplification of sound, such that, the sound is beyond the property line of the premises upon which it is being used.*

The Board likes the wording above and suggested that Bennett discuss the above ordinance with a change in hours from ten (10) pm to seven (7) am with Supervisor Crowley before they go any further.

## III. Discussion

There are no further updates on pending issues.

## IV. Minutes of August 7, 2014

**Jugle made a motion and Rogers seconded the motion to approve the minutes of August 7, 2014**

**All board members present voted Aye, with the exception of Hedges who was absent at the August 7<sup>th</sup> meeting.**

**Vote was carried.**

## V. Meeting Adjourned

**Rogers made a motion and Jugle seconded the motion to close the meeting @ 8:05 pm.**

**All Board members present voted Aye, Vote was carried unanimously.**

Respectfully submitted,

Kimberly Rayburn  
Planning & Zoning Board Secretary