

PUBLIC HEARING - August 14, 2006 - 6:00 PM

THE ADOPTING OF LOCAL LAW #2006-27 PERTAINING TO TREE CUTTING

Proof of Notice having been furnished, the Public Hearing on the Adopting of Local Law #2006-27 Pertaining to Tree Cutting was called to order at 6:00 PM by Supervisor Johnson.

Present Were: Supervisor Mary Ann Johnson
 Councilperson Suzanne Denn
 Councilperson Neil Allen
 Councilperson Percy Allen
 Councilperson Preston Allen

Also Present Were: Attorney David Avigdor
 Planning Board Chairman David Cox
 Planning Board Member Ted Mirczak
 Planning Board Member Jack Vaillancourt
 Code Enforcement Office Ken Metzler
 Judge Bob Dwyer

Reading of the Notice published regarding the Public Hearing by the Town Clerk was waived by the Board members.

Supervisor Johnson asked Planning Board Chairman David Cox to explain to everyone at the Public Hearing about the Tree Cutting Limitations. Mr. Cox explained that a person could cut about a third of the trees under the old clear cutting law. The cutting would have to take place on an area of a least five acres - anything smaller is exempt. Residents had concerns regarding Lake Front Area on proposal. The major change in this law is the Lakefront area being included.

The following persons spoke against the proposed law:

Lee Hayes - Local logger: Stated that loggers do not cut within the Lakefront area. Ken Metzler explained to Mr. Hayes that this law would effect everyone not just loggers. Mr. Hayes also stated that he feels this is something that should be voted on by residents, not just the Town Board. Attorney Avigdor specified that New York State law dictates who can vote for what. Mr. Hayes does agree that there should not be any clear cutting. Mr. Hayes also had

PUBLIC HEARING - AUGUST 14, 2006

PAGE 02

CEO Ken Metzler asked Mr. Hayes if he followed New York State Forestry Best Management Practices - if he does this law is in line with their guidelines.

Mr. Hayes also feels that there should have been a local logger involved in the process of putting this law together.

Jan Kovaleski - Stone Road: Restrictions inhibiting people from doing what they want. Taking away our rights to do as we want with their own property. Have to pay taxes but you can't do what you want. Decreases the value of property. Board pointed out that he could apply through the Grievance procedure for a reduction in taxes.

Attorney Avigdor stated that the Board can act for the common good of the town.

Mr. Kovaleski cited property owners at lakeside that are causing problems for property owners farther away from the lake. Cited Hudson River - Black River Regulating District not allowing people who are not lakefront to use lake. Not fair. Backlot owners are being discriminated against and that 75% of landowners are being effected by the 25% of lakefront owners effected by the change in the proposed law.

The following person spoke for the law:

David Smail (Co-Chairman Day Property Owners Association) - North Shore Road: Commented that we got a lot of input from various sources which he commended. Questioned someone cutting trees for some other purpose besides logging. Discussed Hudson River - Black River

Regulating District regulations which are already in place. They all still apply. Within 35' of the shore the APA currently prohibits the removal of more than 30% of the trees during any 10 year period. The town proposes that for noncommercial tree cutting, no more than 50% of existing trees shall be removed. Planning Board member Ted Mirczak explained that you are restricted in what you can do according to law.

Mr. Smail states that the wording apply's to Building Permit cutting and that certain rules are associated with commercial cutting. Attorney Avigdor stated that no commercial cutting is allowed when a building permit is obtained or for firewood - not to improve the view.

Comments from other audience members:

PUBLIC HEARING - AUGUST 14, 2006
PAGE 03

Committee member Ken Metzler stated that he was against the inclusion of the Lakefront area at first - now he does not have a problem.

All persons desiring to be heard, having been heard, the Public Hearing was declared closed at 6:43PM.

Carol Vaillancourt
Town Clerk