

Town of Smithville
Planning Board Meeting Minutes
July 11, 2018

Planning Board Chair, Shane Butler, called the Planning Board Meeting to order at 7:00 p.m.

Planning Board Members: Chair, Shane Butler, Robert Brooks, Adam Whitbeck, Pamela Holcomb, and Julie Hatfield

Planning Board Members Absent/Excused: Julie Hatfield

Others in Attendance: Lori Eaton, Planning Board Clerk and resident, Angelo Cioffi

Review and Approval of Minutes The date of June's minutes was amended. A motion to accept was made by Pam Holcomb and 2nd by Bob Brooks and Adam Whitbeck.

New Business

-Shane Butler addressed the need for a Vice Chair for the Planning Board. Bob Brooks made a motion to appoint Adam Whitbeck as Vice Chair of the Planning Board. This was 2nd by Pam Holcomb. All Ayes. Motion carried. Shane will present this to the Town Board at the next meeting.

-Chair Butler shared the Rural Futures newsletter and a survey from Williams 811 that arrived in the mail.

Old Business

- Noise Ordinance

-Mr. Cioffi presented Chair Butler with a copy of a noise ordinance from the town of Oxford with the hope of having the Town of Smithville adopt a similar ordinance. Chair Butler explained that Oxford has zoning laws whereas Smithville does not.

Mr. Cioffi also brought with him a chronology of Mr. Lilley's disturbances for the past 40 days. There was a two-week time period when the cannon was going off around the clock. There were no calves and no crops when the noise cannon was going off full time. Mr. Cioffi said he pays over \$9,000 in taxes a year and believes he shouldn't have to put up with it. He did state, however, that there hasn't been any noise from Mr. Lilley's cannon lately (since June 4) but is concerned that this action will be repeated during the spring of 2019 when Mr. Lilley again has calves on the property.

Mr. Cioffi stated that other residents on Decker Road are also complaining about the noise from Mr. Lilley's cannon and has encouraged them (unsuccessfully) to attend a town meeting. He also said that police possess affidavits from other people having the same complaint. Chair Butler explained to Mr. Cioffi that the town can't do anything unless the dispute is between more than two property owners and suggested that Mr. Cioffi file a civil suit against Mr. Lilley. He also suggested that Mr. Cioffi get other property owners to sign a petition.

-Mr. Cioffi also pointed out that the cannon is a fire hazard since it is fueled by propane and an actual flame can be seen coming from the device. Since Mr. Lilley does not live at the property where the cannon is located, this poses a safety issue.

-Mr. Cioffi voiced his outrage over the inconsiderate behavior demonstrated by Mr. Lilley when he didn't bother to attend the mediation meeting arranged by Catholic Charities Coordinator, Lois Hubbard, who is the Chenango County Mediator. Mr. Cioffi believes that Mr. Lilley's lack of attendance shows a lack of respect for the system and considers Judge Lilley to be "above the law."

-Chair Butler stated his willingness to inform the Town Board members that he doesn't believe a noise ordinance is necessary. A motion to present this to the Town Board was proposed by Bob Brooks and 2nd by Pam Holcomb. All Ayes.

- **Cascun Site Plan**

-The Cascun project is defunct because of the \$60,000 cost of the three-phase power.

- **Clean Energy Communities Program** - There has been no update.

Ten residents need to sign up for the county CECP in order for the county to get a \$150,000 grant. Residents would receive a 10% discount on their supply charge if they sign up. Adam Whitbeck will have more information by the next Planning Board Meeting.

Adjournment: 8:19

Bob Brooks made a motion to adjourn. Pam 2nd it.

Respectfully submitted,

Lori Eaton
Planning Board Clerk

Next Planning Board Meeting is August 1, 2018 at 7:00

