



## Town of Hartland Planning Board Meeting Minutes

---

**Thursday Oct 19, 2023**

**In attendance:** Robert Harris, Robert Spencer, Beverly Snell, and Secretary Jennifer Mason.

**Absent:** Steve Urtel

**Chairman Robert Harris** called the meeting to order at 6:30 p.m.

The board reviewed and approved last month's meeting minutes.

### **Old Business:**

**Chairman Harris:** I have a few pieces of old business

Our training certificates are on their way.

The lady I spoke with in Albany was out on medical leave, so I left a list of our questions for her.

We're still looking for a 5th member for the Planning Board. We've been looking since January when Margaret resigned.

**Bev Snell:** It wouldn't hurt to say in the Hartland Happenings that we are looking for a zoning and a planning board member.

**Chairman Harris:** I don't think they want us to have one.

**Robert Spencer:** They're saving money honestly by not having one.

### **The Noise Ordinance:**

**Chairman Harris** Mike, please explain what you are looking for with the noise ordinance.

**Code Enforcement Officer Michael Hartman:** We need to set a timeframe when loud noise needs to be reduced. What do you think is unacceptable without a special use permit? This is not up to me, it is up to you guys.

**Chairman Harris** Is there something else you would like included in our code that you have seen in others, other than time?

**Code Enforcement Officer Michael Hartman** What we need to add is a time limit for loud noises into the night. I am having reports of people partying late into the night after football games, and people working on their vehicle banging metal noises. I get quite a few complaints from certain houses every year. They're doing this at 9, 10 at night. It isn't every night, maybe once or twice a

week. When I talk to these people about the banging noises they ask what the violation is. Our code is too vague.

**Bev Snell:** I could have sworn we had one that stated 11pm. There was a law we followed. We had to pull that up a couple of times.

**Secretary Mason** pulled up town codes and laws and could not find anything with a set time.

**Michael Hartman** I get called at 1, 2 in the morning. I advise them to call the Sheriff's department.

**Bev Snell** Regardless we do need to set something.

**Chairman Harris** We can also set different times for weekdays versus weekends. I don't think you need to have a band blasting their music until 11pm on a weeknight.

**Robert Spencer:** Sunday's should be considered a weekday since most people go to work on Mondays.

**Bev Snell:** I think we should look at other towns as well before we set this.

The board discussed the following times:

Quiet Times: 11 pm - 7 am, 7 days a week.

Exceptions, generators may run during power outages.

**Bob Spencer** We may want to add something regarding holidays also.

The board will make a final decision at the November board meeting.

### **Mahar Trailer:**

When the Mahar's met with us he mentioned that he was going to move the trailer further back. It's quite an eye sore. Will he be moving that?

At the meeting Mahar said he may move it to the back, for now it's staged as a safety factor due to the intersection and for the convenience of the trucks dropping off the product.

Nothing further, will revisit at the next meeting

### **Manure Law:**

Attorney Haylett will have this complete for the next meeting.

We're very concerned about a particular property where they are surrounding a fire hydrant, which is already illegal.

## **Lighting:**

**Chairman Harris:** What is going on with the lighting issue on Quaker Road?

**Michael Hartman:** What would you like to know?

**Chairman Harris:** There probably isn't any negotiating between the two neighbors is there?

**Michael Hartman:** He came into the town board, screaming at them at the top of his lungs. Then he came to me and said "you measure those lights the right way, not when you're drunk at 2 o'clock in the morning".

**Robert Spencer:** That takes nerve.

**Michael Hartman:** I have been there all times of day, even after a night of playing on the stage. I filed charges 4 or 5 weeks ago. The attorneys came back finally, they wrote it up for me. They took it to the judge and the judge said I have to look them over before we set a court date and that is where it has sat for 3 weeks now. I'm done, I've done everything I'm supposed to do.

**Robert Spencer:** So when you measure the lights are they too bright?

**Michael Hartman:** I couldn't measure all 4 at the same time unless I went into their house and I'm not doing that. I measured them from the center of the road. They were shining on the house across the street.

**Bev Snell:** What is the purpose of them?

**Robert Spencer:** They said it's for security reasons with millions of dollars worth of equipment there.

**Michael Hartman:** I've sent him paperwork for a business permit and he won't do it. In all respects, he has complied with every rule of the business, you cannot see it from the road, besides those lights, everything is inside, he doesn't bring logs home. He keeps it very neat. Even the employees park where you cannot see them. I'm done, I filed and have done everything I am supposed to do. He has also changed two of the bulbs to dim them down.

**Michael Hartman:** I measured the lights, they were .09 candles, I pointed across to the neighbors who complained, .07 candles, I walked to the next neighbor to the North, .08 candles. So where am I on this? They're all less than 1 candle power. But the law says light cannot spill out of your property.

**Robert Spencer:** So they don't differ much between the residential and the business.

**Secretary Mason:** I have a slight light complaint. The lights at the church on Johnson Creek are a safety issue. It's really hard to see when coming up to that corner.

**Michael Hartman:** You should come to my house, you can see the lights near me from 104.

### **Comprehensive Plan:**

**Michael Hartman:** I have a list of every business in the town.

**Secretary Mason:** Could you send that to me for our next meeting?

**Michael Hartman:** I can, I just have to call my assistant Jennifer, she has it on her computer and keeps it updated.

**Chairman Harris:** Can I request a list of the new buildings in the town?

**Michael Hartman:** That's easy I can send you that every quarter.

**Bev Snell:** I was talking with Counselman Grant and discussed that what we're finding is really neat. It's what is developing in the town! We will check his list against ours. We need to hand out the road that Peggy was going to do, she's pretty busy and she really has nothing to do with the comprehensive plan, it was nice of her to offer to assist though.

Chairman Harris will take those roads. Then we will compare it to Mike's list.

### **Contractor Licensing Law:**

**Secretary Mason:** I have an update. We do not make the laws, we make the suggestions on how we want to see the law written. Then we bring it to the town board and then it will be sent to the attorney to have them write it.

### **New Business:**

December 2nd 9-1 Training. I will be charging \$25. The town covers this cost. Secretary is allowed to attend as well.

**Chairman Harris:** What is it on?

**Michael Hartman:** Variance, Special Use Permits, Non conforming Uses, Alternate/Clean Energy, Cannabis, and What our job is, what is expected, and what we are allowed to do in board position. You'll get the flyer via email.

**Michael Hartman:** Cornell University has a fantastic piece on ethics for the town board.

**Chairman Harris (to Michael Hartman):** Did we do something unethical or inappropriate?

**Michael Hartman:** Ok, so when you guys are talking you cannot say "off the record", nothing is off the record. You guys cannot have more than 2 people when you're talking outside, you cannot have a quorum. Even if it's not town business you cannot hang out together. The open meetings law, I have something in the training about this.

**Bev Snell:** You can be together, you just cannot talk business.

**Michael Hartman:** Yes that is right. Executive sessions are only if you are in a public hearing. It has to be to discuss information about what is on the board that you don't want more comments on because of too many arguments, people fighting. That's the only time you can go into an executive session. When you need to discuss behind closed doors.

**Bev Snell:** We have not had to go into an Executive Session yet.

**Robert Spencer:** So when 3 of us are out there just talking, nothing business, that's still not allowed?

**Michael Hartman:** You're not supposed to.

### **Other Business:**

**Robert Spencer:** Can we have a guest speaker?

**Bev Snell:** If it's going to cost the town money, we cannot, we would need prior approval from the town board. If they aren't charging then I imagine we should be.

**Robert Spencer:** Ross knew about Drew's training, he was here waiting for Drew to come in that day.

**Secretary Mason:** I will have agendas for our future meetings.

Next month will be manure law, noise ordinance, comprehensive plan with the list of businesses, Contractor License Law.

### **Talk of the Towns & Topic**

**Bev Snell:** We'll have to read this and discuss it at the next meeting. Jen, have you gotten this magazine yet?

**Secretary Mason:** Not yet, I'll follow up.

**Bob Spencer:** read an article in the "Talk of the Towns & Topics" magazine called "Planning and Zoning Board Safety Considerations"

**Bev Snell:** I certainly think we are a respectful town.

**Chairman Harris:** It has been suggested to us that we should go on record regarding our stance on this solar project.

With nothing further to discuss,

**R Spencer** made a **motion** to adjourn, seconded by **B. Snell**.  
**4 Ayes 0 Nays**

**Chairman Harris** closed the meeting at 8:10 pm.

Next regularly scheduled meeting will be Thursday, November 16, 2023 at 6:30 pm.

Respectfully submitted,

*Jennifer Mason*

Jennifer Mason  
Planning Board Secretary