

**JUNE 7, 2016  
TOWN OF PIERREPONT  
SPECIAL MEETING**

The Town Board of the Town of Pierrepont held a special meeting on Tuesday, June 7, 2016 at the Pierrepont Town Hall, commencing at 1:44 PM.

<b>Present:</b>	<b>Supervisor</b>	<b>Jane Powers</b>
	<b>Councilmen</b>	<b>Roger Murray Dahl McCormick John Glasgow Dan Huntley</b>
	<b>Town Clerk</b>	<b>Melanie Thomas</b>

**Residents & Public:**

<b>Charles Nash</b>	<b>Canton, NY</b>
<b>Duane Curtis</b>	<b>Canton, NY</b>
<b>Eileen Basham</b>	<b>Hannawa Falls, NY</b>
<b>Harley Newton</b>	<b>Hannawa Falls, NY</b>
<b>Mary-Kait Maer</b>	<b>Canton, NY</b>
<b>Garret Glasgow</b>	<b>Canton, NY</b>
<b>Lance Pier</b>	<b>Canton, NY</b>
<b>Jake Facey</b>	<b>Canton, NY</b>
<b>Dan Bronson</b>	<b>Pierrepont, NY</b>
<b>Pat Bronson</b>	<b>Pierrepont, NY</b>
<b>Rod Stickney</b>	<b>Massena, NY</b>
<b>Pete Wyckoff</b>	<b>Pierrepont, NY</b>
<b>Fred Biggs</b>	<b>Pierrepont, NY</b>
<b>Patricia Biggs</b>	<b>Pierrepont, NY</b>
<b>C. Simpson</b>	<b>?</b>
<b>Joanne Wallace</b>	<b>Pierrepont, NY</b>

Supervisor Powers called the special meeting to order at 1:44 PM. She stated that the purpose of this meeting is to listen to a presentation by Attorney Charles Nash, at his request, based on a court decision for the case of Biggs vs. the the Zoning Board of Appeals of the Town of Pierrepont and Duane Curtis. There will be no public comments allowed and no action taken by the town board. This is only an informational meeting. Our attorney, Eric Gustafson is unable to be here because he is in Italy.

Supervisor Powers turned the meeting over to Mr. Nash to address the board.

Mr. Nash stated that the decision in May from Judge Mary Farley was that since logs are a natural resource of the county, Mr. Curtis could not bring logs to his property in a rural residential district, saw them up, and resell them. Mr. Curtis's property is in an agricultural district, but this was not brought up in court because the case would have been moved to Albany.

Mr. Nash stated that he would like the town board to consider changing the zoning in the town of Pierrepont. The town has 6 different districts and the Waterman Hill area is in a rural residential district. He was the town's attorney when the town was originally zoned. He believes that when the zoning was passed, it was thought that Waterman Hill would have more development. He stated that he thought quite a few things should be looked at in the zoning of the town. For instance, maple sugaring is not allowed in the open countryside district. Also, he believes that the town should allow wood processors (if you have enough land and can meet the setbacks). He said that many residents of the town buy logs to process, whether it be with a wood processor or by hand.

Mr. Nash stated that someone from NYS Agriculture and Markets will be meeting with Mr. Curtis and the town to see if a solution can be worked out. He said Ag & Markets Law supersedes town law.

Councilman Dan Huntley asked what the protocol is when town law and state law do not agree. Mr. Nash stated that state law always overrides local law. You can be more stringent than the state law, but not less stringent.

Also, Mr. Nash stated that Ag & Markets will ask whether it unduly hinders agricultural production and whether it is a health and public safety issue. He stated that he didn't see how it would be. He said that he knows it will take a long time to change the zoning, but you want to make sure it is done right.

Supervisor Powers stated that it will cost several thousand dollars and it is not in the budget for this year. The publication costs are very expensive. She said that she plans to discuss it with Jason Pfothenauer at the county planning office. We know that our zoning code does need updating since it hasn't been done since 2000.

Mr. Nash said that he hopes we can reach a resolution to the situation.

**Motion** by Roger Murray, seconded by John Glasgow, all in favor, to adjourn.

The meeting was adjourned at 2:18 PM.

Respectfully Submitted,  
Melanie J. Thomas  
Town Clerk

MJT