

TOWN OF COXSACKIE PLANNING BOARD
MINUTES OF REGULAR MEETING
June 6, 2019

CALL TO ORDER

Chairman Bruce Haeussler called the meeting to order at the Coxsackie Town Office Building at 7 p.m. followed by the Pledge of Allegiance.

ROLL CALL

The following members were in attendance: Chairman Bruce Haeussler, JoAnn Conway, Vice Chairman, Frank Gerrain, William Whitbeck, Joseph Garland, Secretary Patty McIntyre, and Attorney Tal Rappleyea. A quorum was declared. Also, in attendance were Shane Pilato and Lek Nazi, representing North Country Landscaping, Anne Waling, representing Cypress Creek, several members of the public as indicated in the attached transcript.

MINUTES

A motion was made by Frank Gerrain and seconded by Joe Garland to approve the minutes of the regular meeting of May 2, 2019 as written. The motion was unanimously approved.

GENERAL DISCUSSION

Chairman Haeussler began the meeting by welcoming everyone and commented on the great community involvement. The beginning of the meeting was closed to the public for Board discussion.

Members were reminded of the training opportunity scheduled for June 12th if they wish to attend, the deadline for registering is June 7th.

Events scheduled for Meadow Ridge were shared with the members as per their agreement.

Members were reminded of the Open House to see the new Town building, scheduled for June 13, 2019.

Conditions for the Rose Hill wedding venue were reviewed by the Board, and there were no concerns. Patty will contact Kim Rose for her final signature.

Chairman Haeussler talked about Cypress Creek/Fallen Tree Solar. Each Board member had the opportunity to walk the property to see where the Solar Panels will be located. Cypress Creek submitted final paperwork and documents today. Tal Rappleyea advised the Board that they could either accept this documentation, or decide to reject it, as the Public Hearing is already closed. Chairman Haeussler determined that the Public Hearing will not be reopened. The Hearing had already been extended, and this was received almost a full month later. Next step in the process is to go through the SEQR documents. The applicant submitted Part I and now the Board must do the second part to go through the various impacts. At the end of this, the Board will have to decide as to whether to do a negative (no significant impacts) or positive declaration at the end of the process. Mr. Rappleyea then went through the summary of the what the Board felt in relation to the project. Beginning with Part II, Mr. Rappleyea read this to the Board.

Part III that the project may result in one or more significant environmental impacts. A motion for a positive declaration was made by Bill Whitbeck and seconded by Frank Gerrain. All were in favor of the determination of significance.

Mr. Rappleyea read the rationale of that determination as follows:

“..Out of harmony with the neighborhood and would be clearly detrimental to the orderly development of the surrounding properties....”

3. Was originally to help the SHL community....

Tal talked with everyone to create both a resolution to approve or to deny the resolution. Based on what he has collected, he will read the resolution to deny. Mr. Rappleyea read parts of the 37pages beginning with the procedural history. Site Plan would be approved, Special Use Permit denied.

A motion to accept the resolution to deny the special use Permit was made by Bill Whitbeck and seconded by Frank Gerrain. Matter of Cypress Creek is closed.

OPEN MEETING TO PUBLIC

HALSTED SUBDIVISION

John Halsted provided maps of the property located at Tax map # 54.00-01-13 for a subdivision of land to give a parcel to Jake Halsted. Because of the location of the property, they were directed to the County Planning Board for review. Mr. Rappleyea requested an electronic copy from Mr. Halsted, and he will make a referral.

QUIGLEY LOT LINE ADJUSTMENT

Dan Quigley presented maps for a lot line adjustment for the properties of Daniel and Danielle Quigley, 2530 Route 385, Coxsackie, 88.00-3-35 and Stephen Beecher, 138 Beecher Road, Coxsackie, 88.00-3-4. A public hearing will be scheduled at the next Planning Board meeting. Certified letters must be sent to neighbors prior to the meeting. Chairman Haeussler will sign the maps after the vote.

SOLAR LAW

The Board was asked to provide a report/recommendation regarding their re-enactment of new solar law with standards. When they did it at first, they did not do the environmental review. They will re-do the exact law with the review, so they would like the Planning Board's recommendations, which will be the same.

PROJECTS REVIEW

KASSELMAN SOLAR

Scott Stevens representing Kasselman Solar on behalf of the homeowner, Luciano Agovino, stated that they want to install a 36-panel ground mount solar on the property 14.4 kw area is a 4 x 9

configuration, 60ft. x 13 ft. max height 8 feet. The property is located on Rte. 9W, tax id 87. 00 -3-6. This is for private use. The total square footage is a 401.49 with the tilt. Chairman Haeussler is waiting to hear from MaryBeth Bianconi of Delaware Engineering. It will be reviewed before the next meeting. The Board needs to know if it is approved by the Zoning Board.

NORTHWAY MINING

Michelle Mormile, representing Northway Mining was present to discuss permits for Northway Mining. She provided the Board with the agreement between Northway Mining and Central Hudson as requested. Chairman Haeussler asked if they were currently operating, and Ms. Mormile responded that they were, but that she was just informed of that recently. Chairman Haeussler asked that they cease operation at this time. “We don’t like people coming to our town and doing whatever they want without permits.” She will contact Ed Pebler and let Patty know where they stand.

OTHER

JoAnn Conway questioned the completion of the solar installation on Bailey Street (R & R). It doesn’t seem to be moving along as to the required landscaping. Joe Garland stated that last he knew was that they were looking for outside contractors to do the work. Chairman Haeussler stated that perhaps in the future the Board should require a schedule or timetable for the work to be done when approving such projects.

Freepoint Solar sent a letter asking to be kept on the agenda but are not yet ready to present.

NORTH COUNTRY ARMORY

A public hearing for North Country Armory located at 10680 Rte. 9W Coxsackie, NY was held. The transcript of the hearing is attached to these minutes.

The next meeting will take place on Tuesday, June 25th in lieu of the July meeting.

ADJOURNMENT

A motion was made by Bill Whitbeck and seconded by Joe Garland to adjourn the meeting at 8:50pm. The motion was accepted unanimously.

RESPECTFULLY SUBMITTED,

Patricia McIntyre, Secretary

Transcript of North Country Armory Public Hearing.

JoAnn Conway made a motion to open the Public Hearing and Bill Whitbeck seconded it. All approved.

Chairman Haeussler:

Shane Pilato, we are here for a public hearing, Um, it was posted in the paper concerning the gun range, on 9W Each individual will have three minutes to speak, no longer than three minutes and we will proceed.

Tal Rappleyea:

Mr. Chairman, we have all the return receipts for the notification?

Secretary McIntyre: [\(01:02:44\)](#)

Yeah.

Chairman: [\(01:03:00\)](#)

Uh, we haven't verified them, but we will. Okay. So the people that speak, please state your first and last name and again, you have three minutes to voice your opinion or request for approval of the project.

Rappleyea: [\(01:03:24\)](#)

Do you want Shane, to give you some brief overview of what he's doing first just so that everybody knows for sure?

Chairman:

Yep. Okay. All right.

Shane Pilato: [\(01:03:37\)](#)

First let me thank all my friends for coming. Um, I think mostly people know where I'm up to. Um, I have a shooting range, started about four years ago. Um, we're zoned properly are far enough away from roads and other buildings and stuff like that. Um, everybody here is familiar. I have, um, some friends with me with professional credible credibility licensing that can testify who safety issues, uh, planning board came and had a visit. Everybody seemed to like it ah, that's it. I really need to hear from the opposition. I did forward to the planning board an email, a letter know I was kind enough to have a copy given to me. (Secretary: It's in your packet.) That was kind of inflammatory and I just, I forwarded that to everybody. I don't want to go down the rabbit hole here yet, but I just, um, I just want to point out that, that letter was full of half-truths, so,

Chairman: [\(01:04:30\)](#)

okay. We did have one technicality come up right Tal? so, we did have one technicality come up which was their SEQRE. Yep.

Rappleyea: [\(01:04:42\)](#)

Unfortunately, I think you used one of the outdated forms.

Pilato:

I'm saying it came about from the town's website.

Rappleyea:

You should be, there are new ones that, that were established first of this year. I'm saying you just need to fill that back out.

Chairman: [\(01:04:56\)](#)

That was a technical issue. Anyone else? Okay, well, oh, sorry.

G. Agovino: [\(01:05:09\)](#)

I live across from the shooting range. Um, I'm not quite sure what he's asking for. Um, I'm not quite sure what the difference between what he's been doing and when he wants to do, is there any change?

Chairman: No, Well I guess you've basically been doing it for 4 years, right,

Pilato:

Correct.

Lek Nazi:

No change whatsoever. Can I stand up and say something?

Chairman:

Yeah, sure. You have 3 minutes.

Nazi:

Thank you. I'm Lek Nazi. My son and I own Double Eagle Tactical Training and we do all the training classes at the Country Armory. Just a couple things I want to clarify about the study that's been going around to all the local residents. A couple of different things. Our classes start at 9:30 in the morning. It's done for a reason, two main reasons, I'm retired. I don't want to get up real early in the morning and work. The second thing is that we have uh, all the neighbors in mind because of the noise, my classes start, we don't start shooting right away. Like the letter said they going to shoot all day nonstop seven days a week and I'm going to get to that too in a second. I've got it written down. So, when my classes start, basically we start with the safety lecture. When we start the courses, we go over the course itself. We have the people go through the course themselves, without live fire. So, we'll get, they can assure all instead they are safe and then go live fire itself. They're not shooting all the time. Once you conduct that one course, you go to their second course, same thing, lecture, safety, dry drills all the time. No rod rounds at all. Once we're comfortable with the proficiency, then they started shooting live fire so it's not a consistent live fire all the time. A major class that we do is a basic live fire. We do lecture for about two, two and a half hours? We might shoot for about hour and a half. That's it. Most of our classes who are three, four, five students a class with do it part time. We do what every other weekend. So we're not

shooting every week. Our live fire courses start at the end of April, the beginning of May, we ended the first week in December and all our courses in a live fire, some of them would say segmentation. That's all scenario-based training. We can actually do it in this room here. There is no noise whatsoever. The classes that we offer in the winter is all lecture and not a class ah that letter stated something about night simulation training, whatever. I wonder what the heck that means. The only night class we're doing this summer is a lecture class. You sit in class and listen to me and my son talk. That's about it. Uh, most of our classes that we do, 99% of our classes are pistol courses, so we don't shoot big rifles. Maybe 1% when you might have one or two classes that are carbine but a carbine does not mean these big rifles. It can be a 22 or the two to three don't go any higher than that. A number of class, like I said, per year, as minimal, we do what every other weekend, Holidays. we don't do classes, in the middle of July we don't do classes, we go on vacation. So, it's minimal amount of time that we train there. It's not like the letter stated that we shoot all day every day. It doesn't happen that way. Ah, let's see, again, like I said, no classes The other thing that we also did was with our business, uh, Gun Digest of the Pursuit channel, uh, you know, my shoot a show came down and did the show. We actually did five episodes with them on modern shooter. And the thing that we did with that is we're trying to bring businesses into the community. And what it did was after they did our classes, they actually went out and advertised about the local community, about local restaurants, local business. So people want to come and take some of our training. There's something that can do something around here locally. So we're trying to bring business in, not push businesses away and not to throw solar panels in here, but pretty much with her, that's what they're doing. But that's what, that's what our training consists of. It's not like what that letter stated there's a lot of misinformation. Thank you. Sure. Absolutely.

Bill Whitbeck:

So your live fire classes, they're all, they all have permits? You don't, ...

Nazi:

No, in New York state, you need a pistol permit. First of all, everything is done, legit, all that ah

Whitbeck:

You doing any preliminary safety classes for people applying for permits?

Nazi:

So a basic safety courses for individuals who want to take the pistol permit. You get your pistol permit. If you want to go conceal, carry concealed carry, you have to come back by the judges. Take a live fire course. Once you take that live fire.., once you get your pistol permit, you can take courses and everything is done very slowly. So the biggest thing is the safety issue there. But the thing is that with that letter that was circulated around a lot of misinformation, we do not shoot, as soon as you come into class at 9 :30 you don't start shooting at 9 :30 end at 4: 30. And that's the other thing our classes end at 4:30. If we're done by five o'clock it's because we're talking at the end of the class and we're not shooting. So, most of our classes are done at 4: 30.

Joe Garland:

[\(01:09:54\)](#)

I have a question last time you guys spoke it's like a group that you join too? It's not just like anybody walks into the shooting range..

Nazi:

[\(01:10:01\)](#)

No, no, no, we can't. What's actually right for the club. That's what Shane., that's his department or from other students that wanted to take training with us at pistol permits. But New York State does not allow this. In order to train in New York State, the pistol permit that you need a New York State pistol permit. So, there's laws that we have to follow. Both my son and I are police officers so.

Pilato:

[\(01:10:24\)](#)

Yea there's no Willy Nilly just showing up at the range. Everybody gets, um, a physical walkthrough of the range and orientation. Everybody gets vetted for safety. You're handing somebody a firearm can tell you in a second how much they know. We cover all the fundamentals of safety. Um, one of the hardest thing, and I try to figure out how this type of, what do you do with the guest, right? Because this is a self-policing range. Whoever's a member goes up, I have guys that their son comes home from the military, why do I bring my son up there? Sorry Dude you can't cause I didn't do his orientation so it's not willy nilly, you know, and safety is the biggest concern.

Nazi:

[\(01:11:05\)](#)

Everybody enjoys the range there so they have to go through a safety course. The basic just basic fundamentals of safety. And one of the things that we got working from our side on the business, we all looking to put on a class for a range safety officers. So that's one of the things that we're looking at. The other thing that we spoke about last couple of times you guys have visited us some of you members visited ah the range. We are definitely looking to change the range again because of all the complaints, not all of them. The one complaint basically that's come up is with the noise. We all look to change, if approved. We are looking at changing the ranges angle a little bit and the berms are going to get rebuilt anyways as long as you guys approve it. We haven't done anything because we need you approval disapproval from you guys. So that's what we're waiting for it. That was going to be done no matter what.

Chairman: [\(01:11:49\)](#)

Thank you.

Nazi:

Thank you.

Victoria Marrone:

So, my name is Victoria Marrone. I live on County Route 49 and I've spoken to you all before in my opposition to this to be three shooting ranges that they proposed are proposing. Um, it come to find, I think the whole of this, everybody's here actually because the noise was so horrible and deafening at my

house that I had that my husband and I contacted the code enforcement officer. And because to find out what's the rule? 65 decibels, I guess a few minutes, 15 minutes CP, 70 decibels. I've, I've said before I had three different apps, over 100 decibels at my house, asked to have that machine that that Ed Pebler, the code enforcement officer has brought to my house to measure it. Could not be done. It was over at the Earlton Gun Club forever. And so now, now after we, after we complained to Ed, um, come to find out what this business was operating illegally for years, very transparently. Yes, that's true. But it was illegal and because it was operating and the noise was so deafening that the illegal operation actually helped it because the neighbors, thought that it had been approved by you folks because why would they be allowed to do that? So, I wrote the letter to the neighbors, advise them that this was an illegal operation and that it wasn't approved by you folks. And you now have letters. It's not just me, it's others who say the noise is horrible. Um, our property values with that kind of noise are really negatively affected. So and um, addition to the letters I also have in my letter, I got a track phone, and so people have messages for you folks that they'd like you to hear.

Chairman: [\(01:13:58\)](#)

I won't accept those. They can't be here; I'm not accepting a recording of somebody without them being here in person.

Patrick Logan:

[\(01:14:04\)](#)

Would you accept the phone for you to then review offline essentially the same as the concerned letter?

Chairman:

[\(01:14:09\)](#)

They can send a letter in or they can show up in person. I'm not taking a recording.

Mrs. Marrone:

[\(01:14:09\)](#)

So it seems that the residents of County Route 49 along with myself and my husband find the noise to be hard and you can't even go home and get rest. You can't go home and be sick that because the noise you what are you going to do to get away from noise in your house? And you know, we bought our house or built our house to be our forever home. It's our retirement home and it's, it's absolutely, you can't do that. It's, it's excruciating. So, you might have the property value going down. I have my retirement home destroyed. We sold land to the IDA as an offset for the Ferguson project to protect the threatened northern carriers. And the short hair, the endangered short haired owl. It's right across the street from the shooting range. There's lots of research that shows that those animals do not thrive without ..

Chairman:

[\(01:15:18\)](#)

Thank you very much, your 3 minutes are up, there are other people that would like to be heard.

Kathy Mattice:

[\(01:15:18\)](#)

My name is Kathy Mattice, I live probably a mile from this shooting range.

Secretary: [\(01:15:21\)](#)

Could you repeat your name?

Ms. Mattice:

[\(01:15:22\)](#)

I'm sorry, Kathy Mattice, I live on 49. As the bird flies probably about a mile away from it. Um, I have no problem with guns. I think everybody should have one. I'm not shooting, but the noise is bad. I mean, on a Sunday morning I sit down and read the paper. I mean, it's bang, Bang, Bang, Bang, Bang, Bang, Bang. It is, I mean, I think this is a problem, I have, so.

Dave Piggot:

I'm Dave Piggot, I live on Route 385, way far away from the range. I don't hear anything. The lady was referencing everybody's here because of the noise. It's not me. Okay? She's telling something that's not factual.

Yvonne Branley:

[\(01:16:13\)](#)

My name is Yvonne Branley and I've taken several courses with Double Eagle Tactical and um, he's correct with the way we shoot a lot of the training is the talking. So when we are training there, um, like I said, taking several different courses for them. Um, we always say when we started later in the morning and then there's the talking about it and what we'll go through a scenario or you're a little bit which lasts, you know, not even a minute. And then we'll stop and then he's telling us what we're doing, you know, discussing how we did it, different things we're supposed to do and then we'll start and do the next exercise. And it does that on and off. It's not consistent. There's long stretches where we're talking or a maneuvering. We're not in the shooting at all. So, and I think I said I think in several classes with them, with them and they're all the same way. And that there is not ever consistent shooting. We're not shooting at targets nonstop. It's not like that at all. So the shooting is not all day long. Um, a lot of times the classes will actually end a little earlier just because people are just being, um, you know, we're going through the class pretty well and not a lot of questions or we're all doing so on and so direct, that sort of thing. But we always had early in the day, it's never always before way before dinner time. Um, and like I said, the classes we're never, just consistently shooting ever. Um, there always is a lot of talking and a lot of instruction and um, and like I said, there's not a lot of shooting and I take it to the class, I'll take several more. Um, I enjoy it and it's, I, I live a few minutes from them and I love that they're local. I used to drive 45 minutes to an hour to go to a range to shoot and I love that it's local, it stays, it stays here and I'd like to say and have my local business and I, even if it costs more or not, I will support my local business. And it's great to have something like this in our own hometown. I think personally, Um, like I said, like I, when I first went in, I did have my pistol permit and without it you're that guy. Actually, I didn't. My father did and I didn't, I was waiting for mine and I went in to look at the guns and my dad was looking at them and I'm just standing on looking at cause you're not allowed to touch them until you have your permit. So he was good with that. Then, I did, I got my permit and I went

in there and um, like I said that a local business and I appreciate that I buy my guns from him I buy my ammo from him. I joined the range and I appreciate that it's close to home. I don't have to travel an hour cause it's not like we're near any big city, you know, you have to travel somewhere to get anywhere here. So, I was thrilled when I found out this was here and it's, it's an awesome thing. And honestly, it's not about when I'm in there shooting. It's not even when I'm there with the range shooting. I don't sit there and consistently shoot fifty in a row, you don't shoot that way. So the sound is not ?? like that. Honestly, I like the sound of a good shot.

Chairman:

Thank you

Robert Roden:

[\(01:19:25\)](#)

My name is Robert Roden. Uh, I met Mr. Pilato about four years ago at the shop, Country Armory. Um, I took training at Country Armory and, um, just one of the things I wanted to point out, I not only know Mr. Pilato personally and we're friends, but I'm an architect and I have worked with him. He's a very honorable, honest, sincere individual. Um, he does everything straight up. Um, as far as going to the range and hearing a barrage of gunfire. Um, I may go to the range once a month, fire 50 rounds just to maintain proficiency and go home. Often times I'm the only, only person up there. So I've never seen this sort of, uh, you know, public range thing where you have 20 guys at the firing line line, you know, you can't hear yourself think.

Chairman:

Thank you.

Andy Marrone:

[\(01:20:41\)](#)

County route 49 and I'd like to make a distinction between classes and club membership. A lot of talk here about the classes. I have attended many classes. They're very organized, regimented when you can shoot, when you lecture whatever. I got, I can understand that. I appreciate that. But club memberships, he's selling 80 or more club memberships. Those aren't where I'm going to talk to you for two hours and then you can shoot for 10 minutes and then that's, that's it. That's your club membership. That's when you can go there at nine o'clock in the morning, unload your rifle cases and start blasting away. Okay. That's not, that's called membership, not classes. All they talk about are classes. I've been there, I live there, I've heard this stuff. Okay. And you can come for five minutes and 15 minutes shoot and leave and you're fine with that. It works for you. Okay, good. I have to be there 24-7 listening to this stuff. If this thing takes off and gets and gets legs. Okay. I've got a live with this noise all the time. All right. And it's unpleasant. There should be Pebler should come out there with that decibel meter. Take things, see and take the readings, see if it matches code, whatever, something other steps need to be taken. We've given you folks a ton of information. We'll continue to give you more information, but you just can't say, uh, well, okay, you know, I'm there 20 minutes, it's fine, it's not fine. And I have neighbors. He said, oh, nobody's coming. Marrones are the only ones that say anything about this. They're the only ones that had had any, any problems. That's not true. I have neighbors downtown in Rte. 49, I have neighbors next

to the shooting place on 9W and Flint Mine Road that are totally opposed to this and the shooting, the noise way out there. And those were the people that have to live with it. That's somebody that comes in 20 minutes on a month, you know, but she would shoot 10 rounds and leaves and that it. This is great. Now that doesn't cut it.

Garland:

[\(01:22:44\)](#)

Sorry sir. I'm just a quick question and something I thought every time for you. Um, is it gotten worse over the four years? If he's been there for four years? I'm just curious.

Mr. Marrone:

[\(01:22:53\)](#)

No, it has gotten worse. It started out, you hear a shot here, shot there occasionally. Okay, no big deal. Then it started to come up a little bit more, a little bit more down here, the Ar, you know, and I say it's now, I told my wife, I said, I look, this is noise. And I said, no, don't worry about it. It's probably not gonna work out anyway. No, no one wants to pay for shooting time and a range, you know, through the range in Catskill and a range all that, whatever, it'll fade out on its own. But I, I'm not waiting and taking that chance because that thing has been there for four years. Shouldn't have been there in the beginning at all. People are sort of done their job about permits. They didn't do any of that stuff. And now we may live with the consequences and I'm going to do everything I can to make sure that doesn't happen.

Rich Marando:

I live on Sunset Boulevard. With the discussions here so far and I've used Shane's range on a number of occasions. Uh, everything in here is referencing the range regarding the noise complaint. Yet I don't hear anything in referencing whether it's his range or the State's range. 'Cause at Sunset Boulevard I can tell you I hear shots going all week long. I can't tell you what...

Chairman:

I can tell you I was at Martinez Auto Body shot, and it was constant.

Mr. Marando:

Guessing by what I'm hearing. I've been around guns most of my life. Um, they're definitely high-power rifles, so I'm going to guess that they're State and they are very clear over by the school. Yeah. So the two ranges are less than a half a mile apart. So to say that what they're hearing on 49 is Shane's property and not the state's property. My question being is, has that been proven?

Brandon Coats:

[\(01:24:52\)](#)

So, my name is Brandon Coats, I am a member of the Army Infantry. So Shane's range allows me to take my time in a professional way. You have to be perfect with your rifle and you have to know it inside and

out. Now he gives me the time, and opportunity to take my personal rifle which I purchased from Shane, and take it to the range and shoot when I can when I want. What, I do when I am there, I shoot two or three magazines maybe at most nine rounds. I don't need to shoot that much, like thirty rounds in the afternoon. I have, anytime I've ever gone there with my mother or my brother. It's literally been only us. I've gone five or six times and never been anybody else there. We've stayed maybe an hour and a half between three, four of us and like, like I said, being a member of the Infantry, you need time outside the military as well shooting the rifle. You need to be open to protect that. Still need turnkey training and I can do that at home. It's something lots of people cannot do and it's never been ongoing shooting, like I said, I'm the only one that is ever there when I've been there and I have a rifle, they all have hand guns. Mine's probably the loudest and it's maybe 30 -40 shots at most in an afternoon.

Chairman:

Thank you and thank you for serving for us. I appreciate it.

Patricia Dowell:

[\(01:26:20\)](#)

My name is Patricia Dowell. I live on 13, my address is 1350 Flint Mine Road. I also own the property, my husband and I, Joseph McDowell property at 1344 Flint Mine Road. We are directly across the street from Country Armory. Um, many, many years ago, we received a letter from North Country Landscaping that they were opening a business and we were in support of that and we never would have opposed anything like that. I mean we all welcome new businesses into the community. All of us I'm sure. And I also respect the military. Um, and I respect the police. I have highly respect for them but I'm sorry, but they don't live where I live, and I have tenants in that apartment building, and they are not going to want to stay there. And my husband and I are retired and living on fixed income and we cannot, we will not be able to live there anymore. Would not be able to sell our property. It is extremely, extremely loud. Sometimes it sounds like mortar fire coming through our house. Come to our home, I welcome you all to come to our home because it's just totally unbelievable. Yes. Mortar fire, that's what it sounds like. I apologize. I know I'm very upset, very angry, but we've had to live with this, and my husband and I are both disabled also. We are home all the time and we are sick, and we don't have to listen to this. We should not have to listen to this as citizens of this town.

Chairman:

Thank you.

McDowell:

Excuse me. I'm sorry. I have a letter from my husband because he couldn't be here, may I leave it?

Chairman:

Yeah, go ahead. Okay.

Kenneth Leis:

[\(01:28:22\)](#)

Okay. Kenneth Leis, L-E-I-S, retired law enforcement and I've been to Shane's, I've been to Shane's range. One thing I want to say is we live in a rural county. We're up in the country. Having a range

anywhere, somebody's going to be able to hear the shot someplace. I understand that these people and I feel bad, but on the same token, it seems to me that living in a county, that's rural, hunting is a big thing in the County. You have the prison has a range, you have a sheriff's department coming in and Coxsackie especially is a very law enforcement town between two prisons, all the correction officers. You've got a sheriff's department built here, you've got the State Police located here, you've got the town, the village police located here and myself personally, I go to Shane's for as a retired officer I have to certify every year. And you have to stay proficient, you have to shoot some place and it's fairly rural where Shane is. He has a very professional operation and anytime I've ever been there he seems like he's trying to understand where they're coming from and doing what he can to try and make adjustments to appease the neighbors as well as the fact that he's not, he doesn't have a night shoots. The hours of shooting are reasonable during the day and he's doing everything you can to keep the neighbors happy and he's not bad-mouthing them. He's just trying to run a business and the range has to go someplace for a rural county for a law enforcement county. It's a law enforcement town and all the officers I know when you're off duty and you're carrying, you have to be proficient in your weapon when you're retired and if you're carrying a weapon, you have to be proficient. You have to shoot on a regular basis. I don't have somewhere I can go and just shoot because that is the only place that I can go and shoot, I'm in full support of the range and I think most of the people here, are, so it's unfortunate that some people may hear it, I don't believe it's as loud as they are saying and it's in with, within reasonable hours and he's trying to do what he can to keep the noise down and keep the names out.

Chairman:

[\(01:30:52\)](#)

We're gonna take three more questions, you've already spoken, you've already spoken....

Tom Morlan:

[\(01:30:52\)](#)

My name is Tom Morlan. I'm a paramedic. I worked for the town of Catskill, town of Wyndham ambulances. I also know I worked with Mark and Lek Double Eagle Tactical training company. Um, I'm a medical instructor for them and I'm working for them with them about two years. Um, another thing that um, nobody would know about but for, we're about to have our 18th consecutive monthly training. We have a group of first responders. We get together, one person, an army sergeant drives as much as three and a half hours from northern New York. We get together, we have a Greene County dispatcher, we have medical guys, army guys, police, fire and then just regular community people want to be involved and be trained. We anticipate emergencies and train, uh, in ways to respond to them. And one of the things I just want you guys to understand is that they have such a high-level training. Double Eagle does such a good job. I've brung my wife, there for all their courses. I feel so comfortable with them. When we go to shoot, he's very precise. You don't go there and unload. First of all, it's really expensive. Second of all is really inaccurate. The way Mark would like teach you is always run back to the basics. And when we been there, first of all we'd like, we've always been able to have conversations. So I think that is evidenced as her in the decibel of what's happening. You know, the level around, we're always able to talk to each other. When we run courses or Saturday nights we'll camp out on the property. Shane lets us camp out there and we do survival skills. Some people bring their kids now when hold fires and stuff drink my water, the next day we go through emergency scenarios and we wake up Sunday morning, we don't wake up to gunfire. Like you know, we've woken up and it's been going off and some

guys they slept through and those are people on the property. You know? Another one other thing I think is really pertinent to the conversation is, you know, I don't want to get into politics, but what's happening nationwide? So many of the problems go on this. You see a real solution here. with Shane. Because his being an FFL, somebody who sells and buys and purchases, guns run the shop and he runs a range. You're looking at somebody who is embedded in the community and knows people like he's gonna, he's like your first line of defense, if any, anything, sketchy's going on, you know, and he's done nothing but build a community and really talk to your people, like bring your wife around who I have committed now or whatever, 18, 18th month of training at and, and good business, trust their business to training a training ,tactical training and high levels of safety in regard, um, attract myself as an instructor. Like we're bringing more business to Shane's range because we know people are safe there. So, we believe in Shane, we believe in Double Eagle and that's what I'm here to say today.

Chairman:

Thank you very much. Two more. Yes sir.

John Cameron:

[\(01:33:51\)](#)

Yes sir. My Name's John Cameron. I'm a current board member of the Green Land Trust. We were contacted by the Marrone's, uh, via letter on the discussion was brought up at our meeting and at this point the land trust. I would like to say that we have zero opinion on the issue and that's where we stand on it.

Chairman:

Thank you, very good. You in the back with the blue shirt and that will be it for tonight.

Ethan Bradt:

[\(01:34:13\)](#)

Hi, my name's Ethan Bradt. I, uh, I don't really do too much shooting at the range. More or less, I kind of go there and fix my car. Shane is nice enough to let me use his garage. That's what I do for a living, but I don't want to stay, I'm at work all the time. So he lets us stay up there at all times our Saturday, Sundays and you know, I see where these people are coming from. But at the same time, it's like, no, I'm there quite often. If you come up, you knock on the back door, I'm probably going to come up and answer it and say, how's it going? You know? And uh, we're not shooting all the time. I mean, sometimes I'll go up, join the guys and stuff like that, member of the range, but it's giving people a safe place to meet. You know, if you don't have that, oh well I got 60 acres, I can go shoot it off, but I'm not going to learn. I'm not going to find out how to do it safely. So, this is a way that's promoting people to do the right thing and to learn out of it and be, safe so, in a sense where they're talking about all these people. I don't see a lot of people are opposing, all right. They have all their neighbors. Where are they? Okay. You know what I mean? We're not up there wasting like Tom said. It's very expensive. It's unprecise. It's kind of just stupid if you're going to look at it that way, you know.

Chairman:

[\(01:35:24\)](#)

All right. Thank you all very, very ...

Mr. Whitbeck:

Let's let this gentleman for the Marrone's speak

Chairman:

Ah he's an attorney,

Mr. Whitbeck:

He's asked several times.

Patrick Logan:

[\(01:35:34\)](#)

Uh, I was trying to wait til the end because I have a number of issues to cover where I want to see about other people work. I have two brief points, uh, on zoning, uh, regarding this property, Uh, we have reason to believe that the proposed uses, and even the current uses on the site might not be permitted under the zoning law. Zoning law allows one principal use for a lot. Depending on how you interpret what's going on here. There's up to four. We have submitted a letter to the Board regarding this as well as the that that that letter will warrant a positive declaration. We have also submitted a letter to the code enforcement officer asking for a formal interpretation of the zoning law on this matter. We request the Board refrain from taking action on the application until it has issued ah that determination and the question of a zoning interpretation has been settled by either Ed or the CBA. Thank you.

Chairman:

[\(01:36:31\)](#)

Um, okay. Oh No, we're, we're, we're, we're, we're going to take a motion here.

JoAnn Conway:

Can I ask a question? It seems like the biggest complaint is noise. So is there anything that can be done that you can do since everybody has professed how, how nicely you run your business, but there are clearly people that are dissatisfied with the noise.

Mr. Pilato:

Absolutely.

Ms. Conway:

So, is there anything more that you can do?

Mr. Pilato:

Absolutely.

Ms. Conway:

Because it does, you know, I understand where the neighbors are coming from as well.

Mr. Pilato:

So I would love to fill you in on that. Absolutely. So I would love to fill you in on that. I, um, when this all came about, the first thing I did was called Mr. and Mrs. Marrone. I said, listen, I'm sorry. Let's try to get to the bottom of it. I'm sure it's not me up there tinkering with my son with the 22. Right. So let's get together and figure it out. Um, if it's something annoying, I know. I told them I still feel I'm not even got approved for this, unanimously, I said, yeah, go ahead. Do whatever you want. I promised them personally, I would still come and sit down at their table and try to get to the bottom of it. They have done nothing but throw obstacles at that. I feel like this is beyond a noise issue. Nobody else, whoever's standing here in opposition today wasn't. I have heard from none of these people, nobody, but the Marrones have come forward and said, hey, you know what? You're driving me nuts. I have not heard from anybody but them. I believe the latest letter that they sent out was pretty inflammatory and there was a lot of, of skewed facts in that letter. And I, and I commented, I scanned that letter, I put my comments on it and I sent it into Patty. With a rebuttal and how skewed that was. All they had to do is come to me and say, hey, you know what Andy, get out on your front porch. Let me shoot a 22. Is that it? Nope. What about a three lane? Is that it? Maybe. Maybe I need to, maybe I need to make some concessions and narrow those times down. I have made every attempt to be, um, friendly hosting. I want to be a good neighbor to all my neighbors for sure. But I'm also, um, your attorney's name, Sir?

Mr. Logan:
Logan, Patrick Logan.

Mr. Pilato:
[\(01:38:51\)](#)

You make a really good point. Let me establish this. In Greene County, there's no green. I need to do 40 different things to make one living. Right? If I moved my business to a more dense area, I would probably have twice as many employees. I'd probably do way better. I'm a romantic, I love the idea of having a little mom and pop shop. I love the idea of driving around the corner to work. Dropping my kids off on the way. I'm going to noise specifically. We did do some noise testing. Um, and I want to cover this and this would be helpful for you guys to know. Also, we did use the tax tech HD 600. This is a very popular decibel meter. A lot of local municipalities use them agencies use them. Um, ambient noise. If you were to turn that thing on is 40 to 55 decibels, just standing outside wind blowing, birds chirping and whatever. A car going down 9W is 78, 80 decibels. A tractor trailer is 112. February 16th, we took five shots with the 45 ACP. It's a pistol. It's not famous for being loud, but in the pistol world. It's kind of a bigger pistol. Trying to be courteous to the, to, to the situation. I didn't want to go parking with firearms. This is what we got on the property line closest to them. Um, I was getting 60 decibels from a 45 ACP um, in front of their house. And I believe Mrs. Marrone taped me. It was February 16 cause she seen me out there. Um, I had no measurable change. The ambient decibel level at their house is actually pushing about 60 on its own because you have a lot of background noise coming off 9W and then you've got the thruway right above it is what it is. Um, those are the facts. Those are the numbers that I came up with. Would I love to shoot a 308 for sure. Would I love to meet the other neighbors that I would be certain, certainly happy to make some concessions and work with you guys.

Unknown speaker:
I have been to your shop, and I have complained.

Mr. Pilato:
I've never met you and I've never heard that complaint.

Unknown:
I met the woman that works there.

Mr. Pilato: [\(01:41:06\)](#)
Well, I'm sorry. Oh, okay. We can take that up another time. But um, those are the facts that I have. Okay. Um, as far as, as far as the uses, my business grew. I was there legally, not illegally. Um, as my business involved, I grew.

Chairman:[\(01:41:25\)](#)
Would you please, present the Board with those decibel readings that you have?

Mr. Pilato: [\(01:41:31\)](#)
I have the dates and I have every I have all the contacts and stuff.

Chairman:
Okay, good. Okay. So, as it stands right now. Um, the board is not going to make a determination. Um, we were going to wait until the next meeting during that time, it's up to you to file the correct SEQR form.

Mr. Pilato:
I can correct that tomorrow.

Mr. Rappleyea
Bruce, There's the lady that wants to speak in the back.

Chairman:
I'm sorry, I can't..

Unknown Speaker:
[\(01:42:08\)](#)
We have somebody who says she can clear this up. She has, she asked a question, but did not get a chance to speak, so I think she should get a chance.

Ms. Agovino:[\(01:42:17\)](#)
I live right across the street. Okay. And I'll be honest, I hear it, but I don't hear what they do. Um, I don't know why I don't we hear what they're hearing, but it's not as, I guess intrusive. I am concerned about the environmental impacts of it, I would like to know about the SEQR when it is done. Um, but, uh, in terms of the noise, I can't really say that if it's going to get worse and that, um, and I'll be honest, I didn't even know there was a shooting range there. It's kind of embarrassing for me, but it really did not impact our lives in that way. I just thought you should know that.

Chairman: [\(01:43:04\)](#)

Thank you very much. Yup. Okay. At this point in time, we're in agreement.

Mr. Whitbeck:

Chairman, a motion to close the Public Hearing.

Mr. Garland:

Second.

Chairman:

All in favor of closing the public hearing. (Ayes) Okay. The Public Hearing is closed. Thank you all for coming. We will be, we have all your information that we just got. I have to digest it. We are being very fair here.