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Mr. Ray Halbritter
Oneida Indian Nation of New York
4663 State Rt. 5
Vernon, New York 13476

Dear Mr. Halbritter:

I am the Town Attorney for the Town of Stockbridge.

At the January 8th Town Board meeting a concern was raised about open burning by the Oneida Nation within the Town of Stockbridge. It was also noted that some of the items being burned have been transferred to that location from a location within the City of Oneida, that some of the items may not have been appropriate to burn, and that smoke may obscure visibility on the highway, creating a hazardous condition.

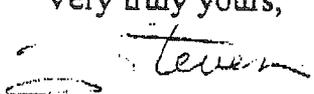
Enclosed for your consideration is Section 406 of our Land Use Law, regarding Open Burning.

The Town of Stockbridge and the Oneida Indian Nation have always enjoyed a good relationship as neighbors; the Town Board wanted me to bring this to your attention in that same neighborly spirit. We are sure that you share our concern for the safety of others, and for our environment.

We hope you will direct that open burning be discontinued, to address our mutual concerns.

If you would like to discuss this matter, please contact Supervisor Donna Brummer.

Very truly yours,


Steven R. Jones

SRJ/dd



HOTEL, MOTEL, TOURIST HOME, BOARDING HOUSE, BED AND BREAKFAST: ONE PER GUEST ROOM PLUS THREE FOR SERVICE.

OTHER BUSINESSES: ONE PER 1000 SQUARE FEET OF CUSTOMER FLOOR SPACE UP TO 10000 SQUARE FEET, SPECIAL USE PERMIT THEREAFTER.

PUBLIC ASSEMBLY BUILDINGS AND OUTDOOR RECREATION FACILITIES: AS REQUIRED BY THE PLANNING BOARD.

SECTION 405 - PERFORMANCE STANDARDS

IN ALL DISTRICTS ANY USES THAT ENDANGER THE HEALTH, SAFETY, OR WELFARE OF ANY PERSON ARE PROHIBITED. ANY EXISTING USES JUDGED TO BE A MENACE OR NUISANCE MAY BE CITED TO THE CODE ENFORCEMENT OFFICER BY A WRITTEN COMPLAINT, AS PROVIDED IN SECTION 608. A.

SECTION 406. - OPEN BURNING

THE BURNING OF DRY HOUSEHOLD RUBBISH (NOT GARBAGE), YARD WASTES AND CUTTINGS MAY BE DONE IN THE OPEN WITHOUT A TOWN BOARD PERMIT BY INDIVIDUAL HOUSEHOLDS UNDER THE FOLLOWING CONDITIONS:

- 1. IN DAYLIGHT WHEN CLEAR VISIBILITY IS AT LEAST TWO MILES.
- 2. WHEN WIND SPEED AND WIND DIRECTION WILL NOT BLOW THE SMOKE INTO THE HOUSE, BUSINESS PREMISES, PLACE OF ASSEMBLY OF ANOTHER, OR ACROSS PUBLIC ROADS.
- 3. ON A SITE SAFELY DISTANT FROM ANY STRUCTURE OR COMBUSTIBLE MATERIAL, AND,
- 4. UNDER THE CARE OF A RESPONSIBLE PERSON AT ALL TIMES EQUIPPED TO EXTINGUISH THE FIRE WHEN NECESSARY.

SECTION 407. - STORAGE OF FLAMMABLE LIQUIDS, CHEMICALS AND EXPLOSIVES

THE DESIGN, CONSTRUCTION, MAINTENANCE, AND OPERATION OF STORAGE FACILITIES FOR FLAMMABLE LIQUIDS, CHEMICALS, AND EXPLOSIVES SHALL COMPLY WITH ALL APPLICABLE LAWS, CODES, AND REGULATIONS. A COPY OF THESE MATERIALS CAN BE EXAMINED IN ANY PUBLIC FIRE HOUSE.

SECTION 408. - SCREENING JUNKYARDS

NEW AND EXISTING JUNKYARDS VISIBLE FROM AN ADJACENT PUBLIC ROAD SHALL BE SCREENED ON ALL SIDES BY A FENCE AND/OR EVERGREENS TO PROVIDE A VISUAL BARRIER NOT LESS THAN SIX FEET HIGH. THE BARRIER SHALL NOT BE CLOSER TO THE LOT LINE THAN SPECIFIED FOR OTHER BUSINESS ESTABLISHMENTS IN SECTION 203.