

Town of Hamilton
Planning Board Meeting
Monday, November 13, 2017
7:00 PM
Poolville Community Center
4787 Willey Road, Poolville

Present: Chairman Darrell Griff, Elaine Hughes, Bettyann Miller, Mary Galvez, Bill Nolan, Town Attorney Scott Chatfield, Deputy Clerk Elisa Robertson, CEO Mark Miller

Others in Attendance: Steven Skollar, Ronald Burstein, Allie Dunham, Drew Dunham, William Heitz, Esq., Michael Dunham, Jesse Magrath, Barry Campbell, Michael Zahn, Denise Kolb

6:58 Chairman Griff calls the meeting to order.

Jesse Magrath (Jennings), Minor Subdivision Application, 8265 Rhodes Road, Hubbardsville, Tax Map#155.-1-30.11

Chairman Griff reviews all the materials. Confers with the surveyor, Jesse Magrath to review the map of the entire parcel and the area to be subdivided. All buildings are existing, nothing is to be constructed. Board reviews part 1 of the EAF short form. There is discussion of the land features, historical significance, wetlands, and endangered species. This was done as a recommendation by the applicant's realtor. Attorney Scott Chatfield makes some inquiries. The board reviews part 2 of the EAF form.

Resolution # 2017-63: Motion to authorize Chairman to complete and sign parts 2 and 3 of the Jennings subdivision EAF (SEQRA form); marking the box that states there will be no significant adverse environmental impact from this action.

Motion: Bettyann Miller

Second: Elaine Hughes

Vote: Yes - 5 No – 0

ADOPTED

Public hearing to be scheduled for December 5, 2017, at 7 pm. Location to be determined.

Drew Dunham, Special Use Permit Application, 1647 Poolville Road, Earlville, Tax Map #184.-1-35,36,37

New additions to the file are an updated site plan, an addendum to the narrative in the original application and Madison County Department of Transportation Approval.

Topics of discussion during the Site Plan Review (page 62) of Town of Hamilton Zoning Law include:

- Conifers – No mention of size or species; applicant states 6-8 feet tall, no planting schedule, applicant states in the spring; spacing is indicated; before first event
- Emergency zone – Purpose and location
- Parking – Question about limos and buses; has been increased; sidewalk was added for handicapped accessibility; new ramp; more functional driveway; overflow parking area
- Madison County Highway Department Permit – Increase in traffic volume; traffic on that road; required sightline distance may be a problem, but it is still marked as approved; 55 MPH
- Interior Seating Plans – How maximum occupancy is established; CEO Miller states that 293 is maximum with tables and seating; portable restroom and dance floor subtracted out; applicant proposes 300
- Water and Sewer – Portable rest rooms and all other water will be brought in; the number of toilets will depend on occupancy; trailers are handicap accessible; come in many sizes
- Energy distribution – Codes Officer will monitor this; electric is all overhead
- Times of use – Inquiry if this is to be a seasonal venue (April 1 through October 31); there is no heat in the barn; if they desire to go year-round heating would be required; applicant asks if they can get an exception for a one-time event, code does not address this
- Event activities – All activities will take place inside the barn; outdoor vows should not be allowed; no large outdoor gatherings; pictures taken outside perhaps; Barn doors will be closed during events
- Designated Smoking Area – Sign should be designated; does not need to be on site plan
- Hours of Operation – Sun-Thurs 10am-9pm
Fri-Sat 10 am-11pm (music ceasing at 10 pm)
- Occupancy – proposed 300 includes guests, staff, contracted staff (wait Staff, Dj, etc.)
- Pedestrian traffic – Crosswalk; to be added to the plan; sign
- Handicapped parking – will need to be hard surface, not gravel; will need to be designated; curb (wheel) stops included
- Other Permits – County and State; portable restrooms in doors; building permits; will meet code requirements
- Sunset Clause – suggested by attorney

Chairman Griff reads through the site plan checklist with the Board; expanding on the above topics. Chairman Griff asks to see original narrative and the two addendums. Deputy Clerk does an excellent job of providing said documents. Chairman asks if any board member has any questions.

Resolution # 2017-64: The Planning Board of the Town of Hamilton, having evaluated the standards set forth in the Zoning Law and determined that the below criteria are satisfied, Grant a Special Use Permit for the Heritage Barn (Dunham) all as shown by C. Carroll, LPELS dated 2/02/2017 last revised 11/13/17.

Motion: Bettyann Miller

Second: Bill Nolan

Vote: Yes - 5 No – 0

ADOPTED

The following **conditions** will apply:

1. The maximum occupancy will be 300 people total, including staff.
2. This will be a seasonal use establishment running from April 1 until October 31.
3. Days and hours of operation will be:
 - Sunday through Thursday 10 am until 9 pm
 - Friday and Saturday 10 am until 11 pm with music ceasing at 10 pm
4. All event activities will be held inside the venue (Heritage Barn) other than incidental activities that are reasonably related to the event that will not cause a disturbance or create a crowd, for example: photos, carriage ride.
5. No alcohol to be allowed outside of the building.
6. A Certificate of Occupancy will not be issued until all conditions of the Special Permit and elements of the Site Plan are satisfied.
7. The property owner will maintain the trees in a healthy condition and replace them as needed.
8. This Special Permit shall automatically expire if the applicant does not substantially commence operations authorized herein by May 31, 2019.
9. The applicant must comply with the sound recommendations of the study by Environmental Safety Associates (Robert Andres) cited in the minutes of September 12, 2017. Decibel levels should be held at 87 Db at the dance floor and 82 at the control point.

Attorney Chatfield explains that if the sunset clause (#8) expires; the applicant must apply again, but only must address circumstances that may have changed. He continues to address questions about violations. CEO will address violations if they become a problem; issue justice court tickets if necessary, if egregious the Town Board can file for an injunction. The Board cannot restrict the types of events.

Chairman Griff asks about ending time for events and if that means everyone including vendors need to be gone by “closing time”. He wants to make sure that there are reasonable expectations for the neighbors.

The Board also reviews the Statutory Criteria listed on page 58 of Town of Hamilton Zoning Law:

8.3-8 Criteria

A. Compatibility. That the proposed use is of a character compatible with the surrounding neighborhood, incorporates a site design which is consistent with the rural character of the town, and is in harmony with the land use policies and goals as officially adopted in the Comprehensive Plan for the Town.

VOTE: D. Griff - No

M. Galvez - Yes

B. Miller - Yes

E. Hughes - Yes B. Nolan - Yes

B. Vehicular Access. That proposed access points are adequate in width, grade, alignment, and visibility; are not excessive in number; are located at appropriate distances from intersections or places of public assembly; and satisfy other similar safety considerations.

VOTE: D. Griff - Yes M. Galvez - Yes B. Miller - Yes
E. Hughes - Yes B. Nolan - Yes

C. Circulation and Parking. That adequate off-road parking and loading spaces are provided to minimize, or, where required, to eliminate the need for parking of vehicles on public highways by any persons connected with or visiting the site of the use; that the interior circulation system is adequate to provide safe accessibility to all required parking spaces; and that adequate separation of pedestrian and vehicular movements is provided.

VOTE: D. Griff - Yes M. Galvez - Yes B. Miller - Yes
E. Hughes - Yes B. Nolan - Yes

D. Landscaping and Screening. That all parking, storage, loading, and service areas are reasonably screened at all seasons of the year from the view of adjacent residential areas and that the general landscaping of the site is in character with the surrounding areas. Such screening shall be maintained as a condition of the special permit.

VOTE: D. Griff - Yes M. Galvez - Yes B. Miller - Yes
E. Hughes - Yes B. Nolan - Yes

E. Natural Features. That the proposed use, together with its sanitary and water service facilities, are compatible with geologic, hydrologic, and soil conditions of the site and of adjacent areas and that existing natural and scenic features are preserved, and aquifers and watersheds are protected, to the maximum extent possible.

VOTE: D. Griff - Yes M. Galvez - Yes B. Miller - Yes
E. Hughes - Yes B. Nolan - Yes

Resolution # 2017-65: Having reviewed the criteria in the Town of Hamilton Zoning Law (page 62) for site plans, the Town of Hamilton Planning Board accepts the Site Plan with the following modifications for the Heritage Barn (Dunham) based on the map by C. Carroll, LPELS dated 2/02/2017 last revised 11/13/17.

Motion: Bill Nolan

Second: Mary Galvez

Vote: Yes – 5 No – 0

ADOPTED

There are some changes that need to be made to the site plan; should be included as part of resolution; gives clarity to the Codes Enforcement Officer.

The following changes will be made to the site plan map dated November 13,2017:

1. Eliminate #4
2. New #4 – New conifer trees shall be 6-8 feet at planting; must be conical shaped and full to the ground (Christmas Trees)
3. Designated Crossing area in the north side of the building needs to be added
4. Handicapped Parking must be a hard surface for designation; with vehicular separation; wheel stops and an opening to maneuver a wheelchair through; and signed; as per code
5. The southern entrance (driveway) will have an entrance/one-way sign and the northern driveway will have an exit only/ do not enter sign
6. Business (venue) sign, size and location will be to code

Resolution # 2017-66: Motion to approve minutes from September 12, 2017.

Motion: Mary Galvez

Second: Bill Nolan

Vote: Yes – 5 No – 0

ADOPTED

Resolution # 2017-67: Motion to adjourn.

Motion: Mary Galvez

Second: Elaine Hughes

Vote: Yes – 5 No – 0

ADOPTED

Respectfully submitted by:

Elisa E. Robertson

Deputy Clerk