

Planning Board Meeting
Tuesday, April 25, 2017
7:00 PM
Hamilton Courthouse
60 Montgomery Street, Hamilton

Present: Chairman Darrell Griff, Elaine Hughes, Bettyann Miller, Mary Galvez, Bill Nolan, Town Attorney Steve Jones, Deputy Clerk Elisa Robertson, Former Codes Enforcement Officer Don Forth, Current Codes Enforcement Officer Mark Miller

Others Present: Drew Dunham, Allie Dunham, Mary Lee Dinski, John and Cathy Oates, Diane Helly, Dennis James, Arnold Fisher, Michelle Jenkins, Ronald Burstein, Steven Skollar, Barry Campbell, John Schell

Chairman Griff called the meeting to order at 7:02pm.

Drew Dunham, Public Hearing, Special Use Permit Application and Preliminary Site Plan Review, 1647 Poolville Road, Earlville, Tax Map #184.-1-35,36,37

RESOLUTION 2017-21: Open the public hearing concerning the application for a Special Use Permit submitted by Drew Dunham concerning property located at 1647 Poolville Road, Earlville; Tap Map # 184.-1-35,36,37.

Motion: Bill Nolan

Second: Elaine Hughes

Vote: Aye – 5 Nay – 0

ADOPTED

Chairman Griff reads letters from the following constituents into the record (See attached letters):

Bea Smith
Katherine Smith
Deborah Zahn
John and Cathy Oates

Spoken comments:

Arnold Fisher: Great-Grandfather to applicants

“I spent many years here on this bench, or one like it. During that time I did about 125 weddings, I can’t remember a wedding where the noise is what these people are talking about, most weddings are quiet, and no smoking. So, I don’t know what they are concerned about there being noise in the neighborhood, because of all of the years I’ve spent doing weddings, I have never run into that problem. If there is a problem I have never known of it.”

Ron Burstein:

"I understand that it's not just going to be just weddings, it's going to be like a clam bake/chicken Bar-b-Ques, in the wintertime you have snow mobiles and motorcycles running up and down the road. There are 8 houses within 3,000 feet of that barn, we are all residents there and I don't see how they can come in and disturb us like this."

Steven Skollar: Lives across the street

"I knew Drew's Great Grandmother. And Drew's Grandfather and I have had a great relationship for the last 26 years living there. I live part of the year in the city and this, unfortunately...well... two things. This is the first I have heard of it. I heard about the first meeting that you guys had, but unfortunately did not get notified until the day of. Unfortunately, I never heard from Drew or Mike, which I am a bit surprised about and a bit let down about. Because every other thing; I planted some trees on my property and they expressed some concern about hiding the view; I assured them that I wouldn't do that. That the trees I planted were to keep lights from cars out of my windows as they come down Smith Road. So, the problem I have with it is... well first of all by not being told, if I wanted to do something like this I would go around to all my neighbors and say this is what I am thinking. And how do you feel, and let me try to address any concerns that you have. Unfortunately, this, this, I don't know this is the first that I have heard of it. I began to do some research; the average wedding is 115 people, more or less. In order to do a good business, which is what I would assume the Dunham's goals are, you want to get 115 people or better to a wedding, the more the merrier. That is 115 cars, that's not including caterers, or the band, who knows. Let's say the Kardashians have 3000 people at their wedding, I am not saying that that is going to happen but ultimately it is...unfortunately it puts people like me and us who are not for this in a position of, "oh, we are stomping on your business" which I have no intention to do. But the very reason I am here is the bucolic countryside. I have no problem with cows, I have no problem with tractors but I just can't see how this can be anything but a bother; to me at least. I am across the street, there is a field of the Dunham's right across from my house, I can't imagine where you are going to put 115 cars. So ultimately I just wanted to express my deep concern about it again, I don't mean it to be an adversarial thing. I have had a great relationship with Marion Dunham and Jim Dunham for years, but it seems totally antithetical for the reasons why I bought my property at least. I bought ¼ acre first and then bought 40 acres just to protect that ¼ acre. I can't keep buying land. That's my peace."

John Schell: neighbor

"If this does happen...because there is a long way to go with this, traffic, cars are going to be an issue because I go through there with oversized equipment on a regular basis, spring and fall and times during the summer. The Dunhams need to know right here and right now that we haul forage, grain by there all day long at different times. We are not stopping because you are having a party; you need to know that right now. You are not going to affect my business. And I'm not too...Weddings are worse than a bar, hooting and hollering, drunks, and something has to be done about the alcohol part of this because you will find out that I have a short tolerance level for things like that. You'll find out in a hurry."

John Oates: 1530 Poolville Road

"I'm not sure if this is the time for me to speak but I am interested and concerned about both of the proposals that are before you tonight. I live less than a half a mile from either one. I'm exactly 3/10 of a mile down the road from the Dunhams and about a half of a mile from the camp. By the way, I would like to thank the Board for the opportunity to speak." Please see his letter dated 4/25/2017.

Steve Skollar:

"I just want to say one thing. Unfortunately, again, we have all remained very good neighbors. It is my intention to keep it that way. I hope by expressing, you know... all I can say is that if the shoe was on the other foot I can't imagine that the Dunhams would want. If I wanted to do something on my land across the street. I am just trying to say respectfully, I hope everyone can understand how to stand in the other guys shoes."

Ron Burstein:

"How often would these events be held, I mean, if it turns into a big business it could be every damn weekend."

Chairman Griff explains that we have the proposal and the site plan for the events barn. He seeks counsel from the Town Attorney as to whether to close the hearing at this time to address these things. Town Attorney Steve Jones suggests that the Dunhams answer some of these questions if they wish.

Allie Dunham:

"Just to address some of the concerns... So, the parking is going to be behind the barn, so it won't be out in the field on the side, primarily. So, that's going to kind of stay tucked behind the barn and it won't be too much of an eyesore. That's how that's going to go. And as far as, we are going to have a limit on how many guests are allowed in the barn and so depending on codes and stuff that's going to be dependant. So, typically it is about 3 people per car, so we are not looking at 115 cars it will probably be more like 50 cars, give or take. Just to give you an idea of that. We are going to place limited hours on the events so that they do not go past a certain time. We submitted an addendum to our original plan that addresses noise, so we will require all music to stop by 11 pm on Friday and Saturday nights and 9 pm on weekdays. Guests may be there a little longer but the music will have to stop. At 9pm every day we will require all the doors to be shut to prevent music from leaving, the outflow a little bit more so that will cut off some of the noise at 9 everyday. So that's kind of what we were going for with the noise. Another thing I would hope that everyone would keep in mind is that weddings...so the primary use of our barn is going to be weddings and more low key events. So we are not going to have snow mobile rallies, motorcycle rallies, you're not going to have to worry about that kind of noise. It's going to be people coming in and gathering, appreciating either history, or the marriage of a couple. It's not going to be these crazy rallies. We are not going to have ragers, we're not going to have concerts. It's going to be mainly gatherings and events. With that,

imagine a wedding, a lot of times the wedding may take 5-6 hours or whatever the reception is eating, people talking. Music doesn't happen the whole time. Not to mention that it cannot be too loud where you can't hear what your grandmother is saying to you in the corner. We are going to make sure that it is very family oriented, that it is not these people getting out of hand. This is our property. We love it. We are trying to make a new use of it so that we can keep the farm going and we are not going to let it get out of hand. We are going to have it highly monitored. One of the letters addressed 'Well, who do we call at midnight when we are worried about sound?' Well, one, sound should not be a problem by midnight and two, you call us and we will deal with it. We want to make sure everyone is happy and we want to make sure there aren't too many disturbances. So we want to do everything we can to make sure that we can keep everyone happy. So, how often it is going to happen? We are looking at mainly the warmer seasons since the barn isn't heated. So, mainly the end of April through September/October is the most we can go. And it is primarily going to be on the weekends, so a lot is not going to happen. I mean we may have... for example we may have a Hops Festival or something on a weekday, but that will not get out of hand as far as noise. Then there will be limited hours on all of that, just to address some of those concerns. We are really trying to bring people to the community; we are trying to find a new use for our farm. We want to keep it in the family. We want to keep things going great. We are just trying to utilize our resources and let people get a feel of the country, and our history, and experience our beautiful barn. And so, we are trying to promote our community, and we are going to have a vendor list that we will only accept certain caterers that are local. And we are going to recommend local bands and... I mean really, we are going to try and keep it in the town and its going to drive tons of business into this town. So we are just trying to use our property for more good and economic impact. So, I understand everyone's concerns and trust me we are willing to work with you, and willing to figure it all out. But we are not trying to create the noisiest events that you have. I mean we are going to keep it as under control as we can and make sure that everything is well monitored."

Drew Dunham:

"First of all, thank you all for coming. Some of you I haven't had the pleasure of meeting or sitting down to talk on a different level here, but umm...I just...One thing that keeps coming up and coming up is lighting, per the code of the town, lighting has to all be in a down facing position so that it doesn't go up into the sky and it is not an obstruction of the sky. We are not going to put in permanent light poles; you're not going to see a commercialized operation here. I mean we are going to have a gravel driveway there is going to be basic exterior barn lights. You are not going to see anything out of the ordinary except for maybe a couple of cars outside of behind the barn. If anybody has taken the time to go to the board; or the Town Office to look at our plan and our site plan; what we really do plan on doing... our whole proposal, what we spent a lot of time to put it all together. It might help you to better understand where our heads are at rather than...So you can actually visually see everything how everything is going to flow, where all the cars are going to be parked, you know, specific vendor parking. As well as, like Allie said, we are not here to jump in and create this noisy atmosphere to make everybody feel uncomfortable, just a big obstruction of peace. It is more of us trying to keep this farm in our family. It has already been in our family for 215 years. And as you all know it is very difficult

these days to afford a lot of land. I am not a farmer myself, I am trying very hard to grow some hops to promote the history of hop production in Madison County. I have got a lot of projects that I am very passionate about this farm, our family heritage and it has just been a great experience and by no means would I ever want anybody to come in and trash the place; nor all of the friends and neighbors of our great grandparents, grandparents, and beyond. Some of your relatives, I don't want to destroy any of those relationships if anything I want to make them stronger. I do apologize to people if they feel that I have not communicated well enough, or my family, my father or sister. As everybody is, and it's not really an excuse but, we are trying to keep this place afloat. For those of you who are driving by the farm everyday you can probably see that we've; I have been there 4 almost 5 years and it has been constant work. I mean fixing these barns so they don't fall over, these houses, the roofs I mean it's been a lot, and it's a money pit. We have to do something and that barn is just sitting there. Without some sort of income the farm is going to look ratty and we cannot keep up, at some point. So, we are really trying to be great neighbors as well, and communication is very important I agree. Any issues that may arise or whatever the case may be, don't be afraid, or this goes for myself, too. Knock on our door or give me a call, or give any of us a call because we are open minded people. I don't think that anyone in this room and us have ever had an altercation by any means, so that should go without saying. But we also appreciate this land a lot. I appreciate all of you. I appreciate all of you coming and voicing your opinion. You have every right to do that. It means a lot that people care and just with that said, things happen and we are willing to obviously comply with all codes; everything that has been put in place for the town; for exact projects like this, to succeed and be acceptable by the beautiful landscape and running an effective and efficient business. You know, there is a lot of positive that come out of this, especially if some of you have some local companies or businesses you like to run. If that is the case and we are not aware of it please come to us, because hopefully we can help. So it is just really community driven and that where our heads are at. We are not trying to alienate ourselves or anybody from living their lives."

Allie Dunham:

"I would also like to add that the main entrance at the barn will be in the back. So it's not going to be a bunch of people out near the road. As you can see if you check out the Site plan the driveway goes around, people will park there and they enter that way. So it's not going to be... like heavy machinery on the roads and everything, we won't have to worry about safety. So that is the primary exit and entrance is in the back side of the barn."

Dennis James: Bea James' son

"My main concern is that I have an 89 year old mother and her bedroom faces the back side of that barn. I would just hate like hell to have her call me up every night to tell me that the music is too loud, or whatever. There are a lot of people who have elderly people real close there..."

Drew Dunham: "Understood."

Chairman Griff asks speaker to identify himself and he does.

Drew Dunham: "In response to that Mr. James, we are not opposed to planting more trees as buffers to make, to help your mother in that regard so..."

Dennis James: "Would you have your grandmother live back door to that if I was doing that?" And I knew both your grandparents real well... I knew them. Would you okay that? Say, it's ok if you keep my grandmother or grandfather awake?"

Drew Dunham: "I'm not sure if I could answer that question..."

Dennis James: "I'm not sure if you could either."

Drew Dunham: "I have never been in that situation, sir. I hear you loud and clear and that just goes along with what I am saying is anything that we can do to..."

Dennis James: "Can I put a barroom up next to your house?"

Chairman Griff: "This is a Public Hearing; I don't think that we need to turn this into a debate."

Dennis James: "Well, I'm just saying..."

Chairman Griff: "Well it's not a debate it is a Public Hearing. If you have comments that are germane to the proposal before us, then that is what we will listen to but we are not going to turn this into a debate."

Dennis James: "Fair enough."

Drew Dunham: "One thing that I would like to address to the board that was brought up in one of the letters. I would be very...I would like to see the speed limit lowered in front of the barn, just to throw that out there. I think that 55 is very fast and a lot of people are cruising by there..."

Chairman Griff: "That is not something we can address here. That needs to go in front of the Town Board."

Steve Skollar: "What is the capacity of the barn?" Does anybody have an idea?"

Drew Dunham: "We do. It varies, per on the event, how many tables and chairs, so maximum was..."

Allie Dunham: "It all depends on a lot of things. There are a lot of codes that will restrict us...It just depends; we are not going over 300 but we are thinking more around 200 or 250. "

Steve Skollar: "Well, because I went to a wedding last year in Ulster County at a barn that was half the size and there were easy 150 people there. And I don't know about you guys, but when I go to a wedding I want to get drunk and party, and that, is part of this thing, for me, and dance loud and make a spectacle."

Drew Dunham: "But there have to be people there to enforce the rules."

Steve Skollar: "I agree there are codes, and the thing about codes that happens though is that then it's a working situation and that means that those of us that are concerned about it have lost, essentially. Codes say 10 o'clock, well what if I want to go to bed at 9? Again, I'm just saying, trying, respectfully...I am a painter by trade, I make pictures, Okay? So it takes me

awhile to make a picture then I sell it. But if there are ten people saying 'Hey Steve, we want pictures' I work faster and try to make more pictures, because that is the nature of business. And out of respect for you guys that is the same thing. You want as many people in that barn as possible to make..."

Drew Dunham: "Not necessarily."

Steve Skollar: "No? Really?"

Drew Dunham: "Really, as many **events** as possible."

Steve Skollar: "Or as many events as possible, again it is antithetical to what the country folk are thinking."

Barry Campbell: resident of downtown Poolville

"I live very close to the Poolville Country Store, in fact I am one of the closest neighbors. I know every person tonight that has spoken and commented. I appreciate their concern, but I have been close to the Country Store since Dominic opened it in the early 80's and the guys that now run it have had probably more tent events out back, sometimes they are small sometimes they are huge, and bands inside and weddings, receptions. There are more receptions than probably weddings, and I don't find it offensive and this is a tent not a closed in building. Now they may drop walls on there but they respect the rules, the codes, and the neighborhood and again some of those events are large. I have not found it offensive. You could probably ask the other residents that are close to the Country Store, I'm just using that as an example. It is a big facility with tent walls, not buildings or solid walls or anything else. But that is just one of the comments I wanted to make. It's not as offensive as...yeah, if they are having motorcycle rallies and so forth, or snow mobiles, and all winter. Yeah, then you have machines and sounds and different kinds of music, and everything else. And again, if I lived across the street, I am here because I have know all the way back to Harold Dunham, I used to fish bullheads in that pond. I care about this area, I love that place. The people that have spoken are my neighbors, their events aren't going to affect me personally but it affects the area and I care about this area. That's why I came back here and raised my family here. I respect what they are trying to do. My feeling; knowing their family, and knowing these two, I have known Drew a number of years and just met Allie the other day, and Arnold forever. I don't think that they want to do anything to offend their neighbors, they would want to this right, as far as I know. That doesn't mean you're going to believe me, that's the way I feel about it."

Steve Skollar: "I agree; I do believe that you guys have the best of intentions in mind, I really do."

Barry Campbell: "If I may comment again, I have a five year design degree in landscaping architecture and I have worked more on my career in architecture but... What Drew said about tree planting and shrub planting, I never became an acoustical designer but there are acoustic things you can do. Plant material and different kinds of trees (he lists a few types), you can incredibly diminish sound and so forth; between highways and parking areas. I travel that all the time, I take pictures of the farm over the years. Since I met him a few years ago, to document for him, who is not here all the time, what it looks like; the different seasons and

what's changing or not changing. More plant material would be a lot more pleasant to look at if I am a neighbor than a wall to keep sound out of to keep vision down on parking lots. Plant material would benefit both sides of the fence, so to speak. Ronnies house and James' house or for their guests looking out, they would be looking at tree and plant material and it seems to me that everybody would win. They have probably already thought about that as a sound and sight buffer. That can be designed pretty easily."

Chairman Griff asks if there are any other comments for this public hearing.

RESOLUTION 2017-22: Close the public hearing concerning the application for a Special Use Permit submitted by Drew Dunham concerning property located at 1647 Poolville Road, Earlville; Tap Map # 184.-1-35,36,37.

Motion: Mary Galvez

Second: Bettyann Miller

Vote: Aye – 5 Nay – 0

ADOPTED

Chairman Griff decides to proceed with the public hearing on camp Fiver and table the SEQRA Parts 2& 3, and the Dunham's site plan review until later in the meeting.

Camp Fiver, Special Use Permit Application, 7464 Mill Street, Poolville, Tax Map # 199.-1-31

RESOLUTION 2017-23: Open the public hearing concerning the application for a Special Use Permit submitted by the Fiver Foundation to continue to run a Children's camp and hold occasional special events.

Motion: Bettyann Miller

Second: Bill Nolan

Vote: Aye – 5 Nay – 0

ADOPTED

There are no written comments to read into the record.

Mr. Oates:

"I just ask that you consider the previous statement that I made. It is a statement of concern for Camp Fiver project as well, for us both projects have a similar impact. (See attached letter).

Steve Skollar: "I would say the same thing."

Chairman Griff : "Okay."

Mary Dinski: Representative for Camp Fiver

"For some of you that I do not know, my name is Mary Dinski, Director of Camp Fiver. I, too, am back and forth from New York City, so I am not here all the time. The intent with this is... we are not deviating from our mission; we are staying true to our camp. This came around because

obviously as a non-profit we charge our children nothing to go to camp. So, this was a way to offset some of the costs, it costs about 3,800 dollars for a child to be in Fiver for a year. They stay with us for 10 years. So, this was an idea for using a resource of ours but...Like the Dunhams said, Fiver is a piece of our property and very important to us so protection of that...we went back and forth quite a bit about this as an organization as well. Is it worth it? If something happens to our property, what happens then? Is this risk worth it and we decided because of our staffing and what we are doing, and the very limited number of events; we are not doing them in the summer. Not during camp season. We would not be able to sleep at all if we did that. And because of the weather here it is a short season. It is from the very last week or August, even then Mark Peterson, our facilities director can't get things ready. We are looking at September and October. A lot of people are asking about bridal showers or baby showers which would be during the day and much quieter, there is not as much concern about that. Unbeknownst to us we were operating illegally, we held two weddings. We did not know that we were going against what we were supposed to do. If they are in the dining hall our max capacity is 150 and even on the property with our septic and things like that the max is really like 225 if they bring in a tent and that would be in our pavilion. We love our relationship with our neighbors; we want to remain that way, in good standing. This will benefit us, but if it is you can only do it on Fridays and Saturdays, that would be fine with us. Besides that it is really only six weekends a year that we could do this. We could have it over at 11o'clock or even earlier if people wanted it so, shut off for sound. We try to be good neighbors we are not always perfect. During the summer we have about 250 people on camp. Depending on where you are; the poor Zahns get a lot of the sound, it travels right through the valley. In general I think we are pretty well protected where we are and because we are a little bit removed from the streets. The sound has not seemed to be as big of a deal, and in addition all parking happens on our property there will not be any parking off of our property. We are also kind of costly, so I cannot imagine doing that many it that regard because we are only offering space. Caterers are coming in; we are not doing a liquor license. We aren't going to start doing all these crazy parties. Our price tag is a little high for the area so a lot of people aren't doing it. I am happy to answer any questions people have. A staff member of ours will always be on property. Our people will be there I am looking to moving into the area in the next year or so, everyone can have our cell phones.

Nelson Brown: Poolville resident

"I know Mary she is a lovely person and I am sure that she has the best interest of Poolville at heart but I know what you do at Camp Fiver is probably very good work. That being said, with having read the minutes from the January meeting, I congratulate the board on doing their due diligence as I have done on this issue, because in 1999 when this was approved this was not the intention of Camp Fiver. Three months out of the year the camp is devoted to underprivileged, inner city kids. Five months of the year it could be a corporate gathering, a wedding, a spiritual retreat, a sports thing, so I am confused. What business is it that Fiver is in? Are you in the business of helping underprivileged kids or doing events? That is where I have a real problem. We were led...we attended meeting after meeting, Neil being part of it as well, in '99, and Mary as well...

Mary Galvez: "I was on the Board."

Nelson Brown: "... many, many, meetings and we were assured that this was a camp for underprivileged kids, not a place for corporate gatherings of 200 folks. That is a problem for me.

Mary Dinski: "I think that is very fair and I think that we are not out of the camp business we are trying very hard to make money for our program to stay afloat. Our Budget is about 2 mil...the beauty is that we have grown since then. We started with kids from New York City and we serve about 80 kids from the Central New York area. All of them start with us at age 8 and stay with us until they are 18. So, this is not... believe me if we didn't have to do this we would probably choose not to. It is really about fundraising and creating a fundraising stream because grants and individual donations are sometimes a challenge. Our budget has increased because we are serving kids, our older kids cost more money. I do not know if it is because they eat more...I have no idea why they cost more money but they do cost more money. Our budget has grown to about \$2.2 million dollars, and that was why this was introduced. I think our website makes it seem like we are really in this business, I wish more people saw it and were like... wanted to view our services but our website design was actually through a consultant that did this project and said that this would be a good way; an alternative revenue source to do that. But our focus is always going to be our kids, this is just our way of trying to make ends meet so we don't have to charge our kids coming to camp any money. I have also said to the board that we will scrap this completely if it is an issue because we don't want to deviate from or original messaging, or what we are, or how we stand in the community. This is going to help us but it is not a 'be it all end all'. If this is something that the community is really not in favor of; we are a big presence for two months and we understand that. I said that to them before, we would like to try to do it but, again if we do not do this then we will find another way. It is just a little harder."

Barry Campbell: Poolville resident

"I spoke with Mark Peterson the head of grounds yesterday. He is tearing down and rebuilding a facility. He is tearing down a garage and building in apartments for some of their staff which is in sight of my house and it is fine. So, I only knew about this hearing within the last week so I spoke to Mark and told him I got a letter and some of the other neighbors didn't. I guess because I am so close; he said yeah that I may be affected as much as anybody being right across the river, the lawn, the sound. I said that I was probably more aware this last year that the camp kids were there than ever before. Not annoyingly so, just happen to hear singing. Maybe because I've become lazier just sitting on the porch on a warm summer night. But it is not a lot of noise, it is nothing. I understand Brown's concerns because I was a skeptic way back when. 'Oh is this suddenly going to suddenly become, after a year or two, a big Colgate corporate retreat.' Obviously it has turned out to not be that way. I have been incredibly impressed by Tom and Heather Tucker, before they ever did this, meeting with community members, and having luncheons, and saying here is what we plan to do. I mean they could have done whatever they wanted but they asked for comments, local people can use the lake property during the off season and that is still the case. I verify it two or three times a year with Mark that if I want to go over there that things haven't changed. My experience is that they have done everything that they said that they were going to do, and probably better. Yeah, we would all have the same concerns as these neighbors have about the Dunhams, wondering if

they are going to start having noisy events, and bigger deals, and lots of cars going by Neil's house to go to the bridge. I heard you say it, I heard Mark say it, only if it works. You can't jeopardize what you already do. That is exactly what you said tonight. Between them and the Country Store I have seen nothing but improvements. I grew up there, literally, I came back here and I care about it all and I feel we have lucked out with some of this use that our village is being put to."

Nelson Brown:

"I just urge the board to examine the original documents that were drafted and improved. From what I can read, you have done an awful lot of that. Harmon Hoff, I think this addresses the issues that I have heard to night. Harmon Hoff said when I went to zoning meetings, when they were trying to draft big zoning. Zoning... the nature of zoning is so that we don't pit neighbor against neighbor, and that's...these are the bylaws or the ordinances that we live by which we follow. So, we do not have to become enemies. That is the whole notion of it. So, I would urge the board to please look carefully at what was originally agreed to when Fiver took over that property which we endured an awful lot of truck traffic that summer, to fill it in, to make that watery area, that flood plain a viable option for a camp. I am just very, very skeptical about all this 5 months of the year thing."

Mary Dinski:

"I understand the skepticism, and like I said this is not a make it or break it type thing. But we shut down in October and in May we are getting ready for camp. So it is really September and October, Oh, you mean the five months including the summer?"

Nelson Brown: "No, on your website I think it says, April, May, September, October, and November. That is five months of the year which the camp is available for corporate gatherings of 200 people, weddings, and alumni gatherings. These are all things, Mary, that way back when, there was a petition circulated through Poolville that many, many people signed, because they were worried about just his kind of thing. So, I mean, it has almost come to fruition. 'Oh, yeah, we thought it was going to happen,' and here it is."

Mary Dinski:

"Yeah, I do think that it would be September and October but that's a fair thing and if that's not what the community looking for, I hear that. "

Nelson Brown: "It's nothing personal."

Mary Dinski: "No, I understand. What I am trying to say is that I am not in the community at those times, so I get that. Me being here is part of that, we love being part of this community; which has been really great to us. "

Nelson Brown:

"Well, we are far enough away during the summer that, sure, we hear kids at night, it's wonderful, it's fun to hear kids having a good time playing games and stuff. It quiets down around 9 o'clock, so that is not an issue. I admire the work that you do. It is just this other area

that is starting to creep into the definition of what is going on there. I am concerned about stuff just like John is concerned about stuff, I am sure Neil is concerned about it. That's all, that's it."

Chairman Griff asks if there are any other comments. There is no response.

RESOLUTION 2017-24: Close the public hearing concerning the application for a Special Use Permit submitted by the Fiver Foundation to continue to run a children's camp and hold occasional special events.

Motion: Mary Galvez

Second: Bettyann Miller

Vote: Aye – 5 Nay – 0

ADOPTED

Chairman Griff reads the Madison County Planning Department's GML 239 review into the record. (Please see addendum #1.)

RESOLUTION 2017-25: Town of Hamilton Planning Board to act as lead agency on the application for a Special Use Permit submitted by the Fiver Foundation.

Motion: Bill Nolan

Second: Elaine Hughes

Vote: Aye – 5 Nay – 0

ADOPTED

The Deputy Clerk apologizes to the applicant for not including the site plan with the materials that were sent to the county. After discussion earlier in the day it was decided that since the county determined that the project would have little or no effect to any other municipality, that it would not affect the applications ability to move forward. Mary Dinski acknowledges and says "no problem".

Former Codes Enforcement Officer Don Forth, who remains on through some of these applications while training the new Codes Officer; quotes the 2015 International Property Maintenance Code regarding heating supply in buildings... "shall supply heat during the period from September 15 to May 31st to maintain a temperature not less than 68 degrees in all habitable rooms bathrooms, and toilets."

Mary Dinski inquires about tents. That affects the cabins so we can't do anything before May 31st. All the bathrooms will need to be heated. April and May are actually pretty unrealistic.

The board asks about square footage of the dining hall and the pavilion. Mary will have to come back with that information for the next meeting. There are no dimensions on the site plan. The board will need an accurate site plan for review, with all the dimensions for all the buildings on the entire camp, where parking would be, traffic flow, etc. The Deputy Clerk gives Mary the checklist of items that need to be on the site plan.

Board Member Galvez inquires about the use of the cabins for overnight accommodations and if that has been addressed. Mary Dinski replies that it has been considered for weddings. They would have to limit cabin use to certain months because of heat. The narrative will have to be

amended to include overnight accommodations. The site plan can be addressed at the next meeting.

The second part of the SEQRA will be completed at the next meeting.

The board reviews the County's questions that were mentioned in the GML review.

Concerning the bridge, the Town Highway Department is aware of the need to update and redo that bridge and when it is done it will be to code for fire apparatus. The Town Clerk has the information about this bridge and its need to be redone. Mary Dinski replies that all of the county's concerns had to be addressed before they were able to open. It is determined by the members of the board, some who were on the board at the time that Fiver opened, that the issues were addressed.

The Special Use Permit that was issued in '99 is still in effect. There has not been a determination that there has been a violation. The timeline is to move forward with this and clarify some of these issues, the main one being that they want to add those special events.

Town Attorney Steve Jones is concerned about clarifying that the camp is able to run this summer and looks for mention in the last meetings minutes. There is no mention of it in the minutes. Mary Dinski's concern is about running camp this season and the building project that they need to do before camp opens. The board decides to make an official resolution regarding this matter.

RESOLUTION 2017-26: The previous Special Use Permit and conditions For Camp Fiver will continue to apply while this matter is pending before the board.

Motion: Bettyann Miller

Second: Bill Nolan

Vote: Aye – 5 Nay – 0

ADOPTED

The board has finished with Fiver and moves back into the Site plan review for the Dunham proposal. Chairman Griff has the checklist for Site plan review (please see addendum # 2). Allie Dunham informs the board that at the back of their narrative dated February 9, 2017 there are pages that reflect all the answers to the checklist questions. (Please see addendum #3) The board reviews each item.

Darrell Griff asks about the handicap ramp on the front of the barn and if it will be repaired.

Allie Dunham replies that it has to be repaired anyway because that is where the caterers will access the barn as well. It will be done to meet code.

CEO Forth asks what the maximum number of guests is. Allie Dunham replies that it varies depending on the layout. A few different floor plans were proposed with different numbers. They are hoping for 250 on average.

Board member Galvez asks the number the barn can hold with no tables.

Drew Dunham replies that it is on one of the sketches. CEO Forth states for 250 guests they need to have parking for 63 cars and that does not include the band, caterers, and other staff. They reply that the first phase is going to be a lot of trial and error. There are other areas available for parking for in the future if needed, but for now to limit it is fine. If they want to

increase that number they can come back with a revision to the site plan. The fire department can have access to the pond if needed.

Chairman Griff inquires about buffer vegetation and if that would require them to submit another site plan. Attorney Jones replies that it can be done as part of the Special Permit.

On item W on the checklist the applicant used a dollar amount for expected volume as opposed to a number of people. It has been addressed.

RESOLUTION 2017-27: Accept the completed site plan for the Dunham (Hamilton Farmhouse)Project.

Motion: Bill Nolan

Second: Elaine Hughes

Vote: Aye – 5 Nay – 0

ADOPTED

Chairman Griff reads and answers the questions on Part 2 of the EAF (SEQRA Long form). (Please see addendum #4) There is some discussion about the different use for ground water, specifically the pond if the Fire Department were to use it. Allie Dunham mentions that there are other fire extinguishing options that they are exploring as alternatives to a sprinkler system. She states that they may be satisfactory if signed off on by the Fire Chief. Chairman Griff explains that in small municipalities that only have volunteer fire departments the Fire Chief has no jurisdiction that it is the Codes Enforcement Officer that needs to sign off.

Chairman Griff and the board agree that they should:

Mark number 4 'Yes' but all of the following questions shall be marked 'no or small impact'.

Mark number 15 'Yes' but all the following questions shall be marked 'no or small impact'.

There is some debate among the board over the noise issue.

The Board reviews part 3 of the EAF (SEQRA) form. The noise situation needs to be addressed before Part 3 can be addressed and signed.

The Board acknowledges that noise and traffic are major concerns of the public. Board Member Nolan feels that more buffering is needed. Mary Galvez agrees that though people will want to be able to carry on a conversation in the barn, there is going to be noise. Chairman Griff states that the board has no information to go on. They do not know what the decibel level will be inside or outside the barn, or roadside, or at 500 feet. So, without that information it will just be guess work.

Attorney Steve Jones suggests that there are a few options, getting a sound study done and or looking at what has been done in other municipalities (for example: Oweria). There is discussion about doors and windows being open or required to be closed at a certain time in the evening. It is commented that the neighbors are entitled to the reasonable tranquility of their property.

The board wants to mitigate the noise, not shut the project down. Drew and Allie Dunham have asked the Deputy Clerk to forward the information that she has on Owera and any other similar venues and their method for addressing sound issues and or studies. The Board needs an expert to do an analysis to help them determine what would be needed to help with mitigation. There is some discussion about a previous sound study that was done by the county to create a baseline study. There are specific names of companies that do these studies in the County's GML report as well as other municipalities' minutes where these other venues are located.

It is determined that the sound study would need to be done before they can issue a permit. Drew Dunham says that he is more comfortable with this too because of the cost of planting 15 foot trees greatly outweighs turning down the volume.

Deputy Clerk Robertson will send of all the sound research to the board as well.

Allie Dunham asks if they can do it themselves or if they need to hire someone to do the Study. The Board has stated that they would be comfortable with them hiring someone that is certified to do it. A certified sound study would be acceptable, anything less may not be acceptable to the neighbors. The Board looks to the County Planning Board's recommendations. (See addendum #5 GML Paragraph 3)

Town Attorney Jones points out that this is the third time that the County has sent back reports to our planning board recommending caution surrounding sound. It is important that our board handle this properly and thoroughly for it will set a precedent and they need to be consistent in the future.

Part 3 of the EAF (SEQRA) will be filled out at a later date.

RESOLUTION 2017-28: Based upon what was said at the public hearing and considering what was expressed in Madison County Planning Department's (GML 239) response, the Board requires the applicant to produce a noise impact study to ensure the compatibility of this project with the surrounding neighborhood.

Motion: Bettyann Miller

Second: Bill Nolan

Vote: Aye – 5 Nay – 0

ADOPTED

Drew Dunham asks what else may be required to move their application along. There is some discussion among the board as to whether or not to require a traffic study be done. Because of the many routes that can be taken to the venue, it is determined that no study is needed.

The water on the property is not to be used in any potable way regarding the venue. The Sprinkler system is a codes issue and will be addressed as such.

Chairman Griff asks the board how they feel about using the Owera study as guideline for the Dunhams. The board cannot give any recommendations at this time regarding sound. Any mitigation recommended can be put in as conditions of the special use permit.

Bylaws research:

The Deputy Clerk has done some research regarding what may already exist in the Zoning Law for some information to draft bylaws for the Planning Board. At some later date the board may want to consider writing and adopting an official set of bylaws. The bylaws discussion will be tabled for a later date.

RESOLUTION 2017-29: Approve the March 21, 2017 Minutes.

Motion: Bettyann Miller

Second: Elaine Hughes

Vote: Aye – 5 Nay – 0

ADOPTED

An applicant has asked the Board for special accommodations for a Monday night meeting. The Board has decided to move the meeting until 7:30 to accommodate everyone. The meeting is determined to be held on Monday, May 15, 2017 at 7:30pm.

The Town Attorney has inquired about Mr. Scott Chatfield. Deputy Clerk Robertson will contact him.

RESOLUTION 2017-30: Adjourn meeting. (9:50 pm)

Motion: Bill Nolan

Second: Mary Galvez

Vote: Aye – 5 Nay – 0

ADOPTED

Respectfully submitted by:
Elisa E. Robertson
Deputy Clerk, Town of Hamilton