



Zoning Board of Appeals

Minutes of Tuesday, November 22, 2016 – 6:00 PM

Board of Appeals members present: Charles Dudek, Gerry Mann, Osa Flory & Marcianna Caplis

Planning Board members present: James Locke

Applicants Present: Susan Fortgang

Public Present: Mary Dudek, Chris Flory, Stuart Krantz

Decision Meeting 16 Walpole Road

(CD) Chairman opened the public meeting. He noted that Brenda Lessard was recording the meeting for accuracy of Minutes and asked if anyone else was recording. No one came forward.

This meeting is for a decision regarding the Special Permit application from Susan Fortgang and David Nehring, of 16 Walpole Road to operate an event venue at 16 Walpole Road.

The Board had sought Town Counsel's advice regarding (MC) sitting on the Board when she is also on the Conservation Commission. Town Counsel told the Board there is no bar under MGL Chapter 268A in allowing (MC) to sit on both decision regarding the same property or the same property owner.

The Board making the decision will be (CD), (OF), and (MC).

(CD) noted that from the recommendations from the Planning Board and the testimony received during the Public Hearing he is in the opinion that the proposed use is an accessory to the farm and is compatible to use and scale of the zone. He noted that farm weddings, and farm activities have become very popular in the Commonwealth. He agrees the economic vitality of the farm needs a business that will fit into the character of the area. The Planning Board, the Agricultural Commission and residents present at the public hearing were all in support of the Special Permit and the proposed use. The only opponent of the permit was very concerned about the increase in traffic and the loud noise from an event venue.

(CD) is in favor of granting the Special Permit with conditions.

(OF) and (MC) are also in favor of granting the Special Permit with conditions.

The Board discussed the proposed conditions in accordance with the Planning Board's recommendations.

1. An emergency response plan must be in place and reviewed annually with the Police and Fire and revised with guidance from Police & Fire. EMS must be notified for each event at least 24 hours in advance. There must be a Site Manager present at each event.
2. "No Parking" signs shall be placed along Walpole Rd. at the responsibility of the applicant. Placement to be determined by the Police Department.
3. All drainage must be maintained and in working order.
4. All exterior lighting shall not stray from the property. It will be dark sky lighting as shown on the plans submitted with the application. Lights must be directed downward.
5. All lights must be off by 11 pm each night. The only exception is the parking lot lights which can remain lighted until all guests have left for safety reasons. Parking lot lights should not be used unless there is an event.
6. Amplified sounds must be restricted to the event building as presented at the public hearing. No amplified sounds outside.

7. The closing time for the event venue will be 10pm unless the Board of Selectmen extends the time later for an event at the applicant's request.
8. As requested in the application there may be no more than 200 at an event.
9. The number of events per year is limited to 50.
10. The recommendations from the Planning Board (#6 and #7) must be adopted regarding signs and pedestrian access.
11. The applicant must comply with all special permit criteria and all applicable provisions of the zoning bylaws of Williamsburg.
12. The plans, specifications and study as submitted by the applicant must be adhered to and be specific to the permit. Any changes to the plans require submittal of a new application.
13. The Special Permit is not transferrable to another person. The Special Permit is for the applicant not the property.

The Board discussed the possibility of renewing the special permit to allow neighbors and emergency services to review what has happened and see if any changes need to be made. (OF) suggested giving a temporary Special Permit for two years and then the applicant comes before the Board for a review by the Town. She also noted this is a new kind of business for the Town. (CD) suggest a review after one year with a date certain for the applicant to come to the Town with a desire to renew the special permit. This will allow the Town to hear complaints or compliments about the venue. After discussion it was agreed upon by the Board that the permit expire in March 2018 and the applicant must come back in January of 2018 to make sure conditions have been met and are appropriate and the applicant is in compliance. This will also allow the applicant to extend the number of events or time to close or the number of people allowed at an event. After this review, a permanent Special Permit will be established.

(GM) wanted Condition #2 to have the "No Parking" signs be permanent and to be approved by the appropriate authority. The Board was in agreement.

The Board (CD) will draft the decision and hopefully sign it next week on 12/1/16 at 6pm and file it with the Town Clerk.

Motion made (MC) and seconded (OF) to approve the Special Permit for Valley View Farm with the conditions stated. Motion was so voted.

(CD)-Aye

(OF)-Aye

(MC)-Aye

Motion made (MC) and seconded (OF) to adjourn the meeting. Motion so voted.

Respectfully submitted,

Brenda Lessard, Secretary