



Zoning Board of Appeals

Minutes of Thursday, August 17, 2017 – 5:30 PM

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

Public Present: Susan Fortgang, Jim Moran, Phil & Diane Merritt, Mary Dudek, William Barry Thomson, Stephen Snow, Robert Barker, Linda Rowley, Sherrie Cone & Tom Masters

(CD) called the meeting to order at 5:30 pm. The Board asked Mr. Thomson to come in to speak to them as he had some questions regarding his property at 66 Old Goshen Road. Mr. Thomson had looked over the Zoning Bylaws of Williamsburg. He would like to put in an accessory apartment or rental unit over his garage. The Board looked at a picture of his property and noted the garage is not attached to the house. The Board suggested Mr. Thomson speak to the Building Inspector and he may need to seek a special permit.

Motion made (GM) and seconded (MC) to accept the Minutes of 5/2/17 as written. Motion so voted.
Motion made (MC) and seconded (GM) to accept the Minutes of 6/8/17 as written. Motion so voted.

Public Hearing-16 Walpole Road-Susan Fortgang and David Nehring-6:00 pm

The chair opened the public hearing at 6:00 pm. Ms. Fortgang is seeking a modification of the Conditions of the Special Permit of 11/22/16 that was granted to her for Valley View Farm at 16 Walpole Road.

(CD) let those present know that the secretary was taping the hearing for accuracy in Minutes. He asked if anyone else was recording the meeting to speak to let those present know they were being recorded. No one spoke.

Ms. Fortgang was asked to speak. She noted that farm has hosted nine weddings so far and that there have been no major issues with traffic or problems. Things are going well. So far there appears to be no detrimental effect on the neighborhood in her opinion. The farm has received good reviews from the public.

Ms. Fortgang would like modifications to the Conditions of the Special Permit dated 11/22/16 on Conditions #5, #6 and #7. Specifically, she would like to:

1. Extend the ending hours of operation from 10 pm to 11 pm with lights being off by 12 am.
2. Permit an event to have 300 attendees instead of the limit of 200 persons.
3. The farm be allowed to have up to six events that have amplified music outdoors per year that will be held on the weekend only.

The Board asked about parking if the number of people is increased. Ms. Fortgang assured the Board there is parking for approximately 100 cars and there is a field for parking 200 additional cars if needed.

The Board asked if any of the outdoor events would be a concert. Ms. Fortgang stated that is a possibility but she does not want things to get out of control so any concert would be reviewed as to the type of patron the event would attract.

The Board asked if the farm has had requests for a later closing time, for more people or for outdoor music. Ms. Fortgang stated she has had to turn down some clients as she could not accommodate what they wanted.

The Board noted this is a year-round operation. Ms. Fortgang told the Board that all the events held so far have been on a Friday, Saturday or Sunday.

The Board asked if the outdoor music would be in the open sided pavilion. Ms. Fortgang said they will and all four sides of the pavilion are open. Signs and lighting would remain the same. There would be no changes.

The public was asked to speak. Most spoke in favor of the business but most were concerned about the amplified music if it was outdoors. Some said they already hear music from other businesses. There was some concern about increased traffic if there are bigger events.

(CD) noted that he had spoken to the Police Department about the business to see if there has been any problems or complaints made to the Police. There has been none.

Phil Merritt suggested the farm turn the speakers toward the woods instead of towards the village. There was a lot of discussion about testing the outdoor music but it would be difficult as there are a lot of variables on how noise travels.

Motion made (MC) and seconded by (GM) to close the Public Hearing.

Motion made (MC) and seconded (GM) to open a decision meeting.

The Board discussed the conditions of the 2016 special permit. The Board was unanimous in allowing the modifications to Condition 5, 6 and 7 temporarily in the interim period of the current special permit, which must be renewed in January 2018, to collect information about any potential detriment to the neighborhood by allowing the requested modifications.

The Board wants a report from Ms. Fortgang regarding the events that has over 200 people, outdoor music or later closing time.

The Board will allow outdoor amplified music in conjunction with an event limited to six such events. No concerts.

The Board will allow an increase from 200 to 300 patrons at an event.

The Board will allow a change in the closing time from 10 pm until 11 pm with lights off by 12 am.

The Board wants Ms. Fortgang to consult with her sound and traffic engineers regarding the changes and to give a report to the Board.

These modifications are only in effect until Ms. Fortgang comes back to renew her Special Permit in January 2018.

Motion made (GM) and seconded (MC) to close the decision meeting. Motion so voted.

Respectfully submitted,

Brenda Lessard, Secretary