

May 14, 2019

Schultzville, NY

A public hearing the **proposed Local Law 2 of 2019 moratorium on Conference Centers and Dude Ranches** was held on this day in the Town Hall. Present were Supervisor Oberly, Councilmen Eliot Werner, Michael Whitton, Nancy Cunningham, Dean Michael and Town Clerk Carol-Jean Mackin. There were seven people in the audience.

PLEDGE OF ALLEGIANCE

At 6:45 PM, Supervisor Oberly called the public hearing to order and led the Pledge of Allegiance.

The Town Clerk read the public hearing notice aloud. Supervisor Oberly opened the floor for comments.

Victoria Pollidoro - attorney behalf of Stacey Higgins from Old Adrience Farm. Sent a letter in opposition to the moratorium, attached. In summary, a town can't unreasonably restrict a farm activity in an ag district. Mrs. Higgins has applied to the PB for a special permit to be a dude ranch/conference center and to use her farm products to market the farm with various events. The use of the farm is protected under ag and markets. If adopted, this law would prevent her from proceeding with the farm marketing venues. The Moratorium is unreasonably restricting a farm operation. Clinton likes rural values and the moratorium runs against these values. The moratorium will not stop illegal uses and it will not stop those operating venues without permits. We can adopt a zoning law to control event venues and we can do that without this moratorium. Asks to exempt ag venues in ag districts from this law and second to exempt submitted applications that are before the Planning Board.

Samantha Coon - Stacey Higgins' daughter, the old Adrience Farm is their livelihood, so this is personal. Submitted a packet of supporting testimonials, attached. Ms. Coon gave a personal testimonial about living on a farm and growing own food, noted the property is protected by the Winnikee Land Trust. Noted a farm these days does not generate enough income to sustain a family by farming alone, which is why NYS Ag and Markets recognizes other uses for farms like weddings and special events that use the farm's products. Asks the Board not to support the moratorium.

Victoria Oppenheim – supported Samantha Coon and her efforts on the farm. Moved here for the open space in Dutchess county. Old Adrience Farm is a beautiful place and they want to share the beauty, they have also hosted charitable events there. In addition, these events employ people from the community. Does not support moratorium.

Justin Carroll PB member – seeing one application per month for the conference center or dude ranches before the PB. As a whole, we are beginning to see uses, like events, airbnbs and solar farms and cell towers, things that bridge the divide between personal and commercial use and how they impact neighbors. Would like to see the following

items in the potential law to regulate events— number of entrances, what road should the entry be, we need setbacks for buildings and parking, we need to consider lighting and sound - we need to manage these to see if there is going to be sound and lighting implications for the neighbors. Concerning zoning districts, now dude ranches and conference centers are allowed in most of the town, we need to consider if events of 200 people should be allowed in 80 percent of the Town. Regarding the use of the facility, we need to consider: what are the hours of operation, is it safe for neighbors. We need a new law that defines these spaces and we need to be thoughtful about it. The lack of guidance is making it difficult for the PB; for example the Dutchess was recently written up as a secret hotel. Well is that because they are permitted as a conference center/dude ranch? We need better definitions and discussion on what we want in our town.

Jack Auspitz – we are seeing hard problems, the current venues are not conference centers, they are event spaces. It is logical that we create a law for event spaces not necessarily conference centers. We need to be comprehensive to govern everyone with clear guidelines and the moratorium makes sense so we can develop a comprehensive law.

Allison Phillips, a lawyer whose client lives next door to property on Rymph Road that wants to hold events. He bought the property for retirement adjacent to an ag use property. The neighbor put up buildings for wine tasting without scrutiny or site plan review because of the agricultural protections. If those buildings are expanded for used for large scale events it is now a concern for her client. Ag and Markets does not prevent towns from regulating venues. The Board needs to ensure uses don't result in an adverse impact on the community, focus on where these venues should be and how they should be used to ensure it is operating in a way that meets the permit.

Arlene Campbell - supports moratorium, not against events. We want to define the law to address weddings and other events.

Diana Rush – thrilled to have Old Adrience Farm, they are good neighbors and hold charity events, it is a benefit to the community.

Frank Castella – Director, Dutchess County Regional Chamber of Commerce – has letters of support for the Old Adrience Farm. Spoke on behalf of the farm. Keep in mind that to preserve open space is agritourism. The moratorium could affect the business and could cut their business and hurt them.

Jean Stark – owner of Hudson Valley ceremonies that does 225 to 250 weddings per year, employing over 100 people so the economic benefit has a trickle down effect. We are a major hub. Weddings are moving to Beacon, Hudson and west of the River. They spend \$80,000 to \$200,000 per wedding per weekend. They then frequent the local attractions, generating tourism.

Russ Tompkins – initially against the moratorium but reading from the conference center definition from the law he sees the section needs to be tweaked. Agreed with Mr. Carroll's observation that we need more regulations for traffic, hours, etc. Is not a fan of tourism and feels Rhinebeck has been destroyed by tourism. The proposed law is too restrictive and it does not address certain issues.

Councilman Eliot Werner - said this is only a moratorium, we are developing a law for events, including weddings that will address all the other issues involved with having an event like access, noise etc. Tonight is to put a six month hold on events while we consider the implications of a new law to regulate weddings and farm properties to have weddings. Weddings are not allowed right now in the zoning law. We are trying to address that by creating a law to allow these things. Commended other commentators, the Board has a hard decision.

Russ Bonk – a moratorium is fancy for shutting down the farm, not fair. Eliot said they can continue to farm, but they don't have a special use permit to run a conference center. We need to change the zoning law to allow other events that are not allowed.

Hila Hart – we are talking about rural events. We are in an evolution, so many work out of their homes and have commercialized their homes, farmers are struggling and it is wonderful for them to have events on their land to supplement their income. Open space is expensive.

Bob Marrisodi – ZA – he is getting the impression that people think the town is against them (Old Adrience Farm). That is not the case. We are not trying to shut them down, we will process their application properly and work on a law to define such uses.

Victoria Pollidoro- feels the definition of conference center and dude ranch is broad enough to cover the types of events that are being held. She suggests to add an exemption in the moratorium to exclude farm events that use farm products. Zoning is not something Mrs. Higgins and the Old Adrience Farm is required to follow if the law is overly restrictive.

Dean Michael- opposed to moratorium, he would rather spend time and money creating the law. The county planner has concerns with the moratorium and how it will affect farms. Feels it is not necessary.

Eliot Werner - the Planner's comments are useful and important to craft a law. Eliot said the ZA has ruled that weddings are not a permitted use, so weddings are currently not allowed. Eliot has been working on the law to regulate venues to hold these events. Dean Michael thinks we are spending too much time on this draft moratorium, not enough work on new law. Eliot disagrees. Eliot says the Planning Board has asked for this moratorium, it is a six-month stoppage so we can rewrite the law.

Samantha Coon – said a lot of farms hold weddings, so to enact this moratorium, you are hurting people. She asks the Board to wait for the winter to put the moratorium in place

when there are fewer events like weddings. Mr. Werner pointed out that essentially weddings have been allowed due to an enforcement issue.

Michelle Carlson feels the moratorium is overreaching. Supports farms branching out to new events to support their farm.

At 7:45 PM, There being no further comments, MM Supervisor Oberly, 2nd Councilman Michael to close the public hearing. All aye. Motion carried.

ADJOURNMENT

At 7:45 PM, MM Supervisor Oberly, 2nd Councilman Michael to adjourn the public hearing. All aye. Motion carried.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carol-Jean Mackin".

Carol-Jean Mackin,
Town Clerk