

Local Law No. 4 of 2021, entitled:

“Conference Centers Law”

BE IT ENACTED BY, the Town Board of the Town of Clinton as follows:

1. Section 105 of Chapter 250 of the Town Code is hereby amended by deleting the existing definitions of Conference Center and Event Area and adding the following revised definition:

Conference Center: An establishment for hire as a location for Events used for business or professional conferences and seminars, often with rooms for lodging, eating, and recreational activities. Also, an establishment which attracts clients principally for recreational or health activities and contains rooms for lodging and eating for its clients.

Event Area: The location designated on the approved Site Plan of an Agricultural Event Venue or Conference Center that will be used for Events, including but not limited to outdoor areas, parking areas, Buildings and Structures.

2. Section 105 of Chapter 250 of the Town Code is hereby amended by deleting the definition of Dude Ranch contained therein.
3. Chapter 250 of the Town Code is hereby amended by deleting the existing Section 45 in its entirety and replacing it with a new Section 45 which shall read as follows:

§ 250-45. Conference Centers.

- A. **Intent:** The intent of this Section is to promote health and safety and ensure compatibility with the neighborhood and general area where Conference Centers are located and to minimize their impact on properties and residents in the Town.
- B. **Planning Board Approvals:** Any person or entity seeking to operate a Conference Center in a Zoning District wherein such use is permitted must obtain Site Plan approval and a Special Use Permit from the Planning Board in accordance with the procedure set forth in §§ 250-96 (Site Plan) and 250-97 (Special Use Permit). In its sole discretion, the Planning Board is authorized to waive any of the requirements of this Section based upon the characteristics of the application.
- C. **Regulations:** The following regulations apply to Conference Centers:
 1. **Frequency:** The maximum number of Events permitted per day at a Conference Center

shall be set by the Planning Board based upon a review of site conditions at the Conference Center, including but not limited to Lot(s) size, the number and location of Buildings and Structures and parking facilities.

2. Hours of Operation: The hours of operation for Conference Centers shall be 10:00 a.m. to 10:00 p.m. on Sunday through Thursday and 10:00 a.m. to 12:00 a.m. on Friday and Saturday, except for overnight guests and setup and clean up provided all other provisions of the Town Code are followed. Notwithstanding the above the Planning Board shall have the power to modify the hours of operation for a Conference Center based upon the characteristics of the site and surrounding neighborhood.
3. Lot Size: The minimum lot size must be 25 acres, except where a golf course is provided, in which case the minimum acreage shall be 60 acres.
4. Set Back: No Buildings or Structures are permitted to be located within two hundred (200) feet of any neighboring Lot Line. The Planning Board may require appropriate buffers between the Conference Center and adjoining Lots given the existing natural topography and vegetative cover.
5. Compliance with other Laws: A Structure used for an Event must be in compliance with the New York State Uniform Building Code, as amended, and the provisions of the Town Code.
6. Parking/Driveways: No Parking for a Conference Center shall be located less than 100 feet from a Road and 200 feet from any neighboring Lot Line. The parking area shall be adequately screened from neighboring residences. No vehicles shall be permitted to park on Accessways, Driveways or Roads. If the Planning Board determines that the regulation of traffic on Roads shall be necessary, such regulation shall only be done by law enforcement personnel. The cost of such traffic regulation shall fully be paid for by the Conference Center. Driveways or Accessways shall be located at least 200 feet from any neighboring Lot Line which separates the property of a Conference Center from an adjacent property not owned by the owner of the Conference Center.
7. Number of Attendees: The Planning Board shall determine the maximum number of attendees allowed at any Conference Center, taking into account, the size and occupancy capacity of Buildings and Structures that will be used for Events, the proximity of Buildings and Structures to adjoining residences, the size and location of parking facilities, the potential for noise or other disruptions to the neighborhood, and the safety of all persons.
8. Outdoor Events: All Outdoor Events shall be contained within the specific outdoor Event Area which is contained within the Event Area determined by the Planning Board as specified on the approved Site Plan. Tents and other temporary structures

shall be located within the approved outdoor Event Area as specified. The boundaries of the outdoor Event Area, shall not include parking areas and shall be located at least 500 feet from any Lot Line which separates the property of a Conference Center from an adjacent property not owned by the owner of the Conference Center property.

9. Open Space/Historic Building Preservation: To the greatest extent practical, existing open space and unique natural areas, such as farmland, Watercourses, Wetlands, ponds, marshes, and steep slopes should be preserved. Significant or historic buildings should be preserved and incorporated into the Site Plan wherever possible.

10. Noise/Sound: All sources of amplified sound, including but not limited to music, performances, and spoken words, shall be contained entirely within the Event Area. The Planning Board may specify any further restrictions or conditions it deems appropriate relating to the use of amplified sound in order to reduce noise from traveling beyond the Event Area including but not limited to prohibiting amplified sounds emanating from tents, pavilions, Structures with open doors or windows, and other open or non-enclosed Structures. Fireworks, firecrackers or other artificially generated loud noises are not permitted unless approved by the Town Board and a temporary permit is issued for the Event in accordance with Section 250-75 (Temporary Permits). The Conference Center shall comply with the noise and sound regulations set forth in Section 250-28(A) (Noise).

11. Food and Beverage Service: Food service, dining facilities lodging, recreational and other facilities shall be solely for attendees of Events held at the Conference Center and staff, and shall not be open to the public. All dining facilities must be approved by the Dutchess County Department of Behavioral and Community Health. Food service and beverage providers shall hold and shall produce upon demand all required permits and licenses as well as proof of insurance for workers compensation as required by law and comprehensive general liability in the amount of at least \$1 million per claim/\$2 million in the aggregate where the Town and its officers and employees are listed as additional insureds. At least 30 days prior to an Event occurring the owner or operator of the Conference Center must send to the Zoning Administrator a copy of the permits, licenses and certificates for such insurance for all such providers working at the Conference Center, but such permits, licenses and certificates of insurance need be sent only once per year for the same provider. The Town is not responsible for verifying the validity of such permits, licenses or certificates of insurance or for approving the qualifications of any such provider.

12. Lodging Facilities: Lodging rooms at the Conference Center, if any, shall not contain kitchen facilities for cooking or dishwashing and lodging facilities shall be for use of attendees at Events and employees of the Conference Center only. Non-Event attendees are not permitted to utilize housing or lodging facilities and shall in no event be permitted to utilize such facilities as overnight guests. All lodging or housing facilities must be approved by the Dutchess County Department of Behavioral and Community Health.
13. Inspections: A Conference Center shall be subject to annual site inspections by the Zoning Administrator, to determine compliance with the terms of its Special Use Permit and Site Plan as well as the provisions of the Town Code.
14. Special Use Permit Review: Any Special Use Permit issued to Conference Center under this Section shall be reviewed by the Planning Board annually on or before the anniversary of the issuance of such Special Use Permit. The Zoning Administrator shall issue a written report annually to the Planning Board regarding each Conference Center's compliance with the terms of the Special Use Permit and the provisions of the Town Code, including but not limited to § 250-28. In the event the Zoning Administrator's written report indicates compliance violation(s), the Planning Board shall hold a public hearing to review the continuation of the Special Use Permit. Within ninety (90) days of the conclusion of the public hearing the Planning Board shall issue a written determination which may amend or revoke the Special Use Permit based upon the findings of its annual review.
15. Complaints: The Zoning Administrator shall immediately notify a Conference Center of any complaints verified by the Zoning Administrator regarding such Conference Center and may, in appropriate circumstances, direct the Conference Center to cease and desist from conducting Events until a verified complaint has been addressed or remediated. The Zoning Administrator may withhold the name(s) and identifying information of the complainant(s) in accordance with the New York Freedom of Information Law or other applicable statutes.
16. Fee: An annual fee, due at initial approval and then upon each annual review of the Special Use Permit, shall be paid to the Town in an amount set by resolution of the Town Board. *See* Town of Clinton Fee Schedule.

17. Non-Compliance: In the event of non-payment of the annual fee, or other violations of the Town Code (including without limitation the failure to renew the Special Use Permit on time), the Zoning Administrator is authorized to issue a Stop Order in accordance with 250-89 (F) (Issuance of stop orders), as amended, prohibiting further operation of the Conference Center.
18. Inconsistency: Whenever any sections of the Town Code are inconsistent with the express provisions of this Section, the express provisions of this Section shall govern, unless explicitly stated otherwise.
19. Other Necessary Approvals: The approval of the Dutchess County Department of Behavioral and Community Health shall be required for all lodging, food service and sanitary facilities, swimming pools and public water supplied at the Conference Center.
20. Fire Notification: No fewer than five (5) business days prior to an Event with 50 or more attendees, the owner or operator of the Conference Center shall notify the Chief of the Fire District within which the Conference Center is located and the Zoning Administrator of the Event. Such notice shall include the street address of the Conference Center, the name, telephone number and email address of the owner or operator; the name, telephone number and email address of the person responsible for overseeing the Event, the date of the Event, the start and stop times of the Event, the estimated number of persons attending the Event and whether Event attendees will be remaining at lodging or housing facilities overnight.
21. Insurance: Conference Centers shall maintain at all times comprehensive general liability insurance with limits of at least \$1 million per claim/\$2 million in the aggregate and shall annually and upon demand from the Zoning Administrator provide to the Zoning Administrator certificates of insurance evidencing the Town and its officers and employees as additional insureds.
22. Swimming Pools: Any swimming pools must comply with § 250-74.
23. Golf Courses: Any golf course must comply with § 250-54.
24. Horses and Livestock: The keeping of horses or other livestock, if any, must comply with § 250-66.
25. The requirements of this Section shall not apply to the following:

- a. Events occurring at Agricultural Events Venues which have been approved under the provisions of Section 250.45.1 of the Town Code. *See* Agricultural Events Venues.
 - b. Events which have received a permit under Section 250-75(A) (Carnivals, fairs, circuses) of the Town Code;
 - c. Events held by a charitable organization for fundraising purposes, by an established club or other organization solely for the benefit of its members, by a church or other house of worship, or by a property owner or tenant for the owner's or tenant's personal purposes provided no monetary or other compensation is paid to the owner or tenant for the Event; or
 - d. Duly authorized Events held on Town property which shall be held in accordance with the provisions of Chapters 177 – Parks and Pavilions and 214 – Town Owned Properties and Facilities of the Town Code respectively.
4. The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of this Local Law, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase of this Local Law, which shall remain in full force and effect.
5. This Local Law is adopted pursuant to § 261-263 of the Town Law and § 20 of the Municipal Home Rule Law of the State of New York, which authorize the Town to adopt zoning provisions that advance and protect the health, safety, and welfare of the community.
6. To the extent that any provision of this chapter is inconsistent with Town Law §§ 263, 274-a, 274-b or any other provision of Article 16 of the Town Law, or of the Energy Law, or of Real Property Law, the provisions of this chapter are expressly intended to and do hereby supersede any such inconsistent provisions under the Town's municipal home rule powers, pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3); §10(1)(ii)(a)(14) and §22 to supersede any inconsistent authority.
7. This Local Law shall take effect immediately upon filing with the Secretary of State.