

GRACE FARMS– POSSIBLE ISSUES FRAMEWORK

OVERALL – Permit Parameters					
ISSUE	Background	More Restrictive Approach	Alternative Approach	Less Restrictive Approach	Notes / Comments
1. Supersede and Replace	The 2013 Special Permit superseded and replaced any prior Special Permit. This avoids any conflicting language with iterative Special Permits over time.	A Special Permit shall supersede and replace the prior Special Permit.		A Special Permit shall be in addition to the 2013 Special Permit.	
2. Abandonment		The 2013 Special Permit and any prior Special Permit with regard to any of the properties shall be considered abandoned as a result of the granting of any Special Permit at this time and any future Special Permit shall be construed as abandoning this Special Permit unless otherwise indicated by the Commission			
3. Conditions Are Integral To Approval		Each of the conditions is integral to the approval and the Commission might have denied the application without such condition(s).			
4. Conditions Are Integral To Each Other		Each of the conditions is integral to each other and the Commission might not have allowed one or more requests without such condition(s).			
5. Conditions Are Integral To Enforcement		Any violation of any condition shall cause the Special Permit to be rescinded and shall result in the need for a new Special Permit to be applied for.			
6. Link to Plans		<p>The property shall be improved, operated, and managed in accordance with the plans approved by the Commission.</p> <p>Any modification or change to the approved plans shall be brought to the attention of the Zoning Inspector. Any changes which, in the opinion of the Zoning Inspector, result in a change or intensification of use or other material part of the application shall be reported to the Commission and may require an amendment to the Special Permit.</p>			

OVERALL – Use / Intensity

ISSUE	Background	More Restrictive Approach	Alternative Approach	Less Restrictive Approach	Notes / Comments
<p>7. Use Consolidation</p>	<p>The applicant has represented that the uses categories requested (“club/organization” and “eleemosynary/institution”) are intended to align the activities proposed in the application materials with the use categories in the zoning regulations.</p>	<p>Any approval is for the <u>combination</u> of all three use categories as described in the application since all of the uses are considered to be related to the church use and the humanitarian and community focus of such organizations.. Any such approval does not authorize any use individually or any combination thereof other than that approved by the Commission unless specifically approved by the Commission. The uses are considered to be interrelated and shall not be separated or distinguishable from each other without approval by the Commission.</p>		<p>Any of the three principal uses may occur on any of the properties at any time.</p>	<p>The 2007 approval for this site was based on a representation of a church (a religious use). The applicant now wishes to include uses conducted by another entity in addition to the religious use.</p> <p>The application is premised on permitting other <u>principal</u> uses and this could mean that the applicant could replace the religious use in the future with another use.</p>
<p>8. Principal Versus Accessory</p>	<p>It is believed that the applicant has requested <u>principal uses</u> so that the attendance at non-church events over the course of a year could exceed the attendance at church events.</p> <p>The applicant could have applied under Section 3.3.C.7 (Accessory Uses By Special Permit) to allow “Other accessory uses not customarily or reasonably incidental, as determined by the Commission, to a permitted principal use.”</p>	<p>PZC denies the Special Permit with guidance to consider re-applying under Section 3.3.C.7.</p>	<p>PZC grants some requests and denies other requests.</p>	<p>PZC grants the Special Permit requests with conditions to manage the activity level in order to ensure that the nature and intensity of the activities are in accordance with the Special Permit Criteria in general and with Section 8.2.B.4.a in particular</p>	<p>Applicant presumably applied for a “principal” use since, over the course of a year, the attendance from non-religious events could potentially exceed that of the religious use.</p>
<p>9. Property Consolidation</p>	<p>The applicant is requesting that any Special Permit be granted for three properties.</p>	<p>All three parcels shall be consolidated into one parcel. Such consolidation shall have been effectuated prior to the Commission signing any Special Permit suitable for filing on the land records.</p> <p>Any future lot line adjustment or increase / diminution of parcel area shall require approval of a new Special Permit by the Commission.</p>		<p>Do not require that parcels be consolidated</p>	<p>Requiring consolidation of all parcels will help ensure that the overall intensity level is evaluated in terms of the overall land assemblage now and in the future.</p> <p>Allows the Commission to provide more control over all areas.</p>

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HOURS / EVENT FREQUENCY

ISSUE	Background	More Restrictive Approach	Alternative Approach	Less Restrictive Approach	Notes / Comments
10. Hours Of Operation – Religious Events		Further limit the hours when the facility is open for religious events		Accept the proposed hours when the facility is open for religious events (7 days per week): Mon. – Sun. 7 AM to 11 PM	
11. Hours Of Operation – Scheduled Events		Further limit the hours when the facility is open for scheduled events		Accept the proposed hours when the facility is open for scheduled events (7 days per week): Mon. – Sun. 7 AM to 11 PM	
12. Hours Of Operation – General Public		Further limit the hours when the facility is open to the general public		Accept the proposed hours when the facility is open to the general public (6 days per week):: Monday: Closed Tues. – Sat. 10 AM to 7 PM Sunday: Noon to 6 PM	
13. Event Size / Frequency			See last page		
14. Space Grants / Sustainability Events – Non-Profit Organizations	The applicant has requested permission to continue to conduct “space grants” and ‘sustainability events” for non-profit entities other than the Church or the Foundation.	Prohibit “space grants” and “sustainability events” for non-profit organizations.	Include these events under the attendance limitations as suggested on the last page.	Do not limit “space grants” and ‘sustainability events”	These are events where third parties are hosted at the site (may be with or without compensation)
15. Space Grants / Sustainability Events – For Profit Organizations	The applicant has requested permission to continue to conduct “space grants” and ‘sustainability events” for for-profit entities.	Prohibit “space grants” and “sustainability events” for for-profit organizations since the 2013 Special Permit specified in Condition #7 that there “shall be no renting or use of any portion of the property, including any building or athletic field, to outside commercial or for-profit organizations.”	Include these events under the attendance limitations as suggested on the last page.	Do not limit “space grants” and ‘sustainability events”	These are events where third parties are hosted at the site (may be with or without compensation)

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SANCTUARY / PARKING / TRAFFIC					
ISSUE	Background	More Restrictive Approach	Alternative Approach	Less Restrictive Approach	Notes / Comments
16. Sanctuary Size	The record of the 2013 application indicated that the sanctuary might one day be increased from 700 seats to 900 seats.	Due to the activities requested as part of this application, the sanctuary is limited to 700 seats. If the applicant wants to increase the size of the sanctuary in the future, they can apply for a new Special Permit.		Allow the sanctuary to increase to 900 seats with no further approval by the Commission.	The applicant has applied for additional activities as part of this application which will increase the level of activity at the site and allow a concomitant enlargement of the sanctuary could increase the level of activity at the site by an additional 30%.
17. Parking Capacity	The record of the 2013 application indicated that the parking capacity might one day be increased beyond the 226 spaces on the site.	Due to the activities requested as part of this application, the parking capacity is limited to 226 parking spaces. If the applicant wants to increase the amount of parking in the future, they can apply for a new Special Permit.		Allow the parking capacity to increase by Site Plan Approval.	Parking is a key factor in managing the level of activity at the site.
18. Off-Site Parking / Shuttle Bus	As part of the 2013 application, the applicant pledged to maintain off-site parking (in Vista, NY) and operate a shuttle bus service for overflow activity. (May not have been a condition of approval at that time)	Applicant shall maintain this service on every Sunday (or other holy day) and any other time the scheduled events or actual activity levels exceed 200 cars in order to be in accordance with the Special Permit Criteria in general and with Section 8.2.B.4.c in particular.		Off-site parking and shuttle service is not required by the Commission (may still be provided by the applicant) and the reliance on on-site parking is in accordance with the Special Permit Criteria in general and with Section 8.2.B.4.c in particular	
19. Traffic Management		Require police presence for events above a certain size	Allow on-site personnel to manage traffic	Traffic management services are not required	

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ACCESSORY ACTIVITIES					
ISSUE	Background	More Restrictive Approach	Alternative Approach	Less Restrictive Approach	Notes / Comments
20. Operations Center (Security)	<p>The applicant is requesting permission to use a parcel they have acquired with a house as an “operations center” with security operations, an apartment and other functions.</p> <p>This building was approved in 2013 as a temporary use in the building during construction. No future use was defined in the Special Permit.</p>	<p>Do not allow the use of the building or site as an operations center</p> <p>(site could be sold as residential home?)</p>		<p>Authorize the use of the building and site as an operations center as an accessory use</p>	
21. Food Service	<p>The main building contains a kitchen and a food service operation which is used by the employees and visitors. It has also been used for hosted events.</p> <p>The general public has access to the food service operation when visiting the site.</p>	<p>The kitchen and food service operation is limited to church-related activities and event –related activities. Independent events (including but not limited to classes or banquets) are prohibited without express approval of the Commission.</p>	<p>Review / limit the hours of operation.</p> <p>Review / authorize food items made available.</p> <p>Review / audit income / expenses.</p>	<p>Authorize the use of the kitchen and food service operation as an accessory use</p>	
22. Gift Shop / Store	<p>Not aware this is being contemplated at this time</p>	<p>No commercial activities of any nature, including but not limited to the sales of souvenirs, shall be permitted on site without the express approval of the Commission.</p>		<p>Authorize a gift shop as an accessory use</p>	

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TOURS / RELATED ACTIVITIES					
ISSUE	Background	More Restrictive Approach	Alternative Approach	Less Restrictive Approach	Notes / Comments
23. Walking Trails		Require the removal of all walking trails and any related signage and place "closed to public" or similar signs within the property	Require that all walking trails be relocated as proposed by the applicant or require that all walking trails be relocated a certain distance away from property lines	Leave the walking trails where they are	
24. Guided Interior Tours (Building)		Prohibit all guided interior tours	Limit the size of tours, number of tours per day, duration of tour, hours of day, days of the week, and/or months of the year Require advance registration	Do not limit guided interior tours	
25. Guided Exterior Tours (Property)		Prohibit all guided exterior tours	Limit the tour route, size of tours, number of tours per day, duration of tour, hours of day, days of the week, and/or months of the year Require advance registration	Do not limit guided exterior tours	
26. Outdoor Activities	Use of athletic field, snowshoeing, bird watching, picnicking, etc.	Prohibit organized outdoor activities	Prohibit organized outdoor activities unless allowed by activity chart or specifically approved by the Commission in certain areas	Allow organized outdoor activities	PZC should be aware that soccer was approved as a use in 2013

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FENCING / LANDSCAPING / LIGHTING / SOUND

ISSUE	Background	More Restrictive Approach	Alternative Approach	Less Restrictive Approach	Notes / Comments
27. Perimeter Fencing		Require installation of taller fencing and/or more opaque fencing in order to find it is in accordance with the Special Permit Criteria	Accept fencing as proposed by the applicant (and/or require modifications) and find it is in accordance with the Special Permit Criteria in general and with Section 8.2.B.4.b.ii in particular	Accept fencing as installed and find it is in accordance with the Special Permit Criteria in general and with Section 8.2.B.4.b.ii in particular	
28. Perimeter Landscaping		Require installation of additional landscaping in order to find it is in accordance with the Special Permit Criteria	Accept landscaping as proposed by the applicant (and/or require modifications) and find it is in accordance with the Special Permit Criteria in general and with Section 8.2.B.4.b.ii and Section 8.2.B.4.c in particular	Accept landscaping as installed and find it is in accordance with the Special Permit Criteria in general and with Section 8.2.B.4.b.ii and Section 8.2.B.4.c in particular	
29. Buffer		Record a conservation easement for "buffer area" as identified in application materials with language to satisfaction of Town Planner and Town Attorney			
30. Interior Lighting		Require curtains, screening, or full cut-off fixtures inside the building in order to be found in accordance with the Special Permit Criteria	Rely on operations plan in terms of hours of operation and other adjustments <ul style="list-style-type: none"> • All lights off by 8:00 PM except for scheduled events • Curtains and other adjustments during daylight savings time 	Interior lighting was approved as part of prior approvals and hours of operation are being curtailed as part of this application and Commission finds it is in accordance with the Special Permit Criteria in general and with Section 8.2.B.4.b.iii in particular	
31. Exterior Lighting		Accept and require applicant's proposal to reduce intensity and duration of exterior security / landscape lighting and eliminate uplighting and other illumination as outlined			
32. Audio Amplification – Pond		Require the relocation of the sound sculpture to a location inside the River Building in order to find it is in accordance with the Special Permit Criteria	Limit the sound sculpture (volume level, hours of the day, months of the year, etc.) in order to find it is in accordance with the Special Permit Criteria in general and with Section 8.2.B.4.b.iii in particular	Allow the sound sculpture to remain and find it is in accordance with the Special Permit Criteria in general and with Section 8.2.B.4.b.iii in particular	
33. Audio Amplification – General		Prohibit any exterior sound amplification unless for emergency or public safety purposes in order to be in accordance with the Special Permit Criteria	Accept applicants program of "limited amplification ... in observance of Town noise ordinance"	Allow "loudspeakers or other noisemaking devices"	

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ADMINISTRATION / ENFORCEMENT					
ISSUE	Background	More Restrictive Approach	Alternative Approach	Less Restrictive Approach	Notes / Comments
34. Monthly Reporting		<p>Monthly report in advance specifying scheduled events and size</p> <p>Monthly report in arrears of number of people and number of vehicles per day and per hour. Monthly report shall include daily logs of total persons on site by hour of day (see page 79 of slide presentation) for each day of the month</p>			
35. Annual Reporting		Annual report by February 1 summarizing attendance for all dates and by events scheduled.			
36. Complaint Reporting		Notify the Zoning Inspector within fifteen (15) days of the receipt of any complaint related to the site activity and outline corrective measures taken.			
37. Enforcement		<p>Commission reserves the right to conduct periodic reviews and these may occur unannounced</p> <p>Contemporaneous records of people and/vehicles on the property at any one time shall be kept at the security booth for immediate inspection by the Commission and/or its designated agent(s) and reproduction</p>			
38. Security Booth		A security booth shall be provided and staffed during all hours the facility is open. All vehicles and people entering and exiting the site are to be logged in real time			
39. Revocation		The Commission reserves the right to amend or revoke any approval, upon written notice, should violation of the conditions and terms so warrant.			

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40. Review		<p>The Commission reserves the right to have the Zoning Official (or a third party paid for by the property owner) conduct an review and/or inspection of the operations at the property at any time and for any reason.</p> <p>The property owner consents to such inspections as a condition of the Special Permit.</p>			
41. Outreach		<p>Accept and require applicant's proposal for telephone contact, and other arrangements to address neighbor concerns</p>			

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GRACE FARMS– POSSIBLE ACTIVITY MATRIX

The following chart suggests a possible framework for consideration. The chart is predicated on 13 weeks per quarter with 91 calendar days per quarter and 78 available days per quarter since the facility is closed on Monday.

CHURCH ACTIVITY	Possible Approach	Alternative Approach	Notes / Comments
Sunday or Holy Day Services	Not limited If multiple services in one day, they shall be scheduled to allow the earlier group to depart before the later group arrives		Application stated that facility will be closed to public during services
Memorial Services	Zoning Official shall be notified 48 hours in advance since not on monthly schedule of events. Not limited if for member(s) of congregation. Shall count as "Other Activity" if other person(s).		
Wedding Services	Shall be reported on monthly schedule of events. Not limited if for member(s) of congregation. Shall count as "Other Activity" if other person(s).		
NON-CHURCH ACTIVITY - INDOOR (in addition to Church activities)			
Extreme Attendance (more than 700 people total on site at any time during the day for any and all activities)	Not permitted at this time since sanctuary capacity is 700 persons	Applicant requested 12 events per year (1 outdoor)	
Very High Attendance (500 to 700 people total on site at any time during the day for any and all activities)	<u>No more than</u> 4 days per year with <u>no more than</u> 2 days per calendar quarter	Applicant requested 24 events per year (including 8 outdoor) at 300 to 700 people	
High Attendance (300 to 500 people total on site at any time during the day for any and all activities)	<u>No more than</u> 8 days per year with <u>no more than</u> 3 days per calendar quarter		
Moderate Attendance (100 to 300 people total on site at any time during the day for any and all activities)	<u>No more than</u> 120 days per year limited to <u>no more than</u> 32 days in any one calendar quarter and further limited to <u>no more than</u> 3 days in any one week	Applicant suggested no stipulations on these events	
Typical Attendance (up to 100 people total on site at any time during the day for any and all activities)	<u>At least</u> 180 days per year and <u>at least</u> 43 days per calendar quarter	Applicant suggested no stipulations on these events	
Closed to the public	<u>At least</u> 52 days per year and <u>at least</u> 13 days per calendar quarter	Applicant wishes to allow scheduling events on these days while closed to the general public	Application stated that facility will be closed to the general public on Mondays
NON-CHURCH ACTIVITY - OUTDOOR (in addition to Church activities)			
Outdoor Activity (shall count to total number above)	1 day per year		
MUNICIPAL ACTIVITY			
Municipally sponsored activity	Not limited		