

Town Of Fenner Planning Board Minutes

10/27/2021

Present: Monica Cody, Judy Carmon, Pete Snyder, Andre Schokker, Sue Yanulis

Pete called meeting to order at 7:37

September meeting minutes reviewed, no changes. Motion by Sue Yanulis, second by Andre, motion carries.

Public Hearing for Monica Cody: Special Use Permit on parcels 87.-1-15, 87.-1-4.6, 87.-1-4.2

Public Hearing for M. Cody special use permit opened at 7:40 by Pete Snyder.

M. Cody recused herself from vote.

The Cody's are requesting a special use permit for additional activities on their farm parcels. Most of the activities are governed under Ag and Markets Law (§300) which protects and encourages the development and improvement of agricultural land for production of food and other agricultural products. This includes roadside stands, farm markets, and "u-pick" operations.

87.-1-4.5 and 87.-1-4.6:

4690 Shephards Rd Farm Buildings and Residence-

Farmstand and future space for farm product points of sales (retail and event space), commercial kitchen, small equipment for on-farm product processing (essential oil, creams and cosmetics, dry baking and drink mixes, syrups, dehydrated milk, dairy products, baked goods, etc.), u-pick operation (limited days/hours) and annual farm festival activities (single day/weekend in Spring, estimated visitors 300 per day), and in-field classes (Yoga, running, meditation, etc.). Space will include storage and warehousing as needed, outdoor seating, and 2 large parking areas. Potential site of short term rental in existing house to align with classes on horticulture/dairy/farm practices with the intent to sell farm based products. (Referece Guidelines for Review of Local Laws Affecting Direct Farm Marketing Activities). Hours of operation commensurate with seasonal activity; U-Pick daily in spring 9AM-6PM, special events possibly 9AM-10PM (including potential wedding venue location, capacity TBD based on barn renovations and fire warden review). Processing activities as needed, but expected to be during normal farm daytime working hours.

87.-1-4.2:

4676 Shephards Rd-

Farmstand and home based business including home processor kitchen space.

87.-1-15

3092 Fenner Rd Farm House and Hop House-

Farmstand/retail store for farm-product point of sales, commercial kitchen, small class/event space in existing buildings with the intent to sell farm based products. (Referece Guidelines for Review of Local Laws Affecting Direct Farm Marketing Activities). Possible annual farm festival activities and small group classes (single day/weekend- ex. yoga, cooking, crafts), and small equipment for on-farm product processing including storage and warehousing as needed (baked goods, prepared order/take/bake at home meals, dairy goods, lavender cosmetic/craft/culinary products). Daily operations for processing by limited staff/family/space rental partners. Hours of operation commensurate with seasonal activity; special events possibly 9AM-10PM on infrequent basis up to 50 people pending building renovations and fire warden review, processing activities daily as needed, but expected to be during normal farm daytime working hours. Store/Open House Market hours 3-5 days weekly 10AM-8PM or less.

Each location may have a small sign (at roadside or on building), off-street parking, and small security/safety lighting installations.

Discussion included splitting out Fenner Rd. parcel and seeking guidance from county since Fenner Rd. is a county road. Ag and Markets provides sufficient support that retail location on Shephards Rd. would not require a variance. Short term rental position should be sent to the Fenner Town Board for determination. That will be a condition of approval.

Closed public hearing at 8:25: motion Judy Carmon, second Andre Schokker.

Motion to approve M. Cody's Special Use Permit for Cody Farms and Farmstead 1868 LLC application with the exceptions of:

- The short term rental, (which will have a condition of approval for Town Board input and guidance as to updating land use ordinance to address short term rentals and Bed and Breakfast type operations.)
- Cody Rd. parcel retail activities will need county planning board input before approving that portion of the application. The 20-C kitchen should be acceptable under Ag and Markets rule.

Motion to approve special use permit with conditions for Town board guidance on short term rentals and county guidance on Fenner Rd. retail space. Motion by Sue Yanulis, second by Judy Carmon, Monica Cody recused herself from the vote. Motion carries.

Monica Cody can reach out to Jim Stokes to understand where the requirement for Ag and Markets versus special use permit requirements divert for retail space if needed.

Motion to close 8:32 by Judy Carmon, second by Sue Yanulis. Motion carries.

Respectfully submitted by Monica Cody