

APPLICANT'S PROPOSED EVENTS AND POSSIBLE ACTION ON THEM:

I. SIGNIFICANT PRIVATE EVENTS (100 GUESTS OR MORE BUT NOT TO EXCEED 400)

LOCATION: Lower and Upper levels of barn and adjoining patio and lawn between the barn and Route 202? And second floor "Main Hall?"]; no tents or other outdoor structures.

FREQUENCY: Three times per week; 100 events per year.

WHEN: "Most activity" on Thursday through Saturday with "occasional" Sundays.

HOURS OF EVENT: No earlier than 8 am nor later than 11 pm.

AMPLIFIED SOUND: Yes, beginning at 8 am and no later than 11 pm indoors and 10 pm outdoors.

ACCESSORY USES: Service of food and alcoholic beverages.

As to the foregoing Significant Private Events, the Commission hereby approves such events subject to the following conditions and modifications:

1. Location of such events shall be limited to the main and upper level of the barn and adjoining patio and a the area of the lawn between the barn and Route 202.
2. Events shall occur only on the following days of the week: Thursday through Saturday, and ~~not more than one~~ Sunday per calendar month.
3. Amplified music shall be in accordance with the conditions below.
4. Hours of operation shall be the conditions below.

II. SMALL PRIVATE EVENTS (NOT TO EXCEED 100 GUESTS)

LOCATION: Upper level of barn and adjoining patio [and lawn between the barn and Route 202? And second floor "Main Hall?"]; no tents or other outdoor structures.

FREQUENCY: Daily. No limit stated per week or year.

WHEN: Daily.

HOURS OF EVENT: No earlier than 8 am nor later than 11 pm.

AMPLIFIED SOUND: Yes, beginning at 8 am and no later than 11 pm indoors and 10 pm outdoors.

ACCESSORY USES: Service of food and alcoholic beverages.

As to the foregoing Small Private Events, the Commission hereby approves such events subject to the following conditions and modifications:

1. Location of such events shall be limited to the upper and lower levels of the barn and adjoining patio and the area of the lawn between the barn and Route 202.
2. Events shall occur only on the following days of the week: Thursday through Saturday, and not more than one Sunday per calendar month.

3. Amplified music shall be in accordance with the conditions below.
4. Hours of operation shall be in accordance with the conditions below.

III. FOOD TRUCKS, GENERAL PUBLIC

LOCATION: Area shown on the Site Plan for food trucks

FREQUENCY: No limit stated per week or year.

WHEN: No days stated.

HOURS OF EVENT: None stated.

AMPLIFIED SOUND: Not stated.

ACCESSORY USES: None stated.

As to Food Trucks, the service of food from food trucks shall be only accessory to events approved under this motion, and at no other times

IV. LARGE PUBLIC EVENTS (NOT TO EXCEED 400 GUESTS)

LOCATION: Upper level of barn and adjoining patio and lawn between the barn and Route 202. And second floor "Main Hall"; no tents or other outdoor structures.

FREQUENCY: Up to four (4) times per year.

WHEN: Not specified.

HOURS OF EVENT: No earlier than 8 am nor later than 11 pm.

AMPLIFIED SOUND: Yes, beginning at 8 am and no later than 11 pm indoors and 10 pm outdoors.

ACCESSORY USES: Service of food and alcoholic beverages. [As noted above, such activities are not permitted accessory uses for public events.]

As to the foregoing Large Public Events, the Commission hereby denies the application. There shall be no events open to the public, but only invitation-only events.

V. RETAIL SALE OF MERCHANDISE

LOCATION: None specified.

FREQUENCY: Not specified.

WHEN: Not specified.

HOURS OF EVENT: Not specified.

AMPLIFIED SOUND: Not specified.

As to the foregoing Retail Sale, the Commission hereby approves such use subject to Condition #11 below.

As to all events authorized above, the following conditions of approval must be met before any such events are allowed on the property under this special exception:

1. The site plan as originally submitted showed spaces intended to accommodate up to 1,000 guests but the revised statement of use has reduced the maximum number of guests to 400. In addition, the revised statement of use mentioned access only from the first driveway on Ramstein Road, but the applicant, at the public hearing, mentioned three potential points of access. Therefore, the site plan must be revised to show not only all of the proposed parking spaces, as they may be reduced to conform with a maximum of 400 guests, but also all travel lanes within the parking area, all routes of guest vehicle access into and out of the property, and the routes guest vehicles will be expected or directed to travel to reach each of the available parking spaces.
2. Section 3.6.A.8 of the Zoning Regulations requires an Onsite Parking Study to be submitted. It also requires that unpaved portions of the parking area must have a load-bearing, all-weather surface. The applicant did not submit an Onsite Parking Study but made oral references to the physical condition of the parking area, suggesting that much or most of it would remain grassed. Therefore, the applicant must submit, for the Commission's review and approval, an Onsite Parking Study explaining:
 - a. How all parking spaces and travel lanes (aisles and routes of ingress and egress) will be marked in the field;
 - b. What materials will be used to assure that all portions of the parking area, including all parking spaces and travel lanes, will have a load-bearing, all-weather surface to comply with Section 3.6.A.8 of the Zoning Regulations.
3. The revised site plan and Onsite Parking Study must be submitted to and approved, or modified and approved, by the Commission before this Special Exception becomes effective.
4. No more than one (1) type of event shall occur on the property at any given time.
5. One or more of the property owners must be present on the property during all events.
6. The property owner must provide a telephone number at which the owner or owners who are present at any event may be reached during the event.
7. No more than 400 guests shall be allowed on the property at any time.
8. All activities will take place in the barn and adjoining patio, provided, however, that the Commission may approve the use of specified lawn areas if they are specifically delineated on the revised site plan required by conditions 1 and 3, and the frequency and attendance of such events shall be stated. No tents or temporary structures will be utilized or permitted.
9. Amplified sound (including, but not limited to, amplified music and speech) shall be allowed within the barn on a test basis only for a period of three months after the date of this approval. Amplified sound shall not be allowed on the patio or any other outdoor location. This condition is intended to allow the property owner and the Commission a reasonable opportunity to evaluate the impact of the amplified sound on the neighborhood during a variety of weather conditions. Upon application by the property owner after the relevant test period, and after a public

hearing thereon, if the Commission finds that the sound levels have not unreasonably affected the use or enjoyment of any nearby property, it may vote to modify this special exception by approving the use of amplified sound on a permanent basis, provided that such vote shall not be deemed to allow any amplified sound levels that are greater than the levels used during the relevant test period. If, upon any such application, the Commission finds that the amplified sound has had an unreasonably adverse impact on the use or enjoyment of other property, it may vote to prohibit any further use of amplified sound outside or inside the building, as may be appropriate. If, upon any such application, the Commission finds that it lacks sufficient evidence of the impact of the amplified sound on the neighborhood (for example, if there has not been a sufficient number of events with amplified sound to provide a reasonable basis for the Commission to determine the impact), the Commission may vote to extend either the indoor or the outdoor test period, or both, by up to one year. In the event the Commission finds that any amplified sound levels on the property, whether during or after any test period, are unreasonably affecting the use or enjoyment of any nearby property, the Commission may require the property owner to cause the sound levels to be reduced.

10. No event shall start prior to 10 a.m. or end later than 10 p.m. To the extent allowed under this special exception, there shall be no amplified sound before noon.
11. Merchandise related to any event may be sold at retail on site during the event only. No other retail sales shall be permitted on the site.
12. There shall be no outdoor games or other outdoor recreational activities, public or private (other than for residents of the property) unless and until a modification of this Special Exception has been approved specifying the location, nature, frequency, and other elements of such use.
13. There shall be no sale of food or beverages to the general public. All events shall be invitation only and not open to the general public.
14. Given (a) the potentially intensive nature of the event uses, (b) the variety of weather and site conditions that may be anticipated over the course of any year, and (c) the lack of any credible data to predict all of the potential impacts of the events on other property within the area, particularly residential property, the Commission finds that it must limit the number of events as stated above.
15. The Commission notes that the applicant has already conducted commercial events on the property without the benefit of approval, and this is a cause for concern for future compliance with the conditions of this approval. By acceptance of this approval, the applicant agrees that, upon notice to the applicant and the opportunity to be heard, the Commission may void, in whole or in part, this special exception approval if the terms or conditions hereof are violated.
16. At least three (3) days prior to any Significant Event or Small Event, the applicant shall provide written notice to the Zoning Enforcement Officer of: the type of

event planned; the number of attendees expected; the location(s) on the property where such event shall take place; the hours of operation, including the hours of any amplified sound. This notice will be for purposes of assuring compliance with the conditions of this approval, and shall not require any approval or other action by the Zoning Enforcement Officer.

17. The applicant shall reimburse the Commission for all legal fees incurred in the review of this application, including but not limited to the attendance at Commission hearings and meetings, and the drafting of motions.
18. Each of the foregoing conditions is deemed to be essential to the issuance of the Special Exception. In the event any of the foregoing conditions is found to be invalid or unenforceable by a court of competent jurisdiction, this Special Exception shall be deemed null and void.