

**TOWN OF BUCHANAN
RESOLUTION NO. 2026-04**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BUCHANAN
APPROVING A SPECIAL EXCEPTION TO REPEAL AND REPLACE RESOLUTION
2025-05 FOR PARCEL 030060101 - W2100 CTH KK**

WHEREAS, this resolution shall repeal and replace Special Exception Resolution 2025-05 and;

WHEREAS, the following uses have been requested to operate on Parcel 030060101 which is zoned CL Local Commercial and require a Special Exception per Table 525-31.1 of the Zoning Ordinance and as defined in Section 525-31.1B of the Zoning Ordinance all as shown on the attached plan shown as **Exhibit A**:

1. **Agricultural/Agribusiness** defined as agricultural business where the property owner earns a substantial (\$6,000/year or \$18,000 over three years) part of his or her livelihood from farming operations on the farm parcel by performing the operations themselves or through a lease to a separate operator; uses including but not limited to beekeeping, dairying, floriculture, aquaculture, poultry and livestock raising, stables, and orchards, raising of grain and seed crops, raising of grass and mint, raising of nuts and berries, raising of fruits and vegetables, viticulture, and forest and game management (incidental hunting is an accessory use), sod production, the sale of products produced on-premises and agricultural processing, centralized bulk collection, storage or distribution.
2. **Convention/Exposition Center (*Event Barn/outdoor event space as shown on the attached plan*)** defined as a commercial facility used for assemblies or meetings of the members or representatives of groups, including exhibition space. This term does not include banquet halls, clubs, lodges or other meeting facilities of private or nonprofit groups that are primarily used by group members.
3. **Outdoor Storage, accessory to principal/special exception (*Outdoor Product Stalls as shown on the attached plan*)** defined as a use that stores products or goods outside, accessory to the principal or approved special exception use of a lot.
4. **Recreation Uses, Outdoor (*hay rides, apple orchard, pumpkin patch, corn maze, sunflower maze, lavender/berry, pumpkin bowling/playground/corn crib as shown on the attached plan; apple cannons shall be prohibited even though they are shown on the plan per a change as part of the approval by the Town Board on March 17, 2026*)** defined as any private outdoor commercially operated activities where the public are able to participate in activities including but not limited to camps, golf courses, campgrounds, golf, archery and shooting ranges, sledding/skiing/skating facilities, sports fields/courts/facilities, swimming pools, and lakes, and uses of similar nature and;

WHEREAS, the Plan Commission, after notice and hearing on March 10, 2026, found the conditions to grant a special exception are met and recommends that the Town Board approve the special exception; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Buchanan hereby finds that the special exception request meets the conditions to grant a special exception and sets forth the following conditions and hereby approves the request:

1. Prior to development of the site and operation of the new proposed uses, an Engineered Site Plan meeting the requirements of the Zoning Ordinance and municipal code shall be approved for the entire site.
2. Development of the site may be phased in over five (5) years with final completion of the proposed site completed within five (5) years of Special Exception approval.
3. To mitigate for concerns of aesthetics, noise, odor, lights, dust and drainage the following conditions shall be required:
 - a. Required stormwater management/drainage facilities shall be installed first prior to any other construction/development of the site. Drainage from the site shall be designed to drain to the required stormwater management facility.
 - b. Setback/Buffer Options: One of the following setback/buffer options shall be incorporated into the engineered site plan adjacent to residential uses:
 - i. A 200-foot setback/buffer shall be required for all buildings, flatwork, outdoor storage, stormwater facility and any other development related activities not associated with agricultural uses as shown on the attached plan **Exhibit A**.
 - ii. A seven (7) foot tall by 30-foot-wide berm planted with a minimum of five (5) foot tall evergreen trees to provide for 25% screening at time of planting shall be installed to screen all buildings, flatwork, outdoor storage, stormwater facility and any other development related activities not associated with agricultural uses if they are located closer than the 200-foot setback/buffer identified on the attached plan. The berm and plantings shall be installed prior to use of the property. The material to construct the berm shall be free of debris and garbage (prohibited materials include but are not limited to concrete, wood/lumber, metal, refuse, construction material, plastic etc.).
 - iii. No berm is showed adjacent Parcel 030062500. If hayrides takes place it shall be 200 feet from the property lines as shown on the attached plan or the berm identified above shall be installed; public apple picking is allowed inside the 200 foot setback and no berm is required.
 - c. The maximum height of the storage bins shall be ten (10) feet tall. Storage material shall not exceed the height of the bin, except for the covered top soil bin. Evergreen landscaping shall be required around the entire outdoor storage product stall perimeter. The height of the evergreen landscaping shall be at least the height of the storage bins at the time of planting and shall provide

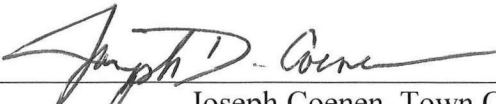
adequate landscaping to provide 100% screening and shall be installed prior to use of the storage bins.

- d. The hours of operation shall be limited to the following:
 - i. Activity related to the landscape/nursery/shop/storage/outdoor storage operations that creates noise from equipment/trucks shall be 6:00 a.m. through 7:00 p.m. seven (7) days per week.
 - ii. Activity related to the event barn and outdoor event space shall be:
 1. Sunday through Thursday from 8:00 a.m. through 9:00 p.m.
 2. Friday and Saturday from 8:00 a.m. through 12:00 a.m.
 3. Federal holidays and the day prior to a federal holiday from 8:00 a.m. through 12:00 a.m.
 4. The event barn doors and windows shall remain closed at all times during events to mitigate for noise/music concerns.
 5. All event music shall be inside the event barn unless a noise variance is approved by the Town. A noise variance application and fee shall be submitted for approval for each event that would like to play music outside in the outdoor event space.
 - iii. Activities related to the ice rink:
 1. Sunday through Thursday from 8:00 a.m. through 8:00 p.m.
 2. Friday and Saturday from 8:00 a.m. through 9:00 p.m.
 3. Federal holidays and the day prior to a federal holiday from 8:00 a.m. through 9:00 p.m.
 4. Music may be allowed through a speaker system but shall be kept at a reasonable decibel level so as to not disturb the neighboring properties.
 - iv. Activities related to the outdoor recreation uses
 1. September 1st through October 31st
 2. Sunday through Thursday from 8:00 a.m. through 8:00 p.m.
 3. Friday and Saturday from 8:00 a.m. through 9:00 p.m.
 4. Federal holidays and the day prior to a federal holiday from 8:00 a.m. through 9:00 p.m.
 - e. All parking spaces/lots, drive aisles, roads and storage areas not associated with agricultural uses shall be paved with asphalt or concrete.
 - i. Grass overflow parking shall be allowed from September 1st to October 31st only on Saturdays and Sundays, only once the paved parking spaces are full as shown on the attached plan as **Exhibit A**. Parking attendants shall be used to direct traffic.
4. Access to local Town roads (including but not limited to Block Rd. and Gentry Dr.) shall be prohibited except for emergency purposes only. Access shall only come from CTH KK.
 5. Any changes to the general layout and operations as shown on the attached plan shown as **Exhibit A** shall require review by Town staff. If it is determined the

changes are significant (such as new uses, buildings, change in operation locations) a new special exception approval may be required.

6. The Plan Commission may review the Special Exception from time to time when it believes there are concerns or issues with the operation of the Special Exception. The Plan Commission shall request the Special Exception be reviewed at a public meeting and shall notify the property owner at least 5 days prior to the meeting to allow them to be present to have a discussion with the Plan Commission. The Town may amend the Special Exception after complying with its procedures for Special Exceptions in Section 525-13 of the Zoning Ordinance.
7. If there are more than three (3) violations per calendar year the Special Exception may be revoked in whole or in part.

Adopted this 17th day of March 2026



Joseph Coenen, Town Chairperson

ATTEST:



Cynthia Sieracki, Clerk

Motion to Approve Resolution 2026-04 made by: *Coenen/Olson*

Votes:

Title	Name	Aye	Nay	Other
Supervisor I	Olson	X		
Supervisor II	Knuppel	X		
Supervisor III	Rottier		X	
Supervisor IV	Meyer	X		
Chairperson	Coenen	X		

Posted: March 23, 2026

