

**Minutes**  
**Warrensburg Zoning Board of Appeals**  
**May 12, 2011**

**Board Members Present:** Donne Winslow, James Cooper, Mark Morey, Harold Moffitt

**Member Absent:** Alan Hall, Sr.

**Others Present:** Brad Jamison, Patti Corlew

**Meeting Commenced at 7:00 p.m.**

Mr. Cooper - This is the May 12, 2011 meeting of the Zoning Board of Appeals for the Town of Warrensburg. I'm going to call the meeting to order at this time. The first item of business on the agenda is the roll call. Let the minutes reflect that Mr. Moffitt, Mr. Morey, Mrs. Winslow and myself are seated and present. We'll move onto the next item of business on the agenda, which is the review of the previous meeting minutes of April 14, 2011. Do any board members have any modifications or changes they want to make in the minutes?

Mr. Morey - I do.

Mr. Moffitt - You saw it too?

Mr. Morey - Okay. I'm listed as present and absent. You can remove me from the present list.

Mr. Moffitt - And I'm not listed at all.

Mrs. Corlew - You're not?

Mr. Moffitt - Nope.

Mrs. Corlew - Alright. So, okay..

Mr. Cooper - Any other changes?

Mrs. Corlew - So Mark, you were here?

Mr. Morey - I was not here.

Mrs. Corlew - You were not here. And Harold was. Okay. That's right. You had that meeting, huh?

Mr. Morey - Yes, training.

Mr. Cooper - Any other amendments or corrections? Alright, let the record reflect that the minutes of the meeting of April 14<sup>th</sup> are approved by consensus of the board. The next item of business on the agenda is matter of 2009-1, matter of Brad and Terri Jamison. Is Mr..? Damn.

Mrs. Corlew - Belden.

Mr. Cooper - Belden. Is he coming tonight?

Mrs. Corlew - Not tonight, no.

Mr. Cooper - Oh, okay. Mr. Jamison, I see you're here. That's who you are, right?

Mr. Jamison - Correct.

Mr. Cooper - We're all two years older and our memory's not as good as it was two years, I suppose. Let me explain to you the purpose of the proceeding. And that is, that two years ago this Board granted you a use variance, you and your wife, to use the property in a Riverfront Commercial district for light manufacturing with offices, a demonstration area and public recreation area. And we were concerned at that time that the, the manufacturing in particular would be noxious to your neighbors and cause fumes and a disruption of their quality of life, and we reserved the right two years later, to revoke the use variance if things turned out that way. Did any of the neighbors get notice of this proceeding, Patti?

Mrs. Corlew - No, but Chris did try to call the, the residents right in front there and couldn't get a hold of them.

Mr. Cooper - Okay.

Mrs. Corlew - And basically, the other places around them are commercial and he didn't feel the need to contact them.

Mr. Cooper - We're going to take testimony from you tonight. Is that alright?

Mr. Jamison - Sure.

Mr. Cooper - Would you raise your hand please? Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. Jamison - I do.

Mr. Cooper - Okay. Now, Mr. Jamison, what have you done since two years ago when we gave you this use permit? How have you implemented your plans to bring this business into being?

Mr. Jamison - Fixed, put a new roof on the building, painted it, generally did some minor renovations and set up my manufacturing and court, basically.

Mr. Cooper - Play court?

Mr. Jamison - Yeah.

Mr. Cooper - Have you been manufacturing since that time?

Mr. Jamison - Yeah.

Mr. Cooper - Have you been manufacturing products for sale or just experimentally?

Mr. Jamison - Well, the products for sale. Whether I sold 'em or not is, is another story.

Mr. Cooper - Do you have any employees, other than yourself and your wife?

Mr. Jamison - I do, intermittently. I do at this time. In general, it's intermittent.

Mr. Cooper - Could you explain to us the volume of your production to get, so we can get our arms around it, what's going on?

Mr. Jamison - Minor, as minor as you can imagine. (Inaudible).

Mr. Cooper - So you were going to manufacture a product which is like a giant shuttlecock to our, our ken, at least our understanding.

Mr. Jamison - Correct.

Mr. Cooper - And do you have any way to quantify that. How many do you manufacture a year, a month or the last two years?

Mr. Jamison - Under a hundred.

Mr. Cooper - Okay. And have you sold any?

Mr. Jamison - Not specifically, no. Not recently.

Mr. Cooper - So are they all in inventory, that type of thing?

Mr. Jamison - Yeah. They're generally in use, given away, that sort of thing.

Mr. Cooper - Now, have you... What is the level of visits to this property by customers or interested members of the public? How frequently do they come?

Mr. Jamison - We're not really inviting the public at this time.

Mr. Cooper - How, what hours do you, are you open, if any?

Mr. Jamison - Whenever I'm there.

Mr. Cooper - So it, there's no set business hours for you?

Mr. Jamison - There's no, there's no invitation to the public, so no 'cause I'm generally working there by myself. It's open when I'm there.

Mr. Cooper - So if somebody wanted to go buy one of your shuttlecocks, they'd just be taking their chances that you'd be there, is that it?

Mr. Jamison - Yeah. I don't, since we don't advertise any products for sale there, I doubt they'd come there to purchase (inaudible).

Mr. Cooper - Has, have you conducted any games 'cause that was part of your..?

Mr. Jamison - Yeah. We have, ya know, enjoyed testing and, the product and playing games at the facility on occasion. That's generally all I see that we're out to do. At this point, I don't see this really going public per se other than just trying to create a team (inaudible) ya know, a gym, a training facility for the, the product.

Mr. Cooper - Do people strike this shuttlecock with a racket or their hand?

Mr. Jamison - Depending on the size, I have a small one for rackets and bigger ones for our hand, hands, and bigger ones for feet (inaudible).

Mr. Cooper - It's like a Hacky Sack kind of game?

Mr. Jamison - That's the biggest one.

Mr. Cooper - Members of the board have any questions of Mr. Jamison? Jameson, I'm sorry.

Mr. Jamison - Jamison is right.

Mr. Cooper - Pardon me?

Mr. Jamison - Jamison is right.

Mr. Cooper - Jamison?

Mr. Jamison - Yeah. No "E". Jameson's the whiskey.

Mrs. Winslow - Where do you see this going in the future?

Mr. Jamison - To the top. I personally see it as a, ya know, a quality sport that will make it into the Olympics. When it gets there, it's anybody's guess.

Mr. Cooper - You'll have to speak up so the mike can pick up your statements so that they can be transcribed. Do you mind?

Mr. Jamison - No, I don't mind. Yeah, when, when it might... I don't think that was the question anyhow. Specifically where do I see it going here in Town?

Mrs. Winslow - Hm.

Mr. Jamison - I don't see it going anywhere particularly in town other than as a manufacturing and a training facility. Yeah, that covers it.

Mr. Cooper - When you did manufacture, did you receive any comments from your neighbors or any, one way or the other?

Mr. Jamison - No. Yeah, now I, I cleaned up my operation from what it was, which was sparkly clean and now it's window clean. No, VOC's at all coming, coming out of my epoxy, so I'm real happy with the, with the general production (inaudible) as far as its cleanliness goes, it's (inaudible). (Inaudible) non-stinky product that I'm producing and it doesn't (inaudible).

Mr. Cooper - Do you wear any special respirators or any equipment like that when you're making it?

Mr. Jamison - No, no. I've got no VOC's (inaudible). Not that it's across the board or anything, but ya know, I have, I have some things that I, ya know, I vent. I have a, an exhaust fan. (Inaudible).

Mr. Cooper - I noticed that you... Did you paint the exterior of the structure?

Mr. Jamison - I did.

Mr. Cooper - It looks better than it did before you came along.

Mrs. Winslow - Hm hm.

Mr. Jamison - I had to laugh when I saw that I called that Enter Play Sports insomuch that's been my corporate name for quite some time and it might not have been understood by the town (inaudible).

(Inaudible) enter, play sports (inaudible) kind of cute that way.

Mr. Cooper - Keep your voice up please.

Mr. Jamison - The birdhouse, and if anyone took offense to that, I apologize, but I figured the birds have lived there long enough (inaudible) and I figured it'd be okay if I named it after them.

Mr. Cooper - I don't understand that last statement, but I don't think it has anything to do with the issue before the board here.

Mr. Jamison - Yeah. Well, I, I painted the word the birdhouse on the building to which someone had taken offense to.

Mr. Cooper - Oh, this was like your shuttlecock, this was a play on words? Is that what you're saying?

Mr. Jamison - Yeah, well, I don't know. There was a lot of bird doo doo in the building, so... I made birds there, ya know...

Mr. Cooper - Okay. Anything else?

Mr. Morey - No.

Mr. Cooper - Alright. I'm going to move that we, we, we find that there's no reason to revoke the special use permit at this time and that we do not extend the review period for any period of time and that we leave the Town to its, its industrial district, light manufacturing district regulations which this property is subject to because of our earlier findings. So I guess the short of the resolution is I'll move that we find that there's no reason to revoke the use variance there hence. Is there a second?

Mr. Morey - I'll second.

Mr. Cooper - Discussion? Mr. Moffitt, your vote in the affirmative to find that there's no reason to revoke the use variance which this Board granted two years ago?

Mr. Moffitt - I don't see a reason not to.

Mr. Cooper - Mr. Morey.

Mr. Morey - I vote yes.

Mr. Cooper - Mrs. Winslow?

Mrs. Winslow - I vote yes.

Mr. Cooper - And I vote as well.

#### **RESOLUTION #2011-4**

Motion by: James Cooper

Second by: Mark Morey

**RESOLVED**, that the Zoning Board of Appeals find that there is no reason to revoke the use variance granted in 2009 for application #2009-1 by Brad & Terri Jamison, for tax map #211.17-5-13.1 & 13.2 to allow use of a light manufacturing facility with offices, demonstration area and a public recreation facility.

#### **DULY ADOPTED ON THIS 12<sup>TH</sup> DAY OF MAY, 2011 BY THE FOLLOWING VOTE:**

Ayes: Donne Winslow, James Cooper, Mark Morey, Harold Moffitt

Nays: None

Mr. Cooper - So I guess you're done with us for now.

Mr. Jamison - Yeah. I'd like to say for whatever purpose that I do feel at one with the building and hope to take care of it for a long, a good long time.

Mr. Cooper - Well, we wish you luck. We hope you become the next Bill Gates of the recreation industry, but there's nothing more we can do to help you. So (inaudible) Godspeed and good luck.

Mr. Jamison - Thanks a lot.

Mr. Cooper - Is there anything else before the board tonight, Patti?

Mrs. Corlew - No, there isn't.

Mr. Cooper - Okay. Then we'll... And you don't have anything on next month's agenda?

Mrs. Corlew - Not yet.

Mr. Cooper - Okay. Then we'll adjourn until you'll call for the next meeting.

**Zoning Board of Appeals meeting adjourned at 7:15 p.m.**

Respectfully submitted,

Patti Corlew  
Recording Secretary

Zb05122011

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Ayes: Donne Winslow, James Cooper, Mark Morey, Harold Moffitt

Nays: None