

Big Up Festival Post Review Report

INTRODUCTION

The “Big Up” was a temporary music, art, and camping festival held during August 8-11, 2013 at 2177 County Rte.11, also referred to as the “Hemlock Hollow Farm”, in the town of Claverack, NY.

- Sam Wright is the property owner of the site.
- Shireworks Productions Inc. of Ghent, NY is the producer and promoter of the Big Up festival. Shireworks is represented by Daniel Zach Levy and Jackie Eaton.

One of the Planning Board conditions for approval of a Special Exception Use permit for a “Recreational Commercial Outdoor Facility” was the participation of the promoters at a Post Review meeting, which was held September 30, 2013. Jackie Eaton provided information in answer to questions previously given to her (see below), followed by information from Stan Koloski (Town Code Enforcement Officer), and Paul McCreary (Town Engineer). This was followed by comments from the public: some were verbal and others written. The minutes of the meeting are available on the town web site.

CULTURAL BENEFITS

The following briefly describe the cultural benefits to the Town of Claverack and Columbia County resulting from the Big Up festival.

- The music performances encompassed a wide range of electronic styles.
- Per Jackie Eaton, the festival was seen as a success according to the industry standard, the media, and the sponsors. The total attendance was approximately ½ the planned attendance of 4600, with a little over 2000 attendees, due to weather and other factors.
- Per Bob Mansfield, owner of the Vanderbilt Restaurant and Hotel -- very close to the festival – stated it was a benefit to be able to meet so many different people from around the country and around the world that stayed at the hotel during the festival. 25+/- performers staying at the hotel were polite, courteous, and even though they looked a little different he found them interesting to talk to. Positive experience.
- Per Max Zacker – attendee and attorney in Hudson -- stated that he supports the festival; he has attended in the past and attended this year. He stated that the festival had great performers and kind, festival attendees. He hopes the TOC allows the festival in the future.

ECONOMIC BENEFITS

An independent assessment of the economic benefits to the town of Claverack has not been made. The following briefly describe the economic benefits to the Town of Claverack and Columbia County resulting from the Big Up festival.

- Per Jackie Eaton, the Big Up Festival had local expenditures in the County of \$160, 489.51. Included in the list was \$13,243.00 for Sheriff's office and \$850.00 for Town and County fees.
- In addition, Jackie showed staff expenditures locally over \$20,000 for travel, meal, etc. and stated that Sam Wright had spent a great deal of money to hold the event on his property.
- Adam Amrod – from Chatham and a performer at the festival – stated that the festival opened up opportunities for him that are financially beneficial.
- Tom Decker stated that he owns the property next to Sam Wright and would welcome it again. Also, he stated that the county and town could use the money gained from the event.
- Carolyn Stern – Philmont -- wrote in a letter to the Planning Board "I have no objection to the Big Up Festival." She continued that festivals are a common source of income in the Hudson Valley and that music festivals have been occurring regularly worldwide for decades and that festival venues can benefit local restaurants, convenience shops, inns, motels, Bed & Breakfasts, artisans, farms, etc. She also stated "One way of bringing in revenue without selling off land for housing development can be festivals. Very low impact. In a few days they are gone and the land remains intact." She also wrote that Philmont businesses had decreased sales the weekend of the event (she believes this was due to overly zealous Police presence).

CONSIDERATIONS TO BE ADDRESSED BY THE PLANNING BOARD

The general considerations to be addressed by the Planning Board for permitting any Special Exception Use are stated in Section 16.6.1, page 126 Town of Claverack Zoning Law as follows: “Planning Board shall take into consideration the public health, safety, and general welfare, community character, agricultural protection, and environmental protection in addition to the comfort and convenience of the public in general in the Town and of the immediate neighborhood in particular”.

The information forthcoming at the Post Review has been organized based on the Items 1 – 11 listed in Section 16.6.1 of the TOC Zoning Law. Page 127 states: “the Planning Board shall also consider the following:”

Item 1: “Traffic access”

- Was traffic flow hazardous or significantly impeded in the area near the festival during arrival day (Thursday)? During festival performance days (Thursday evening thru 6:00 AM Sunday morning)? During departure day (Sunday)?
 - Jackie Eaton stated that to her knowledge there were no traffic issues.
 - Adam Peck – 50 Norwood Road – submitted a written comment stating that he did not feel any traffic impact.

Item 2: [Interior] “Circulation” [on the site]

- Was the flow of pedestrians and vehicles unhindered? Was the layout for spaces and driveways convenient and conducive to safe operation?
 - Per Jackie Eaton, the site plan worked as expected.
- Was the staff easily able to get to their destinations as needed?
 - Per Jackie Eaton, staff access was fine.
 - Per Columbia County Department of Health “Event Summary Report”, the event staff was equipped with hand held radios for continuous communication during the event and a sufficient number of golf carts were provided for site mobility.
- Was the flow adequate for medical and emergency vehicles?
 - Per Jackie Eaton, the site plan worked as expected.
- Was the parking and truck loading spaces adequate and conducive for safe operation?
 - Per Jackie Eaton, truck packing-unloading-packing was fine.
- Was the plot area sufficient, appropriate and adequate for the festival site use?
 - Per Jackie Eaton, the site was adequate for the festival.
 - Per Columbia County Department of Health “Event Summary Report”, campsites were adequately marked with provisions in place to maintain separation distances as specified under the terms of the waiver issued.
- Was the temporary bridge safe and useful?
 - Per Jackie Eaton, the bridge worked as expected, with festival goers using the bridge and not going into the Agawamuck Creek.

Item 3: “Character and appearance”

- Is the site suitable for the location of such use in the community?
 - Per Jackie Eaton, the Hemlock Hollow Farm site was perfect for this type of event because it is close to a commercial/industrial use, the lack of residential neighbors, and good road access (Taconic State parkway, Route 23, etc.).
 - However, many neighbors felt the site was unsuitable because of the negative impact on their enjoyment of their properties.
- Is the character and appearance now, after cleanup completed, in general harmony with the surrounding neighborhood?
 - Per Jackie Eaton, the property and surrounding area was cleaned up after the event and looks as good if not better than it did pre-festival.
 - On August 15, 2013, Katy Cashen (Town Board) and Brian Goodrich (Planning Board) visited the site and observed the cleanup was complete.

Item 4: “Historic and natural resources”

- Was there any significant impact to any historic or natural features on or near the festival site?
 - Per Jackie Eaton, there was no impact, it being a temporary festival.

Item 5: “Level of public service”

- Were the water supply, sanitary sewage facilities (port-o-lets and showers) and trash removal on the site adequate throughout the 4 day duration of the festival?
 - Per Columbia County Department of Health “Event Summary Report”, three 5000 gallon capacity tankers with chlorinated drinking water were provided onsite by a NHS licensed water hauler from a DOH approved water source as required. The tankers were located adjacent to the camping and food vendor areas. Adequate chlorine residuals were obtained by DOH staff on site.
 - Per Columbia County Department of Health “Event Summary Report”, portable toilets and hand washing stations were provided accordingly in excess of the number recommended by DOH based on the proposed capacity. The units were provided and adequately maintained by Big Top Rental of Cairo, NY.
 - Per Columbia County Department of Health “Event Summary Report”, Columbia County Solid Waste Refuse collection containers were available throughout the site with two 30 yard dumpsters for central collection of garbage and recyclables.
- Was the lighting on the site adequate during the evenings and overnights?
 - Per Jackie Eaton, lighting was adequate and did not cause any electrical outages in the area.
- Was there any impact to availability of public services (for example, mail delivery, trash removal) in surrounding areas?
 - Per Jackie Eaton, there was no impact.
- Other – Arrests for drugs.
 - Per Register Star, there were 27 drug related arrests. Per Jackie Eaton, 17 (see below: 12 + 5) were for possession of marijuana.
 - Per the New York State Police, there were 6 arrests on the festival site for selling narcotics to undercover NYS Troopers. Per the Register Star article of August 13, 2013, 3 were arraigned in Livingston Town Court, 2 were arraigned in Claverack Town Court, and 1 was arraigned in Greenport Town Court. Also, all 6 were remanded to Columbia County Jail in lieu of cash bail.
 - Per the New York State Police, the other 21 arrests were made on nearby roadways. Note: the majority of these were during individual vehicle stops, not at the road block which had been set up during Thursday on County Route 11 as part of a federal grant program for safe driver checkpoints. Only those individuals who stated they were in Columbia County to attend the Big Up festival were included in the list of 21.
 - Per Register Star article of August 13, 2013, of these 21 arrests:
 - 12 people were charged with Unlawful Possession of Marijuana, a violation, and issued an Appearance Ticket returnable in Claverack Town Court. (Note: these people will NOT have a criminal record resulting from this arrest.)
 - 9 people were charged with criminal possession of a controlled substance (5 of these were also charged with Unlawful Possession of Marijuana). 8 were arraigned in Claverack Town Court and 1 was arraigned in New Lebanon Town Court. 4 of the 9 were remanded to the Columbia County Jail in lieu of cash bail; the other 5 were released on bail.
 - Per the Register Star article of August 27, 2013, there was significant cooperation of the Claverack Town Court Judge Brandon, the District Attorney’s office, and the Public Defender’s office in preparing for the festival event -- an arrangement was worked out whereby both offices would be present at arraignments in the Claverack Town Court for all drug arrests related to the concert from Thursday night into Sunday. [Note: this information is included in this report in order to understand the full impact of the festival on the judicial system.]
 - TOC ZBA member Steven Melnyk stated that he felt that the Town’s resources were taxed by the number of arraignments that Claverack Town Judge Mike Brandon held because he was very busy. Mr. Melnyk stated that the 27 arrests reported are not a non-issue and that if this is the result of ½ the planned attendance then what would have happened if the full amount of attendance was realized. Mr. Melnyk stated that if the festival is held again and the attendance increases so will drug arrests.
 - Carolyn Stern – Philmont -- wrote in a letter to the Planning Board “My neighbors and I were concerned by what appeared to an over zealous police presence during the Big Up Festival.”

Item 6: “Emergency Services”

- **Emergency Services:**
 - Per Columbia County Department of Health “Event Summary Report”, at the request of CC DOH for increased oversight of emergency medical services provided during the event and to lessen the potential impact on the Columbia County Mutual Aid System, a separate “Permit to Operate a Public Function” under Part 18 of the NYS Sanitary Code was obtained by Shireworks Productions, Inc. from the NYS DOH. Omni Medical Care was contracted by the event promoter and was present on-site and adequately staffed and supplied for the duration of the event to provide emergency medical and first aid services. A site visit to check on their operations was conducted by a NYS DOH Sr. EMS Representative who advised there were no violations or other issues noted at the time of his visit and all appeared to be in compliance with applicable sections of part 18 of the NYS Sanitary code.
 - Per Columbia County Department of Health “Event Summary Report”, a Part 18 Public Function Event Report was submitted following the event by the promoter as required. The report indicated a total of 47 patients were treated by the onsite EMS provided during the event.
 - 30 were treated for minor injuries (cuts, scrapes, bee stings).
 - 12 were treated for minor illnesses (sick, weak, heat).
 - 5 were treated for signs or symptoms of intoxication or substance abuse. 3 of the 5 were released into police custody.
 - There were no major injuries or major illnesses or deaths reported.
 - No patients were reported to have been transported from the Omni Medical Care EMS site to local hospitals.
 - Per Jackie Eaton, there were two calls to 911 from the festival site, both resulted in ambulance transportation. One of these calls occurred several hours after the conclusion of the festival on Sunday.
- **How many drug related incidents were seen by the on-site medical facilities? Which drugs?**
 - There were 5, see above.
 - New York State Police Trooper Guy stated that the drug amounts for this festival were not excessive but that the NYS Police were acting more as a deterrent of such activity.
- **How many non-drug related medical incidents occurred? What types?**
 - There were 42, see above.
- **How many people required transportation to a hospital? How many to each hospital?**
 - There were 2, see above.
- **What were the average and longest medical response times for Supplying basic first aid? Supplying Advanced Life Support? Evacuation to a medical facility?**
 - Per Jackie Eaton, festival goers received quick response to emergency calls because of the emergency plan, communication facilities, the staff members were well trained for emergency situations and advanced life support measures were not needed.
- **Was the entire site readily accessible to emergency vehicles?**
 - No comments were submitted.
- **Were the on-site medical facilities (staffing, equipment) adequate for the number and type of medical incidents?**
 - Per Jackie Eaton, the on-site EMS was staffed by physicians, nurses and EMTs 24/7 for the duration of the festival event and was not very busy with only 47 cases treated.
- **Was the Helipad used? How many times? Was it adequate?**
 - Per Jackie Eaton, the Helipad was not used.
- **Was there any impact to availability of EMS or fire protection to the surrounding areas?**
 - No comments were submitted regarding any impact to EMS or fire protection.

Item 7: “Nuisances” [to nearby property owners or occupants]

- Was the sound level properly managed?
 - Jackie Eaton submitted 3 photos of meter readings plus 4 other readings. There were 4 other sporadic readings on the site, ranging from 55 to 62 decibels. There were 3 readings at Dunbar Rd, ranging from 53 to 60 decibels. However, note that the PB approved a Resolution on July 1, 2013 which included the following condition: “It is strongly recommended that the applicant install a continuous noise monitor located at the Off-Axis Property Line (approximately 300 feet north of the Main Stage) as referenced in the January 5, 2013 Noise Management Plan prepared by Atomic Professionals Audio, that records all noise measurements in a printable or downloadable format and make the data available to the Town upon request.”
 - Note that the January 5, 2013 Noise Management Plan, on page 3, included a color map which showed less than 60 decibels sound should emanate from the festival site with the exception of several hundred feet onto the property immediately to the North (owned by Adam Peck). Also, per the Planning Board Minutes of February 4, 2013, Jackie Eaton “informed the Board that the noise levels have been researched by the Atomic Pro Audio group and found to be no louder than 60 decibels that would be spilled from the site.” Also, per the Planning Board Minutes of March 4, 2013, “Ms. Eaton stated that the neighbors should not hear any higher sound than approximately 60 decibels which are no louder than a normal speaking voice.” Also, the July 1, 2013 Resolution stated that the festival shall “implement noise control measures ... with sound check of periphery by the TOC CEO to confirm level is not over 60 decibels.”
 - Stan Koloski, TOC Code Enforcement Officer, submitted a table of 18 sound level readings taken on three nights between the hours of 8:00 pm to 10:30 pm. The readings were taken encircling the stage areas; there were some low readings of 50+ decibels but did get reading of 70 decibels at the Boyle’s residence and 72 decibels at Stevers’s Crossing road.
 - Paul McCreary, TOC Engineer, showed a topology map of the surrounding area with Stan’s sound readings plotted. He stated that, based on the distance of these readings from the main stage, the amplifier output was between 85 and 95 decibels. Also, based on a good educated analysis, Paul stated that the sound level at the closest point to the festival perimeter was closer to 70 decibels, and that 70 decibels is twice as loud as 60 decibels.
 - Jeff Baker, attorney representing TOC, stated that since Ms. Eaton’s noise readings do not show continuous meter readings so her data is incomplete and cannot be reviewed.
 - Jackie Eaton stated that the sound meter reading report needs to be revisited.
- Did the sound level from midnight to 6:00 AM unduly affect the nearby neighbors? The surrounding area?
 - Per Bob Mansfield, owner of the Vanderbilt Restaurant and Hotel -- very close to the festival – noise was not an issue.
 - Per Kim Keil – Dunbar Road resident and TOC ZBA member – speaking for herself and several of her neighbors, the noise level was unacceptable on Dunbar Road and that the noise was very loud especially during the late night and early morning hours. The event made her feel unsafe and that she felt the need to take extra precautions to protect her home. In her opinion the festival is a nuisance and she is not supportive of the event.
 - Deb Barber – neighbor next to Premium Packaging – stated that she could not hear the music very well.
 - Fredericka Wright – neighbor of the festival – informed the Planning Board that the noise was minimal at her house on Dunbar Road. She stated that one night during the festival she did hear and feel the bass but it did not bother her. Also, that she lives alone and she still felt safe.
 - Diane Creed and Damon Clift – 362 Rodman Road, Hillsdale, NY – strongly objecting to the festival. Although they live 7 miles away from the festival site, the constant, incessant, bass from the festival was an invasion of their privacy and right to peace and quiet. They had guests visiting who were awake until 5:00 AM Sunday morning because of the constant bass beat from the festival. It was uncomfortable to them all. Most important, their female Labrador mix dog has been having severe anxiety issues since the festival started; Saturday into Sunday being the worst. The bass has triggered not only perpetual anxiety but also triggered epileptic tremors; she is constantly fearful of every sound, hiding behind them and always shaking. The veterinarian has the dog on epilepsy medicine as well as Zanax for anxiety! This all because of the festival and is completely unacceptable. They stated “there must be a time limit placed on the hours that the musicians can be allowed to play. Eleven pm is late enough for those of us that are farmers.” And “Please do not even consider allowing this to happen again next year!”
 - Christine Hales – Maple Ave, Philmont – submitted the following on “neighborsforclaverack”: “Woke up to very loud drumming at 6:00 AM Sunday morning”
 - Liz Hanellin – house about 2 miles away from the festival site – wrote an email to TOC Supervisor Robin Andrews. She wrote that on both Friday and Saturday nights she and her boyfriend heard music and felt the bass sounds resonating between approximately 11:00 pm and 3:00 am, ruining two nights’ sleep. She stated that even New York City places limitations on both decibels and bass noise from music at night between 10:00 pm and 7:00 AM, and if limitations are not possible then this is not the right place for the Big Up festival. She

concluded in the future “please limit the performance times to reasonable hours and please keep the decibel level and bass noise under control.”

- Fran Martino – 9 Railroad Avenue, Philmont – wrote an email to Gretchen Stearns stating that the festival noise was heard at 12:15 am, 2:30 am, and 3:15am on Friday; sleep was again disturbed at 3:15 am Saturday morning. Further stated “please reconsider the decibel levels allowed and time frame for music to be played”.
- Joe Baker -- 31 Madonia Road – via email to Planning Board Secretary Jodi Keyser wrote that the event was clearly audible the entire weekend and was especially loud on Friday evening and night and Saturday afternoon, evening and night (these were the times they were home). They were especially disturbed by loud music on Friday night / Saturday morning and on Saturday night / Sunday morning, basically between the hours of 6:00 pm to 2:00 am. He stated that the noise was much louder than a speaking voice and the bass notes especially could be heard and felt throughout that time and that he believes that the Big Up Event violated the conditions set out by the Planning Board with regard to noise and sound levels. He also stated that he hoped that further restrictions would be placed on the decibel level of the music and the hours during which music can be played and performed, preferably limiting music and loud noise to the hours between 1:00 pm and 10:00 pm.
- Carolyn Stern – Philmont -- wrote in a letter to the Planning Board “Perhaps future events should have nighttime limits for performance stages (i.e. quiet after 2:00 am) to be considerate to neighbors.”
- Was the fencing and signage, and security enforcement thereof, adequate to avoid unnecessary impact on neighbors? Were neighbors unduly affected in other ways by festival goers?
 - Per Jackie Eaton, there were no calls to 911 because of traffic or trespassing.
- How many calls were received by the on-site hot-line daily from Noon to 6:00 pm? From 6:00 pm to midnight? From Midnight to 6:00 AM? What were the types of concerns?
 - Per Jackie Eaton’s submitted hotline reports showed calls starting on Tuesday night were for tickets, directions, car pass, and 1 request for a “No Trespass” sign. Note that the Hotline became unplugged Saturday evening until notified by Supervisor Robin Andrews.

Item 8: “Additional safeguards and conditions”

- Was each of the escrow amounts (TOC road restoration costs, Sheriff’s office charges, TOC Attorney and Engineer charges) adequate?
 - Charges did not exceed the escrow amounts for TOC road restoration cost or Sherriff’s office charges. However, the final bills are still coming in for TOC Attorney and Engineer charges.
- Were required Building Permits issued and adhered to?
 - Per Jackie Eaton, all the necessary building permits were applied for and received from TOC Building Inspector as required and there were no stop work orders imposed.
- Were the issued Health Permits adhered to?
 - Per Columbia County Department of Health “Event Summary Report”, there were 9 food vendors at the event site, all had a permit and there were no critical (red) item violations. Also, there were no public health related issues documented overall with regard to this event within the scope of DOH jurisdiction under the NYS Sanitary Code.
- Was the on-site security adequate?
 - Per Columbia County Department of Health “Event Summary Report”, DOH personnel observed Greene Mountain Concert Services the contract private security team on-site at the event. The Security staff members were readily identifiable. Patron vehicles were being staged and searched according to the approved plan by the security team upon entry to the event. The Columbia County Sheriff’s Department was also stationed on-site at the event with mobile command, to assist with event security.
 - Deb Barber – neighbor next to Premium Packaging – stated that she and her husband checked the security out prior to the start of the festival and got an impromptu tour. Ms. Barber continued that she thought that the festival site was beautiful and everyone worked hard to keep it a safe place and she hoped that the festival would come back.
- Were there any instances of unauthorized attendance?
 - None were noted.
- Are there any additional safeguards and conditions to recommend?
 - No comment.

Item 9: “Environmental considerations”

- Were the fencing and signage safeguards, and security enforcement thereof, adequate to protect the Aqawamuck creek? Was there any significant adverse impact of the temporary bridge on the Aqawamuck creek?
 - Per Jackie Eaton, the festival goers were very respectful of the area and of the Agawamuck creek; they remained on the bridge, did not go into the creek, and did not disturb the creek in any way. Adequate signage and fencing had been put in place to protect the creek.
- Was there any increase in stream silt reported downstream from the festival site?
 - None were noted.
- Were there any other adverse environmental impacts on or near the site?
 - None were noted.

Item 10: “Agricultural considerations”

- Was there any significant adverse agricultural impact on or within 500 feet of the festival site?
 - Per Jackie Eaton, agriculture was not impacted.

Item 11: Residential district impact

- Were the arrival, assembly and departure of the festival goers hazardous or unduly inconvenient to nearby residential areas?
 - Per Jackie Eaton, arrival and departure was smooth, neighbors did not report trespassing or damage to property.
 - Adam Peck – 50 Norwood Road – submitted a written comment stating that he has no objection to the festival. He wrote “During this year’s Big Up I felt the festival was run smoothly and with care for local residents. In addition, being a bordering property owner, I didn’t feel any traffic impact or property trespassing thru-out festival.”
 - Larry Manz –133 Main St, Philmont – submitted a written comment stating that he has no objection to the festival.
- Was there any significant adverse impact on the orderly and reasonable use of adjacent properties?
 - There was little impact from NYS Troopers having setup a road block, and doing other road checks on nearby roads.
- Will the future use of the site for a festival “hinder or discourage the appropriate development, and use of, adjacent land and buildings, or impair the value thereof”?
 - Steve Harder – closest neighbor to the festival – stated that the attendees were respectful, that there were some issues that need to be worked out but that he would welcome the festival again.
 - Per Kim Keil – Dunbar Road resident and TOC ZBA member – speaking for herself and several of her neighbors, the noise level was unacceptable on Dunbar Road and that the noise was very loud especially during the late night and early morning hours. The event made her feel unsafe and that she felt the need to take extra precautions to protect her home. In her opinion the festival is a nuisance and she is not supportive of the event. Also, Fran Martino, Joe Baker, Carolyn Stern and others (see above) have concerns about the nighttime limits on sound.
 - These concerns indicate a sense that repeated festivals like this one would change the character of the neighborhood and impinge upon their ability to enjoy the use of their properties.

CONCLUSIONS

With ½ the expected attendees, the following appear to have been adequately handled for this single event:

- Item 1: “Traffic access”
- Item 2: “Interior circulation on the site”
- Item 3: “Character and appearance”
- Item 4: “Historic and natural resources”
- Item 6: “Emergency Services”
 - The EMS facilities on site resulted in little impact to Columbia County EMS and local hospitals. Future festivals of the same or similar nature will require at least the same level of EMS facilities on site.
- Item 8: “Additional safeguards and conditions”
 - Future festivals of the same or similar nature will require similar levels of escrow account amounts for TOC road restoration and Sheriff’s office charges. The escrow account amounts for TOC Attorney and Engineer charges may have to be increased. Also, possible additional escrow accounts for TOC Code Enforcement Officer and Planning Board Secretary have to be examined.
 - Future festivals of the same or similar nature will require at least the same level of review and approval by the various County health, safety and law enforcement departments and will require having the same level of Columbia County Sherriff’s department personnel stationed on site at the event with mobile command to assist with event security.
- Item 9: “Environmental considerations”
 - Future festivals of the same or similar nature will require at least the same level of review and approval by the NYS DEC.
- Item 10: “Agricultural considerations”

However, the following areas need attention by the Town of Claverack Planning Board when assessing future Festivals of the same or similar nature as the Big Up Festival:

- Item 5: “Level of public service”
 - Impact on New York State Police: Due to the expected appearance of marijuana and controlled substances with some festival attendees, the New York State Police made their presence known on the roadways around the festival, making arrests and confiscating those items. They were also on site, with the cooperation of the festival promoter.
 - One result was that there were fewer instances of marijuana and controlled substances on the site, leading to fewer drug problems requiring treatment by the EMS on-site and an overall healthier festival environment.
 - Another result is that attendees at future festivals of the same or similar nature will be less prone to bringing these substances to this site due to an “enforcement reputation” having been established in the social media. However, this requires that the “enforcement reputation” must be maintained by the New York State Police during these future festivals.Whether this level of trooper resource can be allocated during future festivals of the same or similar nature needs to be investigated by the Planning Board. Should an escrow account be required?
 - Impact on Judicial System: Due to the expected appearance of marijuana and controlled substances with some festival attendees, Claverack Town Court Judge Brandon, the District Attorney’s office, and the Public Defender’s office made a cooperative effort to process those attendees who were either given Appearance Tickets or arrested for more serious violations. This required a significant number of person hours by all three groups. Whether this level of judicial resource can be allocated during future festivals of the same or similar nature needs to be investigated by the Planning Board. Should an escrow account be required?
- Item 7: “Nuisances”

- Obviously the sound level (decibels, bass vibration) was not properly managed. Also, the sound level, especially from midnight to 6:00 am, did unduly affect neighbors and the surrounding area. The Planning Board needs to investigate:
 - Establishing what sound levels are allowed to be spilled off site during different times of the day / evening / overnight.
 - Solving the sound level management problem. For example,
 - Secure outside expertise, such as a Sound Engineer (plus an escrow account), to assess the suitability of the site for holding similar festivals and provide guidance to the Planning Board?
 - Require the applicant to install a continuous noise monitor, record all noise measurements in a printable format and make the data available to the town, perhaps even during the festival with penalties imposed for violations?

- Item 11: Residential district impact”
 - Future festivals of the same or similar nature will require at least the same level of fencing and signage.
 - Approval or disapproval of future festivals at this or other sites in the Town of Claverack will need to consider the concerns of neighbors in the vicinity of the site.
 - Having multiple festivals on this site may have the potential to change the character or quality of the existing neighborhood.

Respectively submitted,
Town of Claverack Planning Board
Date Approved: November 4, 2013