

Minutes of AARC February 9, 2022 Meeting

Present

Lori Garkovich, Skip Phillips, Floyd Raglin, Bob Rouse
Pattie Wilson, Planning Director

Also attending: John Wickliffe Faust applicant, Robert Heath owner of Down Home Bourbon and partner with the applicant in the proposed agricultural plant; and, Robert Easley another partner.

Approval of minutes of January 12, 2022 AARC meeting. Moved by Bob Rouse and seconded by Floyd Raglin with all approving.

NEW BUSINESS

Review of Application – 01-002-2022 – John Wickliffe Faust – 11881 Troy Pike – Firegate 141 – A-1 District. Owner is proposing an Agricultural Plant for construction of a distillery and supporting structures for the production of bourbon allowed by Article VII, Section 701.8 (A&G).

Summary of Application

The applicant's farm has been purchased in parcels since 2020 and now encompasses 120 acres of the original 1780 land grant Guyns Farm. The Guyn's Mill Historic District is on the National Register of Historic Places (Reference #83002897). Applicant seeks to build an agricultural plant which will include: a craft distillery to produce bourbon from Dent #2 corn grown on this farm and others in the area as well as 6 warehouses. Furthermore, the applicant will restore the original grist mill as a tasting room and restore the original sawmill as a gift shop that also has a sandwich/salad/soup snack bar.

Observations from January 24, 2022 site visit

On Monday, January 24, 2022, members of the AARC (Lori Garkovich, Skip Phillips, Floyd Raglin, Bob Rouse) and the Planning Director (Pattie Wilson) visited the site. Several members of the public from the Troy area also attended the site visit.

Prior to the purchase of the property, it had not been operated as farm for over a decade with no active land management. Even after two years of aggressive clearing, a significant portion of the property is still losing to invasive species. Currently, approximately 30 acres of the property along Troy Pike are being farmed for hay. This is where the applicant intends on raising some of the Dent #2 corn to be used in the distilling process.

As you enter the property from Troy Pike you pass through a tree line and then cross a culvert after which the land opens up. On the right is the East Fork of Clear Creek and to

the left is an elevation change of about 100 feet. The visitor parking lot will be built into the side of this sloping hill just before the primary entrance to the distillery.

After passing through the flat land (30+ acres) that will be the primary area for corn production, on the right is the old sawmill that will be renovated into the gift shop. The intent is to have guided tours after which visitors will be able to stop at the old grist mill tasting room and/or the gift shop which will have snacks (e.g., grab and go sandwiches, salads, soups) available for purchase.

Across Clear Creek is the old gristmill that lies immediately adjacent to Pauls Mill Rd. This will be the tasting room. Visitors will only have access to the grist mill over a foot bridge that the applicant intends to restore on the footprint of the original stacked stone bridge. Vehicle access to the tasting room from Pauls Mill will be blocked by appropriate fencing, signage and the absence of any parking spaces at the site to prevent distillery traffic from parking on the side of Pauls Mill Rd.

Continuing west on the lane, is the site for the craft distillery. The applicant's intent is to arrange for a neighboring farmer to take stillage from the distilling process to use as feed. Visitors will be able to tour the distillery and observe the production process. The applicant does not intend to host any events on site.

Continuing west, the lane will be extended to the back of the property where a maximum of six warehouses (no taller than 26' tall at the peak) will be within a heavily wooded area with a significant elevation. The warehouses will be built over time, approximately one every 2-3 years. An additional similar sized building will be located in this area for the bottling lines and equipment storage.

The geographic features (e.g., wooded sightlines, internal stands of woods, frequently changing elevation, numerous rocky outcrops) of the land will make it difficult for neighbors to see the operations of the distillery or the warehouses. Indeed, during the site visit, the committee could see only the roof of the barn on the farm to the south and one house to the north that sits on a cliff high above Pauls Mill Rd and looks down onto the front portion of the applicant's farm. Moreover, the farm opposite the entrance to the applicant's property is to the left of the existing driveway and elevated above Troy Pike with a screen of large trees along the right of way.

The lane will be widened for truck traffic and constructed with "TrueGrid Pavers" as will the parking areas for visitors and employees. These are pervious pavers and will be used to reduce the amount of stormwater runoff from the expansion of paved areas on the farm. Water run-off from the roofs of buildings and roads will be directed to bio-retention pond that will not only serve as natural filtration of surface water, but also will be used to naturally cool the piping used in the distillation process. Spillage basins will be installed around all sites producing or holding the distilled product per state requirements.

Currently there is the original entrance to the farm on Troy Pike. However, there is a second already approved access from Troy Pike. Moreover, with the acquisition of the

30-acre parcel that fronts both Troy Pike and Curd Rd., there is a potential for two additional access points to the property. It is likely that the second approved drive onto Troy Pike will be developed to provide either separate entrance and exit points for the property or, to focus truck traffic on one access point to Troy Pike and reserve the original access for visitor and employee traffic. Applicant may develop an additional access point off Curd Rd that would serve the new home to be built for the full-time facility manager and possibly a second seasonal home for the owner.

There is a septic system on site that will need to be assessed by the health department for its functional capacity to serve residents, visitors and employees. The applicant has had the water quality and flow on East Clear Creek tested. The water quality is exceptionally high and will serve as a source of water for the distilling process. The flow was estimated to be 2.4 million gallons an hour, and the applicant hopes to be able to harness this energy for their operational requirements, just as the creek once powered the gristmill and sawmill.

The property lines will be clearly marked with no trespassing signs and appropriate fencing.

When fully operational the farm and agricultural plant will:

- Provide about 30 acres of on-site crop land for lease by a local farmer with a guaranteed buyer;
- Purchase bulk specialized corn from regional farmers;
- Provide distillery silage for neighboring cattle farmers;
- Employ 3-7 persons in the distillery, warehouse and bottling operations;
- Employ 2-4 seasonal part-time workers to manage visitor activities;
- Employ a security guard or two;
- Employ a full-time farm manager; and,
- Host between 50-100 visitors each day it is open.

Addendum to 11881 Troy Pike Agricultural Review Application RE: Post on site meeting and changes to original application

1. John Faust has purchased the 30 acres plat on the corner of Troy Pike and Curd Rd. This will provide total ownership of Troy Pike frontage between Pauls Mill and Curd Rd.

2. Primary entrance for deliveries will be the new cut out on Troy Pike, already approved, which will face in between the two residences on Troy Pike. This is marked on site layout plan. The first entrance on Troy Pike will be used by employees, and owners.

3. The distillery and parking lot have been moved west and to the left if looking at the site layout plan. The purpose of the change is to ensure the white home on Pauls Mill that was built overlooking the farm last year, will suffer minimal to no direct visual negative implications from the conditional approval. Their view will be of farm land and agricultural related activities supporting the distillery. By doing this, no residence, farm owner or local

traffic should have any direct line of site to any of the buildings. If so, it will be minimal and through trees and dense brush. The Parking lot perimeter will be landscaped with a combination of Giant Green Arborvitaes. In addition the south perimeter facing Greene's farm will also have a combination of pines and green arborvitaes planted in between current forest and tree lines, This will minimize both sound and visual distractions.

4. A fence will be constructed along the entire stretch of land owned on Pauls Mill Rd. If a rock fence exists, invasive species will be removed and cleaned up, in between the stone fences, a 3 plank horse fence will be erected including directly in front of the mill so that entire property is fenced in from Pauls Mill Rd, creating security, privacy, and more importantly eliminating any parking potential or need for Distillery employees or visitors to travel on Pauls Mill Rd.

5. Signs will be erected according to ordinance guidelines both in front of Pauls Mill Rd. and just before farm entrance clarifying the entrance to the distillery is past Pauls Mill Rd. This should eliminate the accidental turns onto Pauls Mill Rd.

6. This is not a primary tourism operation because tourism is secondary to the operation of the craft distillery. Owner wants to grow corn and bourbon specific crops with his three young children to be used in micro contract distillery operation. Biowaste will go to neighbor cattle farmer who already confirmed his desire for product.

7. Total number of barrel warehouses is six.

8. Grist Mill will be used for tasting room, connected by a bridge over historic dry stack bridge piers. The Saw Mill will be used as an office and gift shop.

9. If there is anything that was discussed but left off this form, it was done so by accident. There were 25 people asking questions and owner did his best to document the changes directly following meeting.

Public Meeting - Applicant Summary

Mr. Faust explained that the original purpose of the purchase of the farm was to teach his children about farming and commercial agriculture. He intended to have a small bourbon distillery on site.

The old gristmill is planned to be a tasting room accessed with a walking bridge across the creeks and blocked from Pauls Mill Rd with a 3 plank horse fence to prevent parking on Pauls Mill Rd. To redesign and rebuild the foot bridge will require the filing of a stream construction permit with the Division of Water. The environmental impact of the project on the stream will need to be taken into consideration as well.

Applicant will be raising corn on the flat land on the property and all agricultural plant buildings (distillery, 6 storage warehouses, bottling facility) as well as an administrative

building with an apartment for the on-site manager will be on sloped areas and wooded areas to preserve productive land and to protect from the sightline of neighbors.

Applicant will be doing contract distilling based on specific contracts with designated buyers. They can produce a maximum of 70 barrels a day given the size of their distillery.

Access to the property will be:

- Day-to-day entrance on Troy Pike just after Pauls Mill.
- Agricultural plant entrance on the approved second entrance on Troy Pike between the main entrance and Curd Rd.

Robert Heath explained that contract distilling is done on contract with the buyer's recipe and stored in the contractor's warehouse or returned to the buyer for their storage. Hence, some of the product will be stored on the property and some will be shipped to another storage facility as determined by the buyer.

The applicant wants to partner with UK's James Beam Institute to provide learning opportunities (e.g., internships). The applicant will also contact Midway University which also has a bourbon program.

The storage warehouse's capacity will be 4,000 – 5,000 barrels maximum if built with a 48'x96' (28-30' tall) footprint or 6,000- 7,000 barrels maximum and if built with a 60'x96' (31 to 33' tall) footprint. A maximum height of 2 stories will assure so they don't dominate the landscape. The warehouses will be built as pole style barns within which will be metal barrel racks allowing barrels to be 4 tiers or 18 ft high. The distillery will be designed to look like a horse barn. Mr. Heath passed around a picture of what it would look like. He indicated this would be a licensed DSP, Distilled Spirits Plant. It will take 12 to 18 months just to get equipment required to begin distilling.

The primary deliveries will be for: barrels, rye, barley, wheat, bottling needs. As a result, large truck movements on and off the property will be periodic not daily. Stillage will be hauled away as need by a neighboring farmer who has already indicated (as have others) a willingness to take all the available silage for their cattle operations.

In response to a question concerning storm water runoff and bourbon spillage, the applicant noted that according to state regulations, detention capacity for storm water runoff must equal the amount of paved land added to the property around the buildings. Furthermore, the distillery and warehouses must be constructed to meet state and federally required spillage detaining walls, trenches, and spills detention areas to prohibit contamination of existing water sources.

Discussion

Pattie Wilson noted that the rural residential ordinance would allow the applicants' three tracts to have a total of 8 residential units in a cluster following an appropriate zone change allocated as follows:

- 31 acre – 2 residential units
- 31 acre – 2 residential units
- 58 acre - 4 residential units

For the record, Pattie Wilson noted that the Planning office had received 13 letters from the public with respect to this application and these will be forwarded to the Board of Adjustment as part of the Public Hearing for the conditional use permit documentation.

AARC Committee member's scores on the decision tree

- 630
- 675
- 675
- 510
- 622.5 Average score

Motion made by Lori Garkovich and seconded by Floyd Raglin as follows:

Recommend forwarding to the Board of Adjustment for additional review the Application – 01-002-2022 – John Wickliffe Faust – 11881 Troy Pike – Firegate 141 – A-1 & CO-1 Districts which seeks an Agricultural Plant for construction of a distillery and supporting structures for the production of bourbon as allowed by Article VII, Section 701.8 (A&G) with the following conditions:

- Two signs on Troy Pike in each direction PRIOR to the entrance to the applicant's farm indicating the distance to the entry to the farm.
- Primary entrance for deliveries will be the new entrance out on Troy Pike, already approved, which will face in between the two residences on Troy Pike. The first entrance (FG #141) on Troy Pike will be used by visitors, employees, and owners.
- Total number of barrel warehouses is six.
- Grist Mill will be used for tasting room, connected by a bridge over historic dry stack bridge piers. The Saw Mill will be used as an office and gift shop.
- The public entrance must accommodate a vehicle entering and leaving the property at the same time.
- The public bridge must be rebuilt to KDOW approval to accommodate anticipated weight load with new traffic.
- Clearly visible signs must be placed at the public and service entrances to the property.
- Signs must be placed on the portion of Pauls Mill Rd where the grist mill is located telling drivers there is no access to the grist mill or to the farm from Pauls Mill Rd.

- Signage must be placed on the grist mill indicating that the site is not accessible from Pauls Mill Rd.
- The property must have internal signage directing visitors to the parking area and areas open to public access.
- Informational maps of the farm should be provided to visitors to clearly define public areas and those areas of the farm not open to the public.
- Construct plank farm fencing along Pauls Mill Road to prevent parking and access to the property.
- Clearly visible “No Trespassing” signs must be placed periodically on all boundary fences where visitors to the property may walk.
- Appropriate downward shielded lights must be used on all buildings where any lighting is proposed.
- Approval of a Storm Water Management plan and spillage detention plan must be obtained prior to issuance of any Grading Permits.
- Approval of all other local, state and federal requirements for operation of a distillery/agricultural plant must be obtained.
- Approval from the Kentucky Division of Water for a permit to construct along or across a stream.
- ADA accessible restroom facilities must be provided for visitors and employees with septic system approved by the Woodford County Health Department.
- NO events will be permitted.

March 9, 2022 will be a work session for AARC.

Motion to adjourn made by Bob Rouse, second by Floyd Raglin with all approving at 9:33 AM