

**Town of Ancram
Comprehensive Plan Committee Meeting
August 4, 2008
Revised**

Present: Art Bassin, Barry Chase Jim Bryant, Bonnie Hundt, Don Maclean, Kyle Lougheed, Leah Wilcox, Nan Stolzenberg

Absent: None

The Comp Plan Committee meeting was called to order by Chair Art Bassin at 7 PM. In addition to Committee Members, Town residents Hugh and Sheila Clark attended the meeting.

The minutes of the 7/28 meeting was reviewed and approved.

1. CDBG Project: Mr. Bassin reported that the CDBG Project Team had met on 7/30 to review the CDBG Project Plan and Budget. Mr. Bassin also reported that he along with CDBG Project Team member Donna Hoyt, Sue Bassin and Nan Stolzenberg had met at 4 PM on 8/4 with consultants from Laberge and Synthesis to go over the CDBG project plan and budget and to finalize the CDBG effort. Mr. Bassin indicated that the CDBG Project Plan would initially focus on examining the issues related to the 82/7 intersection, the deteriorating buildings in the center of town and the septic issues in the center of town. Mr. Bassin noted that there were some minor issues related to the integration and coordination of the various consultants and some minor budget issues to resolve, which Ms. Stolzenburg would be working on over the next few weeks. Mr. Bassin said the CDBG Application and a draft of the Project Plan and Budget is on the town web site. Mr. Bassin also indicated there would be minutes circulated for the CDBG Project Team, and the minutes would be posted on the Town web site as well along with the Comp Plan minutes.

2. Review of Strategies with Ms. Stolzenberg: The Committee welcomed Ms. Stolzenburg to the meeting. Mr. Bassin opened the meeting up to questions for Ms. Stolzenburg from committee members on any issues related to the strategies document. The following issues were discussed:

a) Agricultural Zoning Districts: Mr. MacLean asked if the possible ag zoning districts would be delineated, and if so, how. Ms. Stolzenburg replied that they could be delineated with specific boundaries and could be defined a variety of ways, depending on how the Committee wanted to define them, including by soil types, by county ag district boundaries, by ag exemption status, etc.

b) Mandatory v. Optional Cluster/Conservation Development Requirements: Mr. Chase asked if cluster and conservation development requirements are best made mandatory, or optional with incentives. Ms. Stolzenburg noted that Warwick, NY had been very successful by making clusters and conservation development techniques work by making them optional with significantly lower permitted densities if clusters and conservation techniques were not used (say one dwelling per 6 acres), and with

substantially higher densities if they were (say one dwelling per 3 acres). Ms. Stolzenburg mentioned that some communities used “density incentives” with approval from the Town Board as way to do “spot zoning” if necessary, but did not recommend this approach.

c) Single Home Site Plan Guidelines -- Mr. Chase asked if individual homes (not multi-home developments) could be required to follow conservation development techniques to preserve farmland, open space and environmentally sensitive areas. Ms. Stolzenburg commented that using site plan review for all development, including single family homes, and establishing site plan review rules to protect farmland individual home construction could help achieve the objective of protecting farm land.

d) How Much “Change” Is Necessary and Appropriate -- Mr. MacLean asked if Ms. Stolzenburg had any experience with Comp Plan efforts which had proposed “extreme” changes to zoning, and if so what the results were. Ms. Stolzenburg commented that one community’s (Rensselaerville) Comp Plan Committee had proposed what the community viewed as an inappropriately extreme set of changes. In this case, the community rejected the Comp Pan, the town was deadlocked and nothing was ever done. Ms. Stolzenburg suggested that we find a balance between what we deemed was necessary to meet the Town’s vision and goals and what was practical politically. She advised coming up with realistic solutions, not perfect ones.

e) Informally Review Comp Plan Recommendations with the Community Before Finalizing Them -- Ms. Wilcox commented that whatever we came up with for zoning changes we should plan to sit down with the Town’s residents and landowners who would be most impacted by the proposed changes so we could talk through the issues before we finalized our recommendations.

f) Major Concepts -- Ms. Stolzenburg commented that there were really only two major concepts to deal with related to zoning. One was “density”, which boiled down to how many homes a given parcel of land (or the entire town) would support. The other was “site planning”, which would determine where the homes would be placed on the land. Clusters, conservation development and site plan review all had to do with where the homes would be placed.

g) Environmental Constraints -- Mr. MacLean commented that excluding environmental constraints had a major impact on density, and suggested we look at a map of environmental constraints and decide which ones we should consider excluding. The Committee discussed how to decide which constraints to exclude but came to no conclusions.

h) Development Capacity -- Mr. Bryant noted that based on current zoning rules Ancram had a “capacity” for about 5400 homes. Mr. Bryant also noted that if we excluded all environmental constraints from the computation of potential new homes we would bring the Town’s “capacity” down to about 2400 homes. The Committee agreed to carefully examine the issue of which environmental constraint, if any, to exclude and

why, understanding that this recommendation may have the most significant effect on density of any of the issues we are dealing with, and could cut density by 60%.

i) Transition Rules -- Mr. Chase asked about transitional rules which would give current landowners the ability to use existing zoning rules “one last time” for parcels which would be negatively affected when proposed new rules go into place. An example would be someone owns 6 acres with a one acre pond, and could currently have subdivide into two three acre parcels. If we were to recommend that wetlands and surface water features be excluded from calculating the number of permitted lots, this 6 acre parcel could only support 1 five acre building lot, not two 3 acre lots. Under “transitional rules”, the current owner of this 6 acres could still create two lots of 3 acres. Ms. Stolzenburg commented that this was a common practice and often was done so as to ease the transition to a new set of zoning and subdivision regs.

j) What is the Right Density for Ancram -- The Committee discussed what the “right” density was for Ancram to protect agriculture, farmland and the environment. Ms. Stolzenburg indicated there was no right answer, but the American Farmland Trust had data which indicated when density fell to below twenty acres, farms tended to get squeezed out over time, as residential development impinged on farming and agriculture. Mr. Chase commented we had to be careful about how we protected farmland and agriculture as there were places, like Stanfordville in Dutchess County, where farmland was protected but not used for farming, as there were no farms near by to use the land for agricultural purposes.

k) Regular Comp Plan Reviews -- Mr. MacLean noted that whatever we come up with, we need to have the Comp Plan and resulting revised zoning and subdivision laws reviewed and revised at regular intervals, perhaps every five years, suggesting we do not have to seize all opportunities or solve all problems all at once with this revision to the Plan.

l) Control Number of Building Permits -- Ms. Stolzenburg noted that another way to regulate density and the pace of development was to set a limit on the number of building permits the town issued each year. This is called a “growth management system”. The Committee noted that Ancram has issued about 20 residential building permits per year over the last 10-20 years, and discussed the possibility of setting a limit on the number of permits per year to reflect the Community’s desire, expressed in the survey, to see development over the next 20 years progress at about the pace of the last 20 years.

m) Make the Comp Plan Realistic -- Mr. Bryant commented that whatever the Comp Plan proposes had to be adoptable and embraceable by the Town Board and the Planning Board, and enforceable. Mr. Bryant suggested we did not want to propose anything so extreme that we could trigger a reaction like the one Ms. Stolzenburg mentioned in Rensselaerville.

n) Need Real World Examples -- Mr. Lougheed commented that before we finalize our recommendations we have to develop simple charts which describe what you can do with

parcels by size, based on current zoning and subdivision rules and under the recommended new rules, whatever they turn out to be. He suggested that the Community was not going to understand what we have or what we will have unless we can give them real world examples.

o) Sliding Scale Zoning -- The Committee discussed sliding scale zoning and concluded sliding scale zoning could help create smaller lot sizes. Ms. Stolzenburg noted that the sliding scale could be what ever the Committee recommended, and could permit smaller, lower cost lots on smaller parcels. For example, on parcels under 3 acres, we could allow one house per acre; on 3 to 10 acres parcels, one house on two acres, on 10 to 50 acres one house per three acres and on parcels over 50 acres, one house on 5 acres. Mr. Bryant suggested we develop a chart of how this sliding scale zoning could work. Ms. Stolzenburg commented that with sliding scale zoning the smaller parcels got denser, while the larges parcels stayed more open. Ms. Hundt asked if sliding scale zoning helped preserve farmland. Ms. Stolzenburg replied there is no evidence about this in NY State, but it seems to work in Pennsylvania. Mr. MacLean asked how sliding scale zoning charts were designed, if they could be linear, variable, or different in different zoning districts. Ms. Stolzenburg indicated they could be designed any way the Committee felt was appropriate, and could be designed to reflect the town's current parcel size distributions if that was what the Committee wanted to achieve. She also indicated the Committee could use sliding scale density in ag districts, and net density in conservation districts. Mr. Bryant suggested we look at parcel size distributions on a map, color coding different parcel sizes, and also summarizing parcel sizes on a chart. Mr. Bassin suggested the parcel size categories be the same as we used in the survey.

p) Controlling Density Over Time -- Ms. Hundt asked how we could keep track of density in the future once the development rights had been used up. Ms. Stolzenburg indicated that this control was done at the parcel level and could be noted on Town maps and plats to prevent unauthorized further subdivisions in the future. Mr. MacLean noted that currently when parcels are subdivided under a minor subdivision plan and are later further subdivided, technically the next subdivision triggers a major subdivision review process, but the Planning Board often waives that rule and treats the additional subdivision as a minor subdivision when that makes sense.

q) No Brainers -- Mr. MacLean suggested, and the Committee agreed, that many of the recommendations in the 24 page strategies document were easy to adopt as they dealt with necessary process changes and could be viewed as "no-brainers".

r) NY State Open Space Conversation Plan -- Ms. Stolzenburg presented two pages from the 2006 NY State Open Space Conservation Plan which identified the Taconic Ridge Route 22 Corridor and the Drowned Land Swamp Watershed as priority areas for open space preservation and conservation. Ms. Hundt noted that the Ancram Route 22 Scenic Corridor overlay zone needed to be revised to follow the natural contours of the land, rather than going a fixed number of feet from Rte 22.

s) Drowned Land Swamp Area -- Mr. MacLean commented that much of the land around the Drowned Land Swamp area was already protected, and wondered what we should do, if anything, about the land in the Drowned Land Swamp area not already protected. Ms. Stolzenburg said about 70% of the Drowned Swamp area was protected, and suggested the Committee consider establishing a Drowned Land Swamp Conservation zoning district to protect the remaining 30% of the land in the area. The Committee asked Ms. Stolzenburg to prepare maps showing protected and un-protected lands in the Drowned Land Swamp area. Ms. Stolzenburg commented that using tools like PDR (purchase of development rights) and LDR (leasing of development rights) to protect wetlands like the Drowned Land Swamp area was one possible solution. Mr. MacLean pointed out there was very little money for this kind of thing.

t) Written Responses -- Mr. Chase referred to the written responses to the Committee's questions provided by Ms. Stolzenburg and noted how helpful these responses were. Mr. Chase noted the need to increase the availability of commercial use facilities in town by having combined residential/commercial use buildings, and the possibility of requiring double wide trailers in parts of town. Ms. Stolzenburg commented that Steve Winkley had clarified that his conclusion that Ancram's ground water supply would, on average, support 3.5 acre lot sizes was based on gross acreage, not net acreage excluding environmental constraints.

3. Rank Ordering the Strategies – Mr. Bassin requested the Committee Members come to the 8/11 meeting prepared to rank the strategies for each goal in priority order, and identify the top five most important strategies, and the bottom 5 least important strategies. Ms. Hundt suggested the committee focus on what decisions it needed to make as a first step, and make a list of these decisions before rank ordering the strategies. Mr. Bassin will begin this list and will bring it to the 8/11 meeting for the Committee to review and revise.

4. Next Meetings: 8/18; 8/25, 9/8 (with Nan), 9/15, 9/22, 9/27. The Committee discussed having Ms. Stolzenburg come to a Town meeting in September to review next steps with the Board. Mr. Bryant suggested he and Mr. Bassin could brief the Town Board at the August or September Town meeting on the next steps and the Plan adoption process, using an outline Ms. Stolzenburg indicated she had already prepared and would share with Mr. Bassin and Mr. Bryant by email.

The meeting adjourned at 9:10 PM.