

**Town of Ancram  
Comprehensive Plan Committee Meeting  
September 15, 2008**

**Present:** Art Bassin, Barry Chase, Bonnie Hundt, Kyle Lougheed, Don MacLean

**Absent:** Leah Wilcox

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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 also attended the meeting.

The minutes of the 9/8/08 meeting were reviewed and approved.

**New Committee Members** -- Mr. Bassin noted that Hugh Clark and Suzanne Bressler had responded to the Committee's public notice for new members and expressed interest in joining the Comp Plan Committee. The Committee discussed the candidates and decided to recommend to the Town Board that they both be appointed to the Comprehensive Planning Committee. The Committee discussed the possibility of asking Mr. Sommerhoff if he had time to rejoin the Committee now that the summer was done and farm activities were less time consuming. The Committee also discussed asking the Town board to designate a Town Councilman to join the Committee after the November elections.

**CDBG Project Team Meeting** – Mr. Bassin reported that the CDBG Project Team had met on 9/10 and discussed the status of the CDBG project, the need for an economic development effort and the need for a historic preservation effort. Town Historian Clara Van Tassel made a report on the work she, Robin Massa and Katie Hunt had been doing on cataloguing and photographing all the historic places in Ancram. (Note: Ms. Van Tassel and her colleagues have also volunteered to take pictures of places around Town for inclusion in the Comp Plan document). The CDBG Team also concluded that it would be useful to understand better how the Economic Development Committee in Copake had been working out, and decided to invite Charles Dodson, the Chair of the Copake Economic Development Committee to the next CDBG meeting, which will be on Wednesday 10/15.

**Old Business** -- Mr. Bassin then asked if anyone on the Committee had any questions left over from the last meeting, during which Mr. Meltz discussed 1) "open space design" a land development concept which allows "density neutral" (no change in the number of building lots allowed) development as long as at least 60% of the land was kept in "open space"; 2) dealing with environmental constraints in the design of rural open space developments and in the establishment of number of buildable lots; 3) use of site plan reviews to protect open space, farmland, wetlands, floodplains and scenic views; 4) the effect on property and land values of different zoning solutions; 5) the different requirements between protecting open space and protecting farmland and agriculture.

**Environmental Constraints** -- Ms. Hundt asked how the Committee felt about dealing with environmental constraints like water, wetlands, water buffers, flood plains and steep slopes when determining the total number of buildable lots on a parcel. The Committee discussed the concept of using an “environmental control formula which” adjusted the number of lots on a parcel based on how much of what type of environmental constraint was present on the land. The Committee has not yet determined what the formula should be, but discussed that in some towns water related constraints were excluded from the computation of the number of building lots, and acreage on steep slopes over 15% were used at a 75% level to compute buildable lots. Mr. Bassin mentioned perhaps not adjusting the number of building lots for environmental constraints at all, but simply steering new construction away from environmental constraints without reducing density.

**Draft Strategy Outline** -- The Committee then turned its attention to the Draft Strategy Outline Summary. Mr. Bassin commented that the strategies we were talking about today related to meeting the Town’s goals to protect groundwater, the environment, agriculture, open space, scenic views and the overall rural character of the Town. Mr. Bassin noted the purpose of these strategies was to help protect agriculture, farmland, and the rural character of the town while accommodating residential development, economic development and affordable housing for residents. These strategies are also intended to protect against uncontrolled and disruptive future development. (Note: Strategies to encourage affordable housing, economic development, revitalization of the hamlets, strengthening the community and expanding community services and infrastructure will be discussed during the next two meetings). In this context, the Committee discussed the following issues:

**1. Environmental Conservation Committee** – As one of the possible strategies, the Committee discussed the role and mission of an environmental conservation committee to advise the PB and the Town board on long term environmental issues. Mr. MacLean expressed concern that environmental conservation committees sometimes were not effective and did not have much of an impact in communities. Ms. Hundt suggested that State supported Conservation Advisory Councils could be effective if properly integrated into town activities. Mr. MacLean noted that the Planning Board should also have authority to review and oversee environmental issues during site plan review. The Committee discussed what the role of the Environmental Conservation Committee or the Conservation Advisory Council should be, and concluded Ms. Stolzenburg might be able to clarify this point for us.

**2. Density** – The Committee discussed leaving the average density per home at 3 acres as it was now outside the hamlets, or possibly increasing the requirement to 3.5 acres per home as recommended by the NY Rural Water Association Groundwater Protection study done for Ancram. Mr. Chase noted that density could be different in different parts of Town, as in the hamlets where 1 and 2 acre zones were permitted.

**3. Environmental Constraints** – The Committee discussed and tentatively agreed that there should be no building on environmentally constrained lands like wetlands and floodplains. The Committee discussed permitting building on steep slopes subject to site

plan review, care not to damage scenic views and ridgelines, and as long as building on steep slopes did not damage neighbors living below the new site and as long as erosion was controlled. The Committee also discussed the definition of “steep” slopes, and will clarify with Ms. Stolzenburg if, depending on the purpose, 15% or 25% is the appropriate definition for “steep”.

**4. “Open Space” Development Design** – The Committee discussed and tentatively agreed to require all major subdivisions (4 or more units) to use open space design criterion and target at least 60% open space. The average acres per home in an open space development should be density neutral at the 3 or 3.5 acres (whichever we finally decide) for average lots outside the hamlets. Mr. Lougheed suggested that we define what “open space” means, and encourage development which preserves large areas of open space which can be farmed or left as woods. Mr. Lougheed indicated that water, lawns, pocket parks and the like should not qualify as part of the 60% open space” target.

**5. Open Space Design for Minor Subdivisions and Single Homes**– The Committee discussed and tentatively agreed that any rules and regs that apply to major subdivisions should be relatively easy for landowners planning to do minor subdivisions to use if they want to, but not necessarily be required. The Committee also tentatively concluded that minor subdivisions should be encouraged to use open space development designs without any of the complexity related to the open space regs for major subdivisions.

**6. Water Buffers** – The committee tentatively agreed to keep the town’s water and wetlands buffer of 150 feet, and to include in that 150 feet a 25 foot streamside vegetation buffer, allowing reasonable access to streams for recreational purposes. The Committee will review with Ms. Stolzenburg the reasons behind her recommendation that there be a 50 foot streamside buffer.

**7. Gravel Mining** – The Committee discussed and tentatively agreed that the Town’s policies and guidelines, consistent with what DEC permits towns to regulate, be reviewed, defined and communicated to miners and DEC. The Committee noted that the discussions we had held earlier in the year with the gravel mining community had been important in understanding the new higher bonds miners were required to post, and the requirement to reclaim mined areas ‘as you go”, prior to opening new areas.

**8. Commercial Logging** – The Committee discussed the need to establish commercial logging standards similar to those required by the town for gravel mining – like hours and days of operation, etc. The Committee was not familiar with DEC’s role in regulating commercial logging and decided to request information on this from Ms. Stolzenburg before suggesting standards for commercial logging. The committee discussed possibly requiring any commercial logging activity to be advised by a certified professional forester and requiring prior PB review and approval for any logging projects which were over a certain size, or affected ridgelines or scenic views. Mr. MacLean noted that current Town zoning regs had language covering the protection of roadside trees. Mr. Chase commented that in a major development situation, we should consider requiring replacing any major trees which were removed with new plantings.

**9. Protection of Rural Character, Scenic Views, Ridgelines** -- The Committee discussed and tentatively decided it was important to specifically include language in all zoning and subdivision laws, in the PB site plan process and open space development standards which encouraged the protection of rural character, scenic views and ridgelines. Mrs. Clark commented that whatever we decided we should be sure to include language in the Comp Plan and in revised zoning documents which highlighted the importance of protecting agriculture and agricultural lands to the rural character of the town.

**10. Solar and Wind** – The Committee discussed and tentatively agreed that the town should develop regulations which encouraged and supported residential and commercial solar and wind installations.

**11. Groundwater Protection Plan** -- The Committee discussed and tentatively agreed that the recommendations in the NY Rural Water Association Groundwater Protection Plan related to protecting ground water during the development process should be adopted in their entirety. Mr. Bassin suggested Committee members review the Water Plan again, noting it was posted on the town web site at [www.townofancram.org](http://www.townofancram.org) in the documents section of the Comp Plan section.

**12. Agricultural Advisory Committee/Farmland Protection Plan Grant** -- The Committee discussed the need to appoint an agricultural advisory committee to work with the Comp Plan Committee and the town to develop the Farmland Protection Plan using the NYS Department of Ag and Markets grant of \$25,000. Mr. Bassin indicated Harold Miller, Carl Butler and Frank Martucci had expressed interest in participating on the Farmland Protection Plan project team, and asked the committee to help identify and recruit others for this effort. Mr. Lougheed suggested Lloyd Vail, who while not a resident of Ancram had major farming interests in the area and was knowledgeable about directions in farming in the region. Mr. Chase suggested Prop Dieter, and Mr. MacLean and Mr. Chase mentioned Dennis Sigler as a possibility. Mr. Bassin noted he would like to convene a first meeting of the Farmland Protection plan Project Team in mid-October.

**13. No Building on Prime Farmland or on Soils of Statewide Significance** – The Committee discussed the possibility of steering building away from farmland and concluded that this might not be realistic on some parcels which had over 60% of the land classified as prime farmland or soils of statewide significance. On these lands even if 60% of the parcel were protected through an open space development design, the remaining 40% may still be farmland which would have to support the development. The Committee concluded we should develop language which permitted building on prime farmland and on soils of statewide significance only as a last resort, if other suitable building lots sites consistent with protecting farmlands were not available. The Committee also tentatively concluded prior PB approval via the site plan review process for any development on farmland be required. (Note: Another possibility which the Committee will discuss next week and as part of the Farmland Protection Plan is developing a system permitting the sale or transfer of development rights, assuming the buyer and seller and town all agreed, from areas and parcels with prime farmland and

soils of statewide significance to areas and parcels which do not have extensive farmland requiring protection).

**14. Additional Agricultural Business Uses** – The Committee discussed and tentatively agreed that farmers should be permitted additional farm related business uses like farm stands, equipment repair operations, small scale slaughterhouses etc. Mr. Chase suggested these additional uses should be subject to guidelines and standards designed to insure that they were actually related to farming operations and farm operators. The Committee did not determine if these additional business uses would be restricted to land owned by a farmer, or whether they could be on leased farm lands. The Committee also determined it would be necessary to define what a farm was and who a farmer was for purposes of these additional agricultural business uses.

**15. Farm Housing** -- The Committee tentatively agreed that farm housing should continue to be permitted as currently defined in zoning, but that the current language governing farm housing in the zoning law should be clarified.

**16. Special Farmland Subdivision Rules** – The Committee discussed the idea of permitting active farms to subdivide over time without triggering the major subdivision rules in order to permit farmers to continue to sell their marginal lands to support their agricultural business as needed. The Committee tentatively concluded that this may not be necessary, as the existing major subdivision rules could allow a farmer to do pretty much the same thing.

**17. Special Agricultural Zones** – The Committee decided to defer until next week the discussion about the need to set up separate agriculture zones within the Rural Residential zones (which are the areas outside of the hamlets). The Committee determined to review maps next week which highlighted the town’s ag districts, ag parcels, prime farmlands and soils of statewide significance.

**Next Meetings:** Mr. Bassin indicated the Committee would meet next on 9/22, 9/29 (with Ms. Stolzenburg), 10/6 (with Ms. Stolzenburg), 10/13, 10/20, and 10/27. In addition, the CDBG Project Team would meet next on Wednesday 10/15 at 7 PM at the Town Hall.

The meeting adjourned at 9 PM.