

**Town of Ancram  
Comprehensive Plan Committee Meeting  
September 29, 2008**

**Present:** Art Bassin, Barry Chase, Bonnie Hundt, Hugh Clark, Kyle Lougheed, Don MacLean, Leah Wilcox, Nan Stolzenburg

**Absent:** Suzanne Bressler

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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 Jim Miller and Sheila Clark also attended the meeting.

**9/22 Minutes** -- The minutes of the 9/22/08 meeting were reviewed and approved subject to clarifications proposed by Mr. MacLean and Ms. Wilcox related to permitting subdivisions on parcels under 6 acres outside the Hamlets. While the Committee had discussed the possibility of permitting one subdivision for any parcel outside the Hamlets, subject to adequate water and septic and minimum lot size requirements to be determined, no decision had been made. The Committee will review this idea again once it obtains data on how many parcels would be involved and where they are. Mr. MacLean indicated discomfort with the idea of permitting an additional subdivision on all parcels outside the hamlets. Mr. Chase and Mr. Bassin expressed support, suggesting it could provide smaller, affordable lots on parcels where there was already a home built, and would not disturb open space, farmland, scenic views or environmentally constrained areas. The minutes of the 9/22 meeting have been revised to reflect these clarifications.

**Strategy Outline Review** – The Committee resumed its discussion from last week of possible strategies to implement the 2030 Vision and Goals. Mr. Bassin noted many of the issues we were discussing would be dealt with by the Zoning Revisions Committee, but that it was important for the Comp Plan Committee to provide specific guidance to the Zoning Committee on these issues. Mr. Bassin suggested Committee members take advantage of Ms. Stolzenburg’s presence to review any open issues or questions they may have on any of the strategies.

**1. Side Effects of Increased Density** -- Mr. Chase commented while that he supported two and four family homes in the hamlets and allowing apartments to be built in accessory buildings town-wide, he was concerned about the additional parked cars and traffic that this increase in density could cause, which could be disruptive to neighbors. Ms. Stolzenburg suggested limiting apartments in accessory buildings to single family only to mitigate this problem. Ms. Stolzenburg also indicated that dwelling units in accessory buildings like barns and garages were not intended to be standalone, and could use water and septic from the main house.

**2. Role of Committees to Implement the Comp Plan** – Mr. MacLean noted that the Comp Plan Committee was thinking about proposing a series of committees to support the implementation of the Comp Plan. Committees under review include a Zoning Revisions Committee, an Agricultural Advisory Committee, a Conservation Advisory

Committee, an Economic Development Committee, a Historic Preservation Committee, a Capital Projects Committee, a Community and Senior Services Committee, and a Recreational Activities Committee. Mr. MacLean expressed concern that if these committees are established, they might not be effective, and asked how they could be set up so they did make a contribution and were effective.

Ms. Stolzenburg suggested that the Town Board had the responsibility to set up these committees, had the duty to define the mission, role and process of each committee and provide guidance to each committee about what it should do and by when. Ms. Stolzenburg indicated that the expectations of the Town Board were of critical in both setting the Comp Plan implementation priorities and forming the committees to work on these priorities. Ms. Stolzenburg suggested that strong leadership from the Town Board was critical in the success of the various committees set up to work on Comp Plan priorities. She also reiterated that these committees should have a beginning and end, and a specific list of tasks to accomplish by a certain date, and not be open-ended.

**3. Agricultural Zone and Agricultural Business Development** – Ms. Hundt asked about how the proposed Agricultural Zone would work, and if there would also be a “rural residential” zone outside the Hamlets. Ms. Wilcox and Mr. MacLean noted that the Committee had reviewed the ag district and ag parcel map last week and determined that the most of the town outside the Hamlets was agricultural or could be, and it did not seem to make sense to try create both an ag zone and a residential zone outside the Hamlets. The Committee tentatively decided to change the name of the Rural Residential Zone to the Agricultural Zone, and permit additional agriculture-related business activities in the entire Agricultural Zone. Ms. Stolzenburg suggested that farm related businesses -- those run by farmers like farm stands, farm retail outlets, small slaughterhouses, farm tourist activities etc be permitted uses in zoning subject to site plan review. Farm support businesses which are not integral to an existing farm business should be permitted subject to site plan review, special use permit and certain size limits to insure the farm support businesses are consistent with the small town rural character of the town. Ms. Stolzenburg noted that site plan review focused on the use of the land and where dwellings could be placed on the land, while special use permits determined the conditions that had to be met prior to approval for a proposed use, even permitted uses.

The Committee also noted that there were areas outside the Hamlets which had significant concentrations of residential development on small lots (Rhoda Lake, Carson Road, etc) and tentatively agreed to change set-back requirements on these lots to make them more consistent with Hamlet zoning rules, and to provide for substantial buffers between these residential areas in the Ag Zone and any ag support business uses that may move into the Ag Zone in the future.

**4. Residential Open Space Development for Major and Minor Subdivisions** – Mr. Chase commented that he believed it was important to have open space development standards apply to all new construction, but wanted to be sure we would be able to have a relatively easier process for minor subdivisions and a more rigorous process for major subdivisions. Ms. Stolzenburg commented that this was a normal practice, and the

Planning Board could be authorized to review and set building envelopes for minor subdivisions consistent with the open space development guidelines the Town adopted, but noted there was a possibility for disagreement between the Planning Board's siting guidelines and where the property owner wanted to build. Ms. Stolzenburg suggested the Planning Board be given specific guidance, to be defined by the Zoning Revisions Committee, on how to implement the Town's open space development rules for minor subdivisions, so their determinations are not viewed as "arbitrary". Mr. MacLean noted that having the Planning Board involved in site planning was a major change, as historically the Planning Board's role ended at the driveway.

**5. Definition of Open Space** – Mr. Clark asked about how the "open space" in an open space development would be calculated, referring to a concern Mr. Loughed had expressed last week. Ms. Stolzenburg indicated that there was sample language available we could review as part of the Zoning Revision Committee effort. The Comp Plan Committee could propose the percentage of open space required, and what could be included and not included in the definition of "open space". She indicated that there usually were "primary" open space conservation areas like farmland, wet lands, flood plains, scenic views, steep slopes, water buffers, etc, and "secondary" open space conservation areas like special trees, stone walls etc.

**6. Environmental Impacts on Buildable Lots** -- Mr. Clark then asked about how to set the formula to determine the actual number of buildable lots on a parcel based on the amount of "unbuildable land" like water, wetlands, flood plains and steep slopes. Ms. Stolzenburg commented that setting this formula was dependent on a variety of factors, and was a challenging process. She also indicated that using a formula to reduce the number of buildable lots based the amount of water, wetlands, flood plains and steep slopes was one way to establish a long term density plan for the town. Ms. Stolzenburg suggested a specific formula (for example, water 0%; wetlands 25%; floodplains 50%; steep slopes 75%) could be recommended by the Comp Plan Committee, but the Zoning Revisions Committee would have the final say on this formula. Mr. Bassin asked if we really needed to reduce the number of potential buildable lots based on the environmental characteristics of the land over the life of the Comp Plan over the next 20 years. Mr. MacLean commented that he had become comfortable with the idea of only increasing average lot size to 3.5 acres from 3 acres as proposed by the Water Study partly because he assumed we would have some reduction in density by reducing buildable lots based on eliminating some environmentally constrained land from the calculation.

**7. Yield Plans** -- Ms. Stolzenburg noted that in addition to a "formula" to adjust the number of buildable lots based on environmentally constrained land, we could consider using a "Yield Plan" approach, which would permit any developer not content with the results of the Town's "formula" to demonstrate, by doing an actual open space lot plan, supported by test wells and perk tests, that he can accommodate more lots than would be allowed under the "formula" approach and still meet the Town's requirements for 60% open space and prohibitions against building on farmland, environmentally constrained lands, steep slopes, etc. The Committee felt that a combination of the "formula" approach

and the “yield plan” approach, giving the developer the choice of which method to use to determine how many lots a parcel would support, made sense.

**8. Steep Slopes** -- Mr. Bassin asked if prohibiting building on steep slopes over 15% was necessary if the Town required adequate erosion control and provided adequate protection for down-hill neighbors. Ms. Stolzenburg suggested 20% slopes were probably more of a concern than 15% slopes, and indicated that the concern regarding building on over 20% slopes was not just erosion control, but also storm water management, road maintenance and micro-habitat environmental concerns. In addition, Ms. Stolzenburg pointed out that building on 20% slopes often damaged scenic views and ridgelines, which affected the rural character of the Community. Based on Ms. Stolzenburg’s comments, the Committee tentatively concluded that it should define “steep slopes” as over 20%, not over 15%.

**9. Commercial Logging** – The Committee asked if there were DEC standards for commercial logging that the Town could adopt, or if the Town could establish its own standards for commercial logging. Ms. Stolzenburg indicated DEC had standards that applied to commercial logging on State lands, and indicated she would try to get us a copy of these standards. In addition, Ms. Stolzenburg indicated that qualifying landowners could participate in a State program for timber management (the “480 A” Program) which required professional forest management techniques and qualified the participating landowners for property tax reductions, similar to the Ag Exemption program. Ms. Stolzenburg indicated the Town could establish forest management standards and guidelines which would determine how commercial logging should be carried out, and which could establish ways to control erosion and sediment, protect ridgelines scenic views and control the same five factors (hours of operation, dust control, barriers to restrict access, dust control and areas permitted or not) that the Town can control regarding DEC regulated gravel mining. Ms. Stolzenburg reminded the committee that commercial logging is considered an agricultural activity, but can be subject to site plan review and zoning regs.

**10. Gravel Mining** -- Ms. Wilcox raised the issue of how we wanted to deal with small (under 1000 tons per year) farmer operated mines that did not sell gravel commercially but mined only for farm use, commercial mines with agricultural exemptions that mined under 100,000 tons a year and DEC regulated mines. Mr. Chase indicated almost every farm had a gravel pit for farm use, and the Committee agreed there was no reason to try to regulate that type gravel mine. The Committee will discuss how to deal with commercial mines operating under ag exemptions and DEC controlled mines next week.

**11. Floating Zones** -- Mr. MacLean asked if using a “floating zone” would be another way to meet our land use objectives in the Ag Zone. Ms. Stolzenburg noted that floating zones were used to meet needs that were not already identified in zoning, and suggested that was not the case with our intent for the ag zone or the ag support businesses we wanted to allow in the ag zone. Mr. Bassin asked if we needed to have a “floating zone” provision in zoning to use this mechanism in the future. Ms. Stolzenburg said we did. Ms. Wilcox indicated that our current zoning already had language in it allowing a

industrial floating zone. Ms. Stolzenburg noted that the industrial floating zone language in the current zoning law was inadequate and needed to be eliminated or improved. Ms. Stolzenburg described the floating zone process as a negotiation between the Town Board, with advice from the Planning Board, and the person or entity desiring to do something not envisioned in zoning. Ms. Stolzenburg expressed concerns about including a “floating zone” provision in zoning, indicating that the process often resulted in developers circumventing the intent of the Comprehensive Plan and approved zoning.

**Next Week --** Mr. Bassin indicated Mr. Lougheed and Ms. Wilcox would have an opportunity to review open issues and questions with Ms. Stolzenburg next week. Following that, Mr. Bassin suggested that Ms. Stolzenburg question the Committee on the Strategy Outline to make sure what the Committee has identified as important strategies are clear, and to identify things the Committee may have left out. Mr. Bassin asked the Committee to review Ms. Stolzenburg’s original 24 pages of possible strategies before next week, to identify things we have not yet included which should be added to the strategy outline.

**Next Meetings:** Mr. Bassin indicated the Committee would meet next on 10/6 (with Ms. Stolzenburg), on 10/13 with The Columbia Land Conservancy, 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.