

**Town of Ancram  
Comprehensive Plan Committee Meeting  
September 8, 2008**

**Present:** Art Bassin, Barry Chase, Kyle Lougheed, Don MacLean, Leah Wilcox, Don Meltz (Community Planning & Environmental Associates)

**Absent:** Bonnie Hundt

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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 and Mal Barasch also attended the meeting.

The minutes of the 8/25/08 meeting were reviewed and approved.

Mr. Bassin welcomed Mr. Meltz and asked him to talk the Committee through the following concepts: 1) “open space design”, a land development concept which provided for “density neutral” (no change in the number of building lots allowed) development as long as at least 50% of the land was kept in “open space”; 2) dealing with environmental constraints in the design of rural open space developments; 3) use of mandatory 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.

Mr. Meltz proceeded to work through this set of issues using a series slides showing a variety of “open space” developments around the US, all of which provided over 50% open space while building out the maximum permitted number of lots under local zoning rules. As an example closer to home, Mr. Meltz also had brought a map of a 123-acre parcel in Ancram with environmental constraints identified and worked with the Committee to lay out a 3 acre conventional development, a series of 1 acre developments and an open space design development.

During the dialogue with Mr. Meltz, the Committee discussed the following points, but made no final decisions:

**1) Open Space Design:** Requiring open space design for all major subdivisions seemed, as presented, to be beneficial for the landowners and developers because open space developments were less costly and more profitable for developers, beneficial for the purchasers of homes in open space developments because they seemed to appreciate more than homes in conventional developments, and better for the community because at least 50% of the land was protected as open space. Important in this conclusion was that the total density of development in open space projects was no different than for conventional developments. If a parcel was 90 acres and could support 30 homes under current conventional development zoning, it could also support 30 homes under open space designs. Mr. Maclean commented he had not been in favor of making the use of open space development design ‘mandatory’, but as he learns more about the flexibility of these techniques, he is becoming more comfortable making them mandatory. Ms.

Wilcox noted that Ms. Stolzenburg has given us a written opinion regarding optional verses mandatory use of open space development designs, and strongly recommended making them mandatory. Mr. MacLean noted that protecting the 50-60% open space in these “open space” developments could be a challenge for the development homeowners association, and suggested the Committee learn more about how this could be done. Mr. MacLean also commented that over the next 5-10 years we may get one or two major subdivisions, and if we require an open space design, we’ll see how they work out based on the rules and regs we put together. Then, if necessary, we can change the rules and regs as we get some real experience. Mr. MacLean also commented we may find some parts of town develop faster than other parts of Town, which also could make us want to revise the zoning and subdivision guidelines we come up with based on real experience in 5 to 10 years.

**2) Environmental Constraints:** Mr. Meltz indicated it was increasingly common to exclude environmental constraints like water, wetlands, flood plains and steep slopes over 15% from the calculation of the number of buildable lots in a parcel. In Ancram, if we were to exclude all environmental constraints from the Buildout Calculation we would reduce the total number of possible new homes to about 2400 instead of the 5400 permitted under current zoning. Mr. MacLean commented that over the next 20 years the total build out density number, whatever it was, was not as relevant and the per parcel density calculations. The Committee was not inclined to exclude all environmental constraints. Mr. MacLean asked how much of the environmental constraints were steep slopes, as they seemed to represent a lot of area on the maps. Mr. Meltz said he would provide the Committee with a breakdown of the composition of the environmental constraints. (Note: Mr. Meltz did this calculation after the meeting and emailed the Committee the results, which indicated 75% of the environmental constraints in Ancram are steep slopes, with 25% being water related). Mr. Meltz also indicated many zoning laws provide for an “environmental control formula” where by each type of environmental constraint is given a different weight in calculating the number of buildable lots in a parcel. Mr. Meltz said one town he was working with gave steep slopes .75 credit, and water zero credit when calculating buildable lots, but Ancram could set this formula up any way we wanted to. The Committee discussed the implications of eliminating some environmental constraints from computing the allowed number of units on a parcel, and understood if we were to recommend that wetlands, water, flood plains and some portion of steep slopes were excluded, we would be reducing the number of buildable lots on some parcels by some percentage. The Committee also discussed the possibility of leaving the average density at 3 acres (or perhaps move it up slightly to 3.5 acres as recommended by the Water Study) outside the hamlets if we were to exclude some environmental constraints.

**3) Mandatory Site Plan Reviews** – The Committee discussed giving the Planning Board site plan review authority for all new construction to make sure new buildings were located on a parcel consistent with the town’s open space and farmland protection goals. Mr. Meltz indicated this was a common practice, major developers expected it and expected to pay for it. The Committee discussed the value of combining a mandatory site plan review process with required open space planning techniques like cluster or

conservation design and understood how this combination of requirements could help met the Towns' goals to protect and preserve the environment, open space, farmland and scenic views.

**4) Land Values and Zoning** – The Committee and Mr. Meltz discussed the value of land depending on the zoning in place, and concluded that there was not enough information to come to any concrete, evidence-based conclusions. The Committee also believes the value of any parcel of land depends on its size, its setting, its surroundings and the overall market. The Committee discussed the need to do zoning changes that kept property values in Ancram intact and were “value neutral” or “value enhancing”, and to avoid any zoning changes that could destroy value. Mr. MacLean noted that there were multiple markets in Ancram for land, including the market for large parcels of over 10 acres, the 2-5 acre market and the under building lot market of one acre or less. The Committee noted that typically the larger parcels could sell for \$10,000 -15,000 per acre, while building sites of an acre or less could sell for as much as \$70,000 per acre in Livingston, as reported by Ancram Assessor Ken Legget. The Committee noted that for major development, it was likely that developers would be interested in buying entire farm of several hundred acres, at an average price less than what a 10-50 acre parcel would go for. Based on the discussion of property values and the use of open space design tools like clusters and conservation developments, the Committee felt it could be argued based on the admittedly sparse evidence available that open space design techniques could enhance property values, not deteriorate them, short term and long term. The Committee also believes it is necessary to do more work on this issue to make a stronger case. Mr. Loughheed noted again that it was essential we are able to explain how what we decide to propose will affect the economic value of the land owned by farmers in the Community.

**5) Protecting Agriculture and Farmland, Not Just Open Space** -- Mr. Meltz noted that most planning professionals agree that three acre zoning as we now have in Ancram with mandatory site plan review and mandatory use of open space designs can protect open space, farmland, scenic views and environmentally sensitive land. But some believe three acre zoning probably will not, over time, protect farming. The reason given is as residential developments start to move into agricultural areas, even with 50-60% open space buffers, and buffers between farms and residential developments, farmable fields get smaller and more fragmented, farm housing becomes more expensive, farm labor pools dry up and move away, farm support services disappear, farm-residential conflicts tend to grow and the number of active farms continues to shrink. Farming has declined in the last 30 years in Ancram without major development pressure, and this decline could accelerate with the additional pressure of development. Mr. Meltz suggested some planning experts thought that 20 acre zoning was the minimum necessary to protect agriculture in areas like ours. The committee thought this was not a realistic option for Ancram, and might not even be necessary. Mr. Bassin noted that many farmers were able to survive by selling off marginal land to help keep the farm in business, and the Comp Plan may want to look at making it easier for farmers to do this by permitting smaller parcel subdivisions for farms, which would exempt farms from normal subdivision rules. The Committee discussed the need for agriculture zoning and agreed it needed to discuss more whether we wanted to have rural residential zoning and agricultural zoning, or

whether the RR zone should be renamed Agricultural and additional agricultural uses be permitted to enhance farm profitability.

**6) Family Developments** – While the Committee spent most of its time discussing open space development related to major subdivisions, Mr. Chase reminded the Committee that it was important to have a different set of guidelines for current landowners who have a need to partition land for family members in smaller lot sizes than the current 3 acres. The Committee agreed that minor subdivisions related to family land partitions should be more flexible than major subdivision rules, and perhaps even more flexible than they are now.

After Mr. Meltz's presentation and discussion, Mr. MacLean suggested the Committee stay focused on this set of issues until we figured them out, and suggested once we had this set of issues figured out the rest should be relatively easy. The Committee concurred.

The Committee then turned its attention to the following items:

**1. New Committee Member Discussion** – Mr. Bassin mentioned to the Committee for the benefit of Committee members who had not been at the last meeting that Ms. Bressler had volunteered to serve on the Comp Plan Committee and had presented the committee with her resume and background materials. Mr. Bassin indicated that Mr. Clark had also volunteered to serve on the Committee and had emailed his background to the Committee. Mr. Bassin suggested the Committee decide next week what to propose to the Town Board meeting, which was scheduled for Thursday 9/18. Ms. Wilcox noted the Committee should have 9 members, and suggested in addition to Ms. Bressler and Mr. Clark the Committee should contact Mr. Sommerhoff to see if now that summer was over he might have the time to rejoin the Committee. The Committee thought this was a good idea, and Mr. Bassin will contact Mr. Sommerhoff about it.

**2. Effect on Comp Plan Process of No Town Board Quorum** – Mr. Bassin commented that the resignation of Town Councilmen Bryant, Podris and Roberts last week meant that all three town board seats would be on the ballot on November 5, and Ancram would be in the middle of an unexpected local election campaign in September and October. Given that the newly elected town council members would not assume office until January 2009, Mr. Bassin suggested that the Comp Plan Committee plan to hold the public hearings on the Comp Plan during the first quarter of 2009, not in October/November 2008 as we had been discussing. Ms. Hundt and Mr. Loughheed had agreed at the last meeting that it would be a good idea to plan public hearings in early 2009. Ms. Wilcox, Mr. Chase and Mr. MacLean agreed as well.

**3. Highway Garage Issue** – The Committee decided to make no comments about the highway garage matter as a group, but individuals on the Committee should feel free to share their thoughts on the matter with the Highway Committee or the Town Supervisor.

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

**5.** The meeting adjourned at 9 PM.