

**Town of Ancram  
Comprehensive Plan Committee Meeting  
March 2, 2009**

**Comp Plan Members Present:** Art Bassin, Suzanne Bressler, Barry Chase, Hugh Clark, Bonnie Hundt, Jim Miller, Kyle Loughheed, Don MacLean, Leah Wilcox

**Absent:** None

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The Comp Plan meeting was called to order by Chair Art Bassin at 7 PM. Mr. Bassin asked that the Committee review the 2/23 minutes carefully as a group to be sure they accurately reflected the consensus views of the Committee before adopting the minutes and revising the Detailed Strategies to reflect the proposed changes.

**1. Open Issues List** – The Committee focused on the 22 suggestions, comments and questions which it believed required discussion and resolution prior to finalizing the recommended Comp Plan Strategies documents. Here are the 22 open issues and their status:

**1. Scenic Corridor Overlay Zone**

**a) Gravel Mining in the Scenic Corridor** – The Committee confirmed last week’s conclusion that gravel mining should continue to be excluded from the Scenic Corridor Overlay Zone at this time. The Committee also concluded that if NYS law were to change in the future to give local communities more influence and control over mining activities, the Town Board should reconsider allowing gravel mining in the Scenic Corridor Overlay Zone. The Committee reviewed and discussed the 2003 DEC decision denying the Palumbo mining permit (which happened prior to the Town implementing the Scenic Corridor Overlay Zone prohibiting gravel mining along Rte 22), and concluded the DEC determination to deny the permit in 2003 was based on concerns that the Palumbo application did not satisfactorily address the issues raised in the SEQRA process. The 2003 DEC decision denying the Palumbo mining permit has been posted to the Town web site at the bottom of the Documents section of the Comprehensive Planning section. Ms. Wilcox noted that the DEC decision denying the Palumbo mining permit in 2003 cited environmental and scenic values and impacts that were consistent with the Vision and Goals which have been developed during the town’s Comp Planning process. She also noted that several years after the DEC denial, the Town received an “agricultural exemption” mining permit application on the Palumbo parcel in the Scenic Corridor Overlay Zone. During the review process with the Ancram ZBA, this application was subsequently withdrawn.

**b) Businesses in the Scenic Corridor** -- The Committee decided that the Comprehensive Plan should modify the Detailed Strategies to clarify that any businesses that would be permitted in other parts of the Agricultural Zoning District in Ancram, except gravel mining, airports and bus stations should also be permitted in the scenic corridor overlay zone, subject to the existing commercial

design standards now in effect in the scenic corridor overlay zone, and subject to any new commercial design standards which will be developed to insure all new commercial operations, either in the scenic corridor overlay zone or elsewhere, are consistent in size and scale with the small town, rural character of the Community we are trying to protect.

**2. 3-5.99 acre lots** – The Committee decided to change the Detailed Strategies to recommend that parcels of 3.5 acres to 5.99 acres outside the hamlets, which were not originally part of a major subdivision, be permitted one subdivision subject to the availability of water and septic, and subject to setback and access requirements which will be established. The Committee expressed concerns that allowing this subdivision could negatively impact neighbors, but also understood the potential value to landowner with a 3.5 to 5.99 acre parcel of being able to subdivide for a family member.

**3. Vernal Pools** – The Committee concluded that vernal pools should be identified and protected as proposed in the detailed strategies document in all major (over 4 units) subdivisions. This would be a normal requirement of the SEQRA process. Single family lots would not be required to protect vernal pools, but would be advised to know where they are so they do not inadvertently build on them and get flooded out in the spring.

**4. Boundaries and Commercial Areas of Hamlets** – Mr. MacLean presented a report proposing boundary changes in the hamlets of Ancram and Ancramdale. These changes assume that the lot size in the hamlets will be set at ½ acre if water and septic permit, and that parts of the R1 (2 acre) Zone will be reclassified Agricultural. Mr. MacLean suggested leaving the hamlet boundaries in Boston Corners as is for now. Before finalizing its zoning recommendations, the Committee will develop revised hamlet zoning maps which compare the proposed new zoning boundaries to the current boundaries. The Committee also discussed expanding the commercial zones in the hamlets. One option is to permit commercial activities along routes 82 and 7 for the entire length of the hamlet, which would be about ½ mile from the light in the center of Ancram. The other option is to permit commercial activities on a shorter stretch along routes 82 and 7 – perhaps extending for ¼ mile from the light. In Ancramdale, the proposed new commercial zone would extend from the 82/3/7 intersection to Maple Lane along Route 8. The Committee also decided it should review the businesses now permitted in the hamlets and propose any changes to that list which seemed appropriate. The committee will review these ideas again next week. (Note: while the Comp Plan Committee will suggest zoning changes to bring the Town’s current zoning and subdivision laws into alignment with the Comp Plan, actual zoning changes will be made by a Zoning Revisions Committee which will be appointed by the Town Board at a later date).

**5. Echo Housing** – The Committee confirmed its decision not to recommend ECHO housing based on our feeling that the Comp Plan recommendations for

accessory apartments in homes, garages and barns adequately covered this need, and eliminated the enforcement problem which would be part of the ECHO program.

**6. Mobile Home Parks** – The Committee confirmed its decision to recommend that the language in current zoning governing mobile home parks be maintained, or that Mobile Home Parks be allowed under the same terms and conditions as any residential development, which would require site plan review, adequate visual buffers and screening, an access management plan and meeting open space development guidelines.

**7. Water Study** – The Committee confirmed its recommendation that the ground water protection plan be adopted and its suggestions for protecting well water quality and quantity be adopted. Over 90 % of the homes in Ancram use wells for water, and 94 % of the survey respondents believe protecting groundwater is the most important thing the Town can do. Mr. Bassin will re-circulate a summary of the Water Study recommendations to refresh everyone on the importance of implementing these ideas.

**8. Protection of Ridgelines and Steep Slopes**– The Committee decided to propose that the current language of section 2.12 should be adopted as written, that steep slopes be considered environmentally constrained lands and development on steep slopes be limited to 50% of normal density.

**9. Design standards** – The Committee decided that design standards be developed for commercial development and major (over 4 units) subdivisions, but not be applied to single family residences.

**10. Wetland/streamside buffers** – The Committee confirmed its recommendation to adopt the DEC 100 foot minimum wetland buffer, subject to adjustment based on the slope of the terrain. The Comp Plan Committee will research and communicate the DEC slope adjustment standards which would determine actual setbacks from wetlands and streams. This variable buffer system would replace the Town’s current 150 foot fixed buffer.

**11. Large Scale Wind/Solar** – The Committee decided to leave intact the language prohibiting large scale commercial wind and solar installations. The Committee felt that residential and agricultural uses were permitted, that in the case of large farm agricultural uses, the scale of solar or wind installations could be substantial without becoming “large scale commercial applications”. The Committee concluded that clarifying the distinction between “large scale commercial applications” and large scale agricultural issues is a matter best left to a future time when the community had more experience with wind and solar installations.

**12. 60% open space and businesses** – The Committee concluded that the 60% open space rule does not apply to a residential or commercial structure on a lot, but to the subdivision process which creates these lots. So this 60% rule would not apply to a business building on a lot.

**13. Logging Permits** – The Committee decided this process should be as simple as getting a building permit. The kinds of things the Town should control are the times of day and days of the week logging can be done, setbacks from neighbors, what erosion control needs to be done, etc...the intent of the logging permit process is to protect the rights of neighbors. The Committee also noted that logging had not been a problem in the area.

**14. Change “Tax Incentives” to “Incentives”** – Agreed, and has been done in the detailed strategy document.

**15. Visual Impact Analysis** -- The Committee confirmed that section 2.15 covering visual impact analyses and mitigation of negative affects (screening and buffers) should be mandatory only for all major (over 4 homes) subdivisions and commercial developments, and recommended for single family homes. Language changes suggested by Ms. Hoyt were previously incorporated into this section.

**16. Planning Board Discretion** – The Committee confirmed that the Planning Board should have the discretion, if it feels it is warranted, to waive requirements...language should reflect that the Planning Board “may require” certain things, but it must be clear in the language that when the Planning Board does require things, it cannot be ignored.

**17. 3 Acres Average Lot Size v. 3.5 Ares** – The Committee confirmed its recommendation that we use an average lot size of 3.5 acres outside the hamlets, based on recommendations from the NY State Rural Water Association. The 3.5 acres is the density the NYSRWA believes our area can support long term based on water and septic conditions.

**18. Gravel Mining 2.6.3** – The Committee confirmed its recommendation to maintain language in current zoning which permits the ZBA, as part of the site plan and special use permit processes, to require miners to provide the environmental and site plan information needed by the town to protect the community and the environment from the potentially negative effects of mining. These supplemental town requirements are consistent with DEC rules permitting towns to oversee mining activities which DEC does not oversee.

**19. Buildout Impact Assessment** – The Committee recommends that the Zoning Revisions Committee develop a final Buildout Analysis to determine what the potential Buildout of the town would be based on the final zoning decisions made by the ZBA.

- 20. School Taxes/School Boards** – The Committee decided that participation on local school boards was not an issue that the Comp Plan needed to address.
- 21. Noise and air quality standards** – The Committee decided that these were not issues that the Comp Plan needed to address.
- 22. Commercial manure and composting operations** – The Committee concluded these activities would be adequately covered by the agricultural-related business guidelines and standards regarding size and scale of permitted business.
- 2. Industrial Zone** – Mr. Lougheed noted we had not made any explicit provision for continuing the Industrial Zone in the center of Ancram. The Committee decided to correct this oversight.
- 3. Prior Minutes** – Following the discussion of the status of the open issues, the minutes of the 2/23 Comp plan Committee meeting were approved, subject to a suggestion from Ms. Wilcox to modify point 5 in the second full paragraph on page 2 to add that the “reclaim as you go requirement” gravel miners now operated under was also designed to ensure that by the end of the mining process, reclamation was essentially all done.
- 4. Next Meeting** -- The next Comp Plan meeting will be at 7PM on 3/9.

The Meeting adjourned at 9 PM.