

**Town of Ancram
Town Board
Regular Meeting
October 17, 2013**

Present:	Supervisor Arthur Bassin	Councilman James Miller
	Councilman Chris Thomas	Councilman Hugh Clark
	Councilwoman Madeline Israel	Town Clerk Monica Cleveland

The regular meeting was called to order by Supervisor Bassin at 7:15pm with a salute to the flag.

A motion was made by Councilman Miller and seconded by Councilwoman Thomas to approve the minutes of the previous meetings as read and placed on the record. Motion carried.

The Fire Chief is unable to attend the meeting. Mr. Bassin stated that the Firehouse is near completion.

Supervisors Report:

Financial Report: Revenues for the nine months ending September totaled \$1,217,000 including \$811,000 in property tax receipts and \$182,000 in sales tax revenues received in January, April and July. Full year revenues for sales and mortgage taxes look like they will exceed the 2013 budget by \$25,000 to \$50,000. Expenses for the nine months ending September totaled \$981,000, or about 73% of our full year budget. Cash on hand at the end of September totaled \$898,000. Barring any extraordinary events, I expect revenues and spending for the rest of the year to be on budget, resulting in a year end cash position of about \$700,000 which is about \$50,000 better than we budgeted.

Town Issues

1. **Ridgeline Protection** – Hugh Clark and I are almost done with a new draft of the ridgeline protection law, and I will be circulating the revised draft and a revised map early next week.
2. **2014 Preliminary Budget** - The Preliminary 2014 Budget, which we will discuss at a public hearing starting at 7 pm on 10/17, shows a property tax increase of about 5.9%, or \$47,000. This is caused primarily by a \$30,000 "library "tax", assuming the 414 referendum passes, and by possible increases in e health insurance and retirement fund payments. The Library has done some research which indicates that the Town may be able to exclude the \$30,000 414 payment from the Town tax cap, and that the Town may be able to establish a separate line on the tax bill for the library tax, as is done for the Lighting District and Fire District. If this is in fact the case, that will reduce the 2014 Town tax increase by 30,000. There is also no fund balance carry forward budgeted for 2014 at this point, but I expect we may have as much as \$50,000 in fund balance carry forwards, barring any unexpected events over the next few months. This would allow to eliminate the proposed tax increase, and keep town taxes flat again in 2014.

County Issues

1. **Airport** – Until we find out whether or not we are required to expand the airport safety zone, the plan to use eminent domain or a simple negotiated purchase of the land adjacent to the airport will probably be on hold. Certain senior county managers and the BOS leadership have asserted that the FAA requires us to expand the safety zone or shorten the runway. This may turn out to not be the case, and may eliminate the need to do anything at the airport. At this point the right thing to do is wait until the FAA tells us that we have to do something...but since we have been successfully operating the airport for 10 years since we became aware that we may be in violation of FAA safety zone

guidelines, it's not likely the FAA will intervene not to require we do anything. But if they do, we can deal with the facts, rather than acting on incomplete and inaccurate information.

2. **County Budget** – We have started the budgeting process at the County. Too early to tell what the outcome will be, but we are asking all department heads to be realistic, and not to fudge their numbers to make revenues higher than are realistic, or costs lower. There is likely to be a tax increase at the County level this year, if only to start to rebuild the County's cash position, and to recognize and budget for the cash flow "hole" caused by assuming a 100% payment rate for town, county and school taxes. Since the County makes the schools and the towns "whole" on property taxes, the County has an obligation to front about \$10-12 million of late tax payments each year, and needs the cash to do that while it collects for the Towns and Schools.

Town Clerk

The Town Clerk announced that she has been having many computer problems and is going to be needing a new one. The Hunting license system will be moving over to the town clerk computer as the State is recalling all of their computers. She would like to purchase the computer on this year's budget.

Court Offices

The court offices asked that the town board pass a resolution for them to apply for a JCAP grant. This will cover computer upgrades.

Resolution #12 of 2013:

The following resolution was offered by Councilman Miller and seconded by Councilwoman Israel and moved for adoption. Resolution carried unanimously.

THE TOWN OF ANCRAM Justice Court seeks to apply for a grant from the Office of Justice Court Support and requires a resolution from the Town Board allowing the court to apply for a #4665 grant.

WHEREAS the Office of Justice Court Support has made funds available Justice Court Assistance Program of JCAP, to local Justice Courts for 2014;

WHEREAS THE APPLICATION DEADLINE IS October 25, 2013;

WHEREAS the court seeks to apply for \$4,665.00 grant to purchase and/or upgrade its computer support infrastructure;

WHEREAS no additional funding is required from the Town of Ancram;

RESOLVED that the Town Board of the Town of Ancram does hereby allow the Town of Ancram Justice Court to file for a JCAP Grant.

The FAC will meet this coming Saturday.

Planning Board - The Planning Board is learning to use the new zoning documents.

Communications - The Communications committee produced a newsletter that has gone out. This will be the last one for the year.

CAC - The CAC received \$7,500.00 in a Greenway Grant. They are applying for a Hudson Valley Grant in the amount of \$1,000. A motion was made by Councilwoman Israel and seconded by Councilman Miller that Kim Tripp be placed on the CAC as a member. Motion carried.

Mike Citrin spoke about the Library 414 vote. He spoke on the next steps to the process if the vote goes through.

Ridgeline:

Councilman Hugh Clark gave a presentation of the revised Ridgeline law:

Ridgeline Protection: Background and Process

In September 2012, the Zoning Revisions Committee submitted the initial draft of ridgeline protection regulations to the Town Board. Responding to feedback voiced at several public hearings, that draft was extensively revised by the ZRC and was submitted to the Town Board again in April 2013. Since then, additional work has been done to refine the ridgelines designated for protection, based on visibility, elevation and size.

We faced two challenges to develop a sensible ridgeline protection plan.

First, we had to determine what to protect – what parts of Ancram’s terrain merited protection based on topographical prominence and scenic importance.

Second, we had to determine how to protect our topographically prominent and scenically important terrain -- what reasonable protective standards to establish – while respecting and protecting the rights of property owners to build on their land.

What to protect: Ancram has a significant number of scenic ridges and steep slopes. The ZRC initially identified more than a dozen individual ridgelines, hill tops, and ridgeline complexes that stand out as you drive around town, and recommended a 300 foot buffer around these areas. Subsequently, all ridgelines, hill tops and steep slopes that could be considered “topographically prominent” were identified by a GIS mapping analysis. Then, we determined the degree of visibility for each of these ridgelines, based on elevation, skyline prominence, and from how many miles of public roadway each ridgeline could be seen, assuming a 40 foot tree cover.

During this visibility analysis, we validated a finding originally made by the ZRC sub-committee that, in many instances, the actual ridgeline and much of the proposed 300 foot buffer zone may not be visible from public locations. This is because the ridgeline – the ridge top itself -- is not a sharp edge or crest, but rather is relatively flat, plateau-like terrain. The ridgeline itself is masked by the intervening terrain of the ridge’s slope, which generally is the most visibly scenic feature of the ridge. You can see this “invisible ridgeline” effect when you drive up along Cottontail or Skyline or Poole Hill, or up Overmountain Rd and then down Catalano, or up to Woods Drive. Essentially what happens is the “ridgelines” are masked by the slopes and rolling terrain that lead up to them.

Consistent with this finding, and consistent with Comp Plan Detailed Strategy 2.10 that “development on steep slopes over 15% can be permitted subject to site plan review and with guidelines and standards which control storm-water run-off and visual impacts on ridgelines,” we decided to include the visible portion of the ridges – the steep slopes -- in the visibility analysis.

From the most topographically prominent ridgelines and steep slopes, we finally concluded that “scenically important” could be defined as ridgelines and steep slopes that were:

- (1) highly visible, defined as visible from at least 30,000 feet of roadway
- (2) above average and median elevation (i.e. above 740')
- (3) areas at least 3.5 acres in size

The resulting designated ridgelines and steep slopes are identified on the Town of Ancram Scenic Ridgelines/Steep Slopes Identification and Protection Map, which is attached.

How to protect: The language for Supplemental Regulation V (H), Ridgeline and Steep Slope Protection, has been refined to state the background and intent of this regulation. The Regulation describes how it applies to subdivisions and other structures, identifies procedures and development standards, and follows Comp Plan guidance.

Some of the key points of the proposed law include:

- 1) No lot becomes unbuildable. This regulation does not prevent principal and accessory structures from being built within a designated ridgeline or steep slope area.
 - 2) Major subdivisions must apply the standards.
 - 3) Minor subdivisions are strongly encouraged to apply the standards.
- 4) Single/two-family dwellings that require abbreviated site plan review are strongly encouraged to apply the standards.

Conclusion: The recommended Ridgeline and Steep Slope Identification and Protection Map and the proposed draft regulation that accompany this note were produced after extensive discussion, multiple public hearings, animated debate and objective analysis. We have done a thorough and rigorous review of how to protect our topographically significant and scenically important ridgelines and steep slopes.

We have all learned a lot about ridgeline and steep slope protection, and we have come up with a solution that meets our dual objectives of protecting scenic resources and protecting property owner rights.

The proposed text and map implement Comp Plan Detailed Strategies 2.10 and 2.11, directly contribute to attaining the objectives of Comp Plan Goal 1, Goal 2, and support the Community’s Vision that we protect our important scenic views.

As with most things, some in town may think we have not protected enough. Others may think we have protected too much. In the end, I think we have achieved a sensible balance that establishes the requirement that everyone, either voluntarily or by law, must consider the visual impact on designated ridgelines and steep slopes before they build, so we all participate in preserving and continuing to enjoy the Town’s topographically prominent and scenically important terrain.

The link to the new map, which is based on an average elevation of 740 feet, and road visibility of 6 miles, is on the home page of the town web site at www.townofancram.org

A public hearing on the proposed ridgeline protection law will be held at 6:30 prior to the next town board meeting on November 21 .

Wind Turbines

Mr. Bassin stated that there has been one complaint over the past month. He stated that the recurring low wind speed noise with Gershon's turbine seems to have been fixed by taking off the nose cone.

The Fee Schedule will be looked at by the FAC.

Mr. Bassin stated that the assessor and Woodhull have worked out a settlement.

A motion was made by Councilman Miller and seconded by Councilwoman Israel to pay the bills. Motion carried.

A motion was made by Supervisor Bassin to adjourn to executive session to discuss current litigation.

Councilman Clark asked that the motion be amended to reflect the words "proposed or pending" litigation. Motion made to that effect by Councilman Miller and seconded by Councilwoman Israel and moved for adoption. Motion carried.

Executive Session

A motion was made by Councilwoman Israel and seconded by Councilman Clark to bring the meeting out of executive session. Motion carried.

A motion was made by Councilman Miller and seconded by Councilwoman Israel to adjourn the meeting. Motion carried.

Respectfully submitted by,

Monica Cleveland

Ancram Town Clerk