

Ancram Planning Board
Meeting Minutes – May 7, 2009

Present:

James Stickle, Chair
Dennis Sigler
Terry Boyles
Madeleine Israel
Don MacLean
Jamie Purinton
Suzanne Bressler, Clerk & CPC
Colleen Lutz

Also Present:

Art Bassin
Brian Billings
Scott Weaver
James Miller
Hugh Clark
Bonnie Hundt
Barry Chase

Absent:

B. Docktor

The meeting was called to order at 7:38 PM and minutes of the previous meeting were reviewed. Mr. Sigler made a motion to approve the minutes of the previous meeting with changes, Mr. Boyles seconded the motion, all were in favor and the minutes were approved with proposed changes.

ANCRAM FIRE DISTRICT
Proposed Lot Line Adjustment

Mr. Boyles is the applicant representing the Fire District, and he recused himself from the Board for this determination. An improvement would effectively occur due to this line adjustment. The Fire District needs new maps stamped to ultimately adjust a lot line. The application will need to return to the Board. **Meanwhile, Mr. MacLean motioned for final sketch plan approval, Ms. Purinton seconded it, all were in favor and the motion passed. The maps were approved and stamped.**

WESTFALLS LLC

Escrow Account; Status of Conditions of Final Approval

Mr. Weaver and Mr. Billings of Westfalls LLC appeared to discuss the project's escrow account and final conditions:

Four Final Conditions:

1) Note on map by Town Engineer McCreary regarding delineated areas of disturbance. Westfalls LLC didn't receive anything from Mr. McCreary showing this was done, but Ms. Purinton said Mr. McCreary had said he sent this via email. She will ask him to send that to Westfalls LLC if he hasn't already.

2) Framework for traffic management on Westfall Road, where construction, workforce and emergency vehicles may be concerned. In May meetings, the Town Board, Attorney and Supervisor determined the road was passable, so they wouldn't restrict traffic there. Mr. Weaver said when the LLC comes before the Town for a building permit they would revisit it and asked why this condition was necessary. Mr. Sigler replied that it is part of the subdivision process, and that if the Board didn't put the condition in, the building inspector wouldn't know it existed, and that it exists for safety purposes. The Chair and Mr. Boyles discussed how contractors' insurance conditions cause contractors to repair damages and ensure safety during work.

Mr. MacLean moved that the part of the requirement regarding road repair be removed from conditions for final approval. Ms. Purinton reminded the Board that rather than setting a bond for

road repair in case of damage when the subject originally arose at the September 2008 hearing, the Board chose to set this condition instead. Mr. Boyles seconded Mr. MacLean's motion, others were in favor except for Ms. Israel, who abstained. The motion passed.

3) Bridge design specifications and calculations on the drawings. Westfalls LLC will provide this.

4) Bridge inspection schedule and maintenance agreement. Westfalls LLC requested not to have to meet this condition. Mr. Sigler said the Board had required Westfalls LLC to meet it. Mr. Billings asked if that wouldn't be a requirement of the building permit. Ms. Purinton explained that that happens at this stage of the process, and said it was in the interest of the LLC as well as the Town that the LLC do that. Westfalls LLC will provide that. Mr. Sigler said that the inspection reports should be sent to the building inspector.

Escrow:

Mr. Billings contested any use of escrow funds for road evaluation. Ms. Purinton suggested the Town Engineer be contacted to discover if any hours spent at public hearings at which the road condition was discussed could be deducted from the amount spent from escrow. Bills were reviewed and were otherwise alright.

Summing up: Westfall will provide other driveway/bridge maintenance agreements.

The Board will verify with the Town Engineer that this is the latest bridge design. It should be a complete set of drawings (each set), said Mr. MacLean: The Town needs three and one goes to the Department of Real Property. Finally, since Westfalls LLC might want copies for themselves, the Board advised that they obtain 8 or 9 sets of the drawings.

Westfalls LLC asked if the Board could ask Mr. McCreary for his notes on what he would like specified in the drawings.

COMPREHENSIVE PLAN COMMITTEE BRIEFING

Art Bassin, Chair of the Comprehensive Plan Committee, stated that the objective of this meeting was to obtain the Board's perspective on the issues at hand concerning the Comprehensive Plan in progress, and get opinions from the Board on how it would operate within the framework of the proposed plan as it stands.

Summed up comments are as follows:

Mr. MacLean (also on the Comprehensive Plan Committee) said that from a Planning Board perspective, some of the things in the Plan are very good – all of them – but there is more work in store for the Board when all is said and done, like more site plan review, special use permits, and a few other items, so the Board will have to be active, educated and on top of things. It will be a lot more work than in the past.

Ms. Israel said the Plan would also give the Board more flexibility to deal with certain issues: the fact that lot sizes are not set in stone gives the Board ways to work with people who come before it to help them do things they are looking to do. That's the best part of the Plan. That they can vary the lot sizes.

Mr. Boyles asked if there was enough room on a half-acre parcel for a well and septic.

Mr. Bassin said if you pick the right half an acre it should work, and that some half acre plots might make this worthwhile, but if you don't have many of them and if only in the next five years there are 20 cases, it's a benefit to the Town to do it. He said he saw it as a way to divide land off for relatives, not create development projects.

Mr. MacLean said half acre lots will have setbacks that make them work, and that with average density in place, it doesn't allow for a huge development of half acre lots, plus the Plan sets aside two areas – Rhoda Lake and Carson Road – as zones that would have special setback requirements so residents don't have to constantly seek variances for what they would like to do.

The Chair said he found out you can put a double wide mobile home on a plot but not a single. Mr. Bassin cited current zoning as the source of that issue, and said what the Comp Plan says about that is that mobile homes ought to be treated like any other single family home.

Ms. Lutz said open space and half acre zoning was a great idea in the plan, and are initiatives that would promote affordable housing, which is a huge issue in the town.

Ms. Israel said that explanations that describe how the 60% open space is not worthless land because it's already been built out and the other 40% has been built on to its max are important to emphasize and reemphasize so people understand that.

The Chair said taxes would go up, and Ms. Purinton asked if that was true. Mr. Sigler said it's not really true. Mr. Miller said taxes are determined by how much the government spends.

Mr. Bassin asked what kind of stuff should be in the Comprehensive Plan to support the idea that it's business-friendly. Mr. Sigler said the Plan indicates a lot of things that won't be allowed, so it gives the perception it's not a business-friendly document. Mr. Boyles said the floating zone could be good provided there were no other stipulations within it that are excessively preventative.

There was a brief discussion on what kind of business would be considered agricultural and the Comprehensive Plan Committee said it would continue to revisit that issue. The issue of what comprises a small business was also brought up.

Mr. Sigler said he felt the Plan should be less specific to avoid court challenges.

Mr. MacLean said the Committee has to make the Plan specific enough to guide the Zoning Revisions Committee (ZRC) into what is intended so they can put the real laws in place, which is important because the ZRC could come up with something that is extremely restrictive such that it doesn't work at all, or extremely forgiving so troubling issues continue to arise. What is written can ultimately be reviewed and changed.

The Chair said site plan review and other processes should be made easier; they are too onerous now.

Mr. Bassin said the Board shouldn't have to be grasping for what they are supposed to be looking for in making determinations, that the standards should be clear, and that people don't know what to expect if they don't know what is required.

Ms. Purinton said the Plan was intelligent, qualitative in its description, not constricted, and that it addresses all the major issues the Town has to face, particularly environmental issues. She said the Plan is just about becoming a smarter community that takes care of things it ought to – and that elected officials

should stand up for this as a product that perhaps one in a million towns could actually achieve. She added that – in that context -- having officials declare themselves neutral regarding the Plan was disheartening.

Ms. Bressler said that although no one wants anyone else to tell them what to do with their property, there ideally should be a balance of self and community in going forward. She added that this is an evolving document that could be revised as we learn from its implications, which is the beauty of the process.

The Chair said there was too much red tape in the Plan, which prompted Ms. Israel to ask him if he personally did not believe in planning. He said that was why he said that.

There was some discussion of defining agriculturally related business more broadly to cover more activities. Mr. MacLean responded that that definition was in the state's building code, not the Plan.

Mr. Sigler said as the ZRC goes through and makes regulations, whenever the committee is formed, it should keep in mind that the almighty dollar will dictate what works and what doesn't for the Town, and that for every action there's an equal and opposite reaction.

Mr. Clark said the Plan tried to be balanced and fact based, attempting to keep the opportunity for agriculture going, keep small business going so jobs are created and so on, and that there's a lot more opportunity here now than there has been. He said one of the problems is that everyone wants perfection, but the best we can hope for is improvement, and that's what this Plan seeks to inspire. He said that in all the Committee's deliberations, it always comes out that the more specific the guidance is, the easier the job will be for the ZRC or the Town Board or anyone else trying to figure out the next step, because you're not compelling them to ask what the recommending body could possibly have meant by what was written.

Mr. Sigler responded that the Plan has to be gentle enough to keep its opponents from remaining its principal obstacles.

Mr. MacLean motioned to adjourn the meeting, Mr. Boyles seconded the motion, all were in favor and the meeting was adjourned at 9:47PM.

Suzanne Bressler, Clerk