

**ANCRAM PLANNING BOARD
MEETING MINUTES
May 7th, 2015**

Board Members Present: John Ingram (Chair), Dennis Sigler, Terry Boyles, Jamie Purinton, Joe Crocco, Erin Robertson, Ann Rader (alt), Bob Roche (alt), Colleen Lutz (clerk)

Board Member(s) Absent: James Stickle

Additional Present: Stuart Farr, Donna Peck, James Miller, Janice Miller, Bethany Ralph

On May 7th, 2015 the monthly meeting of the Town of Ancram Planning Board was called to order at 7:00 PM by Chair John Ingram.

The previous month's minutes were reviewed by the Board. A motion was made by Jamie Purinton to accept the minutes as presented. The motion was seconded by Terry Boyles and the board unanimously voted in favor to accept the minutes.

No correspondence to the Board.

Agenda Items:

NEW BUSINESS

Stuart Farr Hudson Valley Hops and Grains LLC

Parcel ID # 205.-1-19.11

Special Use Permit

Mr. Farr presented his application for a special use permit to install a free standing solar array at his parcel located at the corner of Roche Drive and State Route 82. This installation will power a well to water his crops. Mr. Farr showed the area on the survey map, where the well is currently installed and the location of the solar panels.

Mr. Sigler asked if he will have a holding tank to store water in the event that no electricity can be produced to power the well.

Mr. Farr stated that he planned to have a 2100 gallon tank which will be colored dark green to blend in. The tank will be 81 X 81 inches.

Ms. Purinton asked if the green color will make the water too hot.

Mr. Farr stated that he was unsure.

The Chair stated that the setbacks to the property lines need to be at least 10 feet.

The applicant stated that he will have no problem with that and that setback should exceed the requirements.

The Chair clarified the height of the poly tank will be 3 ft.

Mr. Crocco asked how much sunlight the panel will receive.

Mr. Farr stated that the panel will have complete access to the sun, there are no trees to block the sun.

Ms. Purinton stated that this application supports environmentally conscious agricultural practices.

The Chair stated that the public hearing will be scheduled for June 4th, 2015

James and Janice Miller

Parcel # 213.-1-92

3195 State Route 82 Ancramdale, NY 12503

Mr. and Ms. James Miller appeared before the Board for a preliminary/sketch plan meeting. They intend to subdivide their 14 acre parcel into 2 parcels, one parcel of 11 acres and a second parcel of 3 acres.

Mr. Crocco asked where the septic was.

Mr. Miller stated it was preexisting.

Mr. Sigler stated that the owners can use the existing septic if the new structure is the same size and has the same number of bedrooms.

Erin Robertson made a motion to approve sketch plan. The motion was seconded Jamie Purinton and the Board unanimously agreed. James Stickle was absent.

Dennis Sigler made a motion to declare the town as lead agency in the action. Joseph Crocco seconded the motion and the board unanimously agreed.

The Chair stated that the public hearing should be scheduled for June 4th, 2015.

Ms. Purinton asked if the location is flagged and if it was okay to do a site walk.

The applicant stated that it was okay to walk the parcel.

John Timlin

Parcel 198.-1-33

1175 County Route 3 Ancramdale, NY 12503

Bethany Ralph ESQ. appeared before the board to present the application of John Timlin for an abbreviated site plan review. Ms. Ralph explained that Mr. Timlin would like to farm his own land and he needs to have a barn to store his equipment.

The Chair asked if it was commercial agriculture use.

Ms. Ralph stated that the owner currently rents the land to another farmer.

Ms. Robertson stated that in order to receive an agricultural exemption, the farmer must submit certain tax returns.

Mr. Crocco agreed.

The Chair stated that the setbacks for an equipment shed is at least 10% of the square footage of the proposed structure plus the setback for the zoning district it is located in. Therefore the setback is 200ft from any lot line.

Ms. Ralph stated that the wetland is scheduled to be flagged.

Ms. Purinton questioned if the barn will be in the setback for the wetland

The Chair asked what the property is being used for adjacent to the parcel in question.

Ms. Robertson questioned if he could have an accessory building before the primary residence.

The chair questioned if the applicant needed a permit if it going to be used for agriculture.

Mr. Sigler wondered if the board could waive the setback requirements.

Mr. Crocco stated that he felt the board cannot waive dimensional requirements.

The Chair requested the applicant should come back with a sketch showing the location of the residence on the adjacent parcel.

Ms. Purinton asked Ms. Ralph if the barn's location could be moved so that the location will fall out of the scenic overlay district (SCOZ)

The Chair stated that the Board cannot enforce the covenants and restrictions created by the developer and the applicant may be civilly liable.

Ms. Ralph explained that she had researched the progression of events and had notified the abutting property owners via certified mail. She submitted letters of support as well as disagreement from the abutting property owners that were part of the Middlefield Farm subdivision.

Mr. Crocco stated that the building could be listed as an equipment shed however, if the shed is used for both his equipment storage and private storage, it may not be considered solely an agricultural use. Agricultural use seems to be referring to the land.

The Chair stated that the town would like to setup an escrow account to be used to receive counsel from the town planner and the planning board attorney.

Erin Robertson made a motion to request \$1500.00 in escrow funds to be used in the review of the Timlin Abbreviated Site Plan Review. Jamie Purinton seconded the motion and the membership unanimously agreed. James Stickle was absent.

The Chair stated that although the Board is not conducting a formal public hearing, it would entertain comments from the public.

Donna Peck, adjacent property owner and a member of the Middlefield Subdivision, stated that there were deed restrictions placed on the property. She also stated that the restrictions clearly stated that in order to modify the conditions of the restrictions, the other property owners of the subdivision must be in favor.

She also questioned if the code would allow for an accessory structure to be built before the primary residence on a residential parcel.

The Chair stated that the Board needs to clarify use. The question is what do we need to determine the use of this parcel?

The Chair explained to Ms. Ralph that the Board would like to see the proximity to the houses on the abutting parcels. He also stated that finding out how much of the property is farmable might be helpful as well.

The Board will be requesting help from counsel regarding Ag and Markets Law and the definition of a farm operation. They will also clarify the determination of use of the parcel as it relates to this site plan.

Jamie Purinton noted that this property may be within the scenic corridor. Colleen Lutz looked it up on the map and confirmed that a portion of this property is within the scenic corridor.

Terry Boyles made a motion to continue the ASPR. The motion was seconded by Dennis Sigler and the Board members unanimously agreed. James Stickle was absent.

A motion to adjourn was made at 8:15pm by Terry Boyles and seconded by Erin Robertson. The board members unanimously agreed.

Respectfully Submitted
Colleen Lutz
Planning Clerk, Town of Ancram

