

**Town of Ancram
Town Board
Public Hearing on Ridgelines
May 16, 2013**

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

The public hearing was called to order by Supervisor Bassin at 6:30 pm. Mr. Bassin noted that the meeting had been properly advertised.

Councilman Clark, chair of the ZRC, stated that the ridgeline protection portion has been completely changed based on the comments received thus far and concerns that were addressed.

Jamie Purinton gave the following comments from the CAC:

Summary CAC comments for Ridgeline Regulations May 16, 2013

1. The Ridgeline Protection: Question and Answer document is excellent and outlines the importance of protecting ridgelines which is why we advocate for stronger and clearer ridgeline protection regulations as follows:
2. "Subsection H3e now states that "the top of the structure's roof shall not be higher than the designated ridgeline **unless the structure is fully screened by existing vegetation when viewed from publicly accessible locations...**"

We have concerns with what "fully screened by existing vegetation means" since it likely that the vegetation will be largely deciduous (not screening through all seasons) and because vegetation is subject to wind damage, disease etc. How does Ancram really protect this vegetation for evermore? Does Ancram have the resources to keep up with inspections and ensure that screening vegetation is not removed? After the C of O is issued, do the penalties provide enough insurance that the vegetation won't be removed? It would be simpler to require keeping the entire structure below the designated ridgeline.

3. "Clearing of existing vegetation shall be limited to the minimum necessary for the building envelop." This needs more specific description since every contractor, owner and architect will have a different opinion about what is the minimum necessary.
4. " If the size of a parcel or its topography, coupled with these ridgeline protection standards, does render a lot unbuildable, the Planning Board may use the waiver

authority granted by Section XIII B6 of this ordinance and establish mitigation measures to enable the structure to be built while also ensuring that these protection standards are upheld to the maximum extent practicable."

These potential mitigation measures need to be specifically described so the planning board has very clear sense of what is and what is not within reason.

5. "Cupolas shall be considered part of the roofline and shall be subject to all screening requirements of this section if their height is more than 8 feet above the top of the roof, ..." Consider amending this since this could mean a lighted Cupola can extend up to 7' high without screening, creating a beacon in the ridge line.
6. One question re page 2 of Memorandum and Detailed Strategy 2.11 of Comp Plan- Are these requirements mandatory for major subdivisions, and encouraged for minor subdivisions?
7. Include description or references in terms of how roads need to be constructed in order to protect ridgeline vegetation and to ensure there is no erosion.

Mr. Jack Lindsey commended the ridgeline work done by the ZRC. Mr. Lindsey stated that where he grew up in North Carolina strict ridgeline laws were enacted and although they took some time to get accustomed to, the laws have helped the community immensely.

Mr. Eric Benn commented that he felt the ridges were not carefully designated and that it is not clear as to where they are. The law needs to point out the ridges more specifically. He stated that he is looking for a finalized map and that there is no example as to what is being protected.

Drew Hingston stated that he opposes the concept of the ridgeline law. He feels that there are better ways of dealing with this issue and that this has not been an open process. He mentioned towns that do not have Ridgeline Protection. He felt bothered that he was not allowed to speak at the ZRC meeting.

Mr. Hank Rothvoss felt that the landowners in the ridges should have been notified.

Mrs. Bonnie Hundt, a ZRC member, stated that she felt the meetings have been open and that comments from residents should be voiced. She felt that a lot of time was spent with people who do not live in the town and that the committee and board has to remember that this is about those in the Ancram community. She later submitted the following letter to be included in the minutes:

Dear Supervisor Bassin and Town Board Members:

As a former member of the Comprehensive Plan Committee and a current member of the ZRC, I am writing to express my disappointment in your actions at the last Town Board meeting.

After almost five years of serving on the above-mentioned committees, I have an intimate knowledge of what the town vision is and what zoning laws entail. The ZRC worked diligently and completed an exceptional revised law in which to guide the town into the future. Our work was arduous and tedious but we hashed out each issue to its full extent...believe me. We worked hard with great leadership from Hugh Clark and various consultants. Amazingly, we came to consensus eventually on most issues.

This last piece involving ridgeline protection has been difficult but in our usual fashion, we came up with a very good compromise that the committee had consensus on. At our weekly meetings and at public hearings we heard from some realtors (who do not live in Ancram) who vehemently opposed the law. I suspect that they had only their own wallets in mind. On the other hand, we also heard from some realtors who praised the law and agreed that those properties and views needed to be both protected and regulated. You, too, heard the loud voices of opposition...over and over. In fact, Art, you encouraged their comments at the last meeting, and once again, those voices dominated the debate. Of course, they have a right to their opinions but the ZRC and the Town Board have given them their time, and plenty of it. We all did our due diligence.

When we first sent the ZRC's ridgeline law to you, the Town Board, you sent it back with a charge to change it--to weaken it. I strongly disagreed with that, but NOW your actions to notify landowners by reasoning "what can it hurt" is a naive response and is opening a very dangerous can of worms. As Hugh pointed out at the meeting, we have made many changes to the zoning laws and never notified anyone. And rightly so. That is why we have an open and public process! People need to participate in their government and many do. How will you even decide who to notify? If I am looking at a ridgeline property will you notify me because it might affect my view and thus, my property value? How will you answer someone who has property that will be affected by the change in wetland buffers? It is a very slippery and possibly litigious slope that could put our whole law in jeopardy. It seems to me to be an action taken without proper consideration and the Board should have deferred to Councilman Clark and/or the ZRC.

Apart from Councilmen Clark and Miller, who both serve on the committee, I don't recall one ZRC meeting when any other Town Board member even bothered to attend without being invited. Not one. The Town Board's actions at their last meeting diminished our hard work with a casual comment and a quick vote. Frankly, it felt like an insult to many of us on the committee and made me, personally, ask myself, after all of the years and Monday nights, "Was it worth it? Will I ever volunteer to serve on another committee?" At this point...probably not.

One of the reasons people live and love Ancram is for its extraordinary beauty -- the spectacular views and topography are magnificent. For ALL of us who LIVE IN ANCRAM, it needs to be protected. The least we can do is match what our wise neighboring towns have done and give the ridgeline protection law some real teeth. You have the power to do that.

I would, therefore, respectfully ask members of the Town Board to reconsider their votes and to think long and hard about how you are treating those Ancram citizens who volunteer to serve on various committees. They're not just getting together to eat cookies and drink coffee. They are spending hours giving thoughtful consideration, having endless discussions and giving up their time and energy for the greater good of our town. Please give them the respect they deserve by at least LISTENING to them instead of those loud voices whose only "skin in the game" is selling a piece of real estate to a short-sighted homeowner with a need to be seen from great distances, regardless of their impact on their neighbors.

Sincerely,

Bonnie Hundt

Mrs. Donna Hoyt, ZRC member, stated that for the last three years of meetings, the ZRC has welcomed every person who has joined the,/

Mr. Bassin stated that in fairness, those who are not from the community should be listened to all well as they may have some good advice.

Mr. Gene Aleinikoff asked if there was a definition of Ridgelines in the document. Mr. Clark said that there was.

Mr. Daniel Rothvoss Jr., asked if he was understanding correctly that building cannot happen within 300 ft of the ridgeline. Mr. Bassin said that this is not correct and that building can happen in that 300 ft ridgeline protection zone as long as the roofline does not exceed the top of the ridgeline, or the top of the tree line as long as the tree line canopy as long as the canopy is preserved.

Councilman Thomas stated that he felt that this proposed law is not consistent with the comp plan. He felt that every property owner who is in a ridge line protection zone should be notified and have them all look at the maps.

The town board decided that the public hearing should be left open until the next town board meeting. The public hearing was adjourned until June 20, 2013.

Respectfully submitted by,

Monica R. Cleveland
Ancram Town Clerk