

**Town of Ancram
Town Board
Public Hearing Ridgeline Law
May 15, 2014**

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 6:33pm. Mr. Bassin noted that the hearing had been duly noticed in the official papers.

Mr. Bassin gave a short introduction about the preceding Ridgeline Public Hearings.

Councilman Clark gave the following comments:

Via memo dated 20 March 2014, the ZRC transmitted to the Town Board Supplemental Regulation H: Ridgeline and Steep Slope Protection. Enclosed with that memo were Town of Ancram Ridgeline/Steep Slope Identification and Protection Map dated 3-17-2014 and two texts. One text was the version recommended by a majority of the ZRC (the “ZRC Preferred Version”), which applied development standards to all proposed structures within designated terrain. If the TB opted not to adopt the preferred text, the ZRC recommended a second text (the “ZRC Final Version”), which offered inducements to applicants applying the standards regardless of subdivision category.

Following public hearing comments on 17 April about that March proposal, the Town Board reluctantly agreed upon “mandatory for majors and encouraged for minors.”

Accordingly, Nan and I have revised the 20 March ZRC text to incorporate that TB guidance.

Attached to that was text dated 15 May 2014 for Supplemental Regulation H: Ridgeline and Steep Slope Protection. This text contains the major/minor agreement. All else remains the same as in the 20 March proposal.

Also attached was Town of Ancram Ridgeline/Steep Slope Identification and Protection Map dated 4-28-2014. This map is the same as the 3-17-2014 map except the legend has been edited for clarity and to explicitly label the “red splotches” as the Ridgeline/Steep Slope Protection Overlay District (R/SSPOD).

As you know, I submitted the 15 May proposal to John Lyons for legal review. He suggested a number of word-smithing edits and a few other points for consideration. After consultation with Nan Stolzenburg, almost all of John’s suggestions have been incorporated in this 15 May proposal. These edits do NOT alter the concept or content of the 20 March proposal or its adaptation into the 15 May proposal. I also attached John’s marked-up version to the email you all have previously seen.

Mr. Bassin stated that the revision included about 60 parcels. The entirety of each parcel may not be included in the ridgeline. He stressed that no property will ever be made unbuildable.

Bryce Birdsall asked that the following statement be included in the minutes of this meeting:

Anyone who has taken the time to read through the Q&A section on the proposed Ridgeline and Steep Slope Protections, posted on the Town of Ancram website, will recall that from the outset the Board pledged to approach the subject in a fair and balanced way.

Let me remind everyone of what the first two sentences under the heading of "Quest for Balance" say:

"Two views are involved with any ridgeline- the one from the ridgeline and the one of the ridgeline.

Providing for one may reduce the quality of the other...."

When it compiled its initial list of 170 parcels, which included our own, the Board did indeed seem committed to following a balanced approach.

But for some inexplicable reason it subsequently reversed course and omitted well over half of the equation. By narrowing the list down to 28 parcels, all of which related to views OF the ridgeline, it abandoned the equally important issue of views FROM the ridgeline. The attached photograph (on file in the Town Clerks Office) illustrates one such example- taken from my own home- of a building that appears just as obvious below the ridgeline as it would from on top.

More recently, after my husband and I demonstrated that our property is visible from just 4 ½ miles of town roads and therefore did not fall within the 6-mile visibility parameter to 4 miles to ensure the inclusion of our particular parcel.

Some members of the Board have suggested that if the Town fails to pass this latest watered-down revision then no ridgeline regulation may ever get passed. I respectfully ask members to examine their consciences as to whether such an approach is a fair way to bring conclusion to a seriously flawed process.

Thank you for your attention and I request that my comments be entered into the Town Records.

-Bryce Birdsall

Councilwoman Israel stated that while she is disappointed with the new draft, she will vote for it because she feels that "something is better than nothing".

Mr. Jack Lindsey addressed the board. He urged the board to be strict in the writing of the law but to allow waivers and variances for fair exceptions to the law. He feels it is naive of the board to believe that a person will be compliant when the law is just an encouragement. He urged that people not be given the benefit of the doubt.

Bryce Birdsall asked that if a subdivision is not a minor one, how will it then be implemented if misused?

Mr. Bassin stated that at that point the town will have to expand the scope of the law.

Councilwoman Israel asked if the law is misused, would the town then implement a moratorium? Mr. Bassin stated that the board could do that. Mrs. Israel felt that would put the town at the beginning of this process again.

Bob Wilcox stated that the board should look at the building past of the town. He feels that people have seemed to volunteer to keep the views of the ridges. There are very few developments high up and he feels that the past predicts that there will be no ridge building.

Mr. Lindsey reminded the board about the realtors and their concern with the law affecting property values.

Mr. Bassin stated that there have been ongoing trends in Ancram. He stated that property owners have given over 6000 acres to the land conservancy. He stated that people are drawn to Ancram for the views and that they will come here to keep it that way. He feels that this does not need to be a law.

Jane Shannon addressed the board. She said that she is disappointed that the ZRC worked very hard and that she feels that the Town Board's minds were made up before the law was even written. She feels that the ZRC is not being listened to by the Town Board and she feels betrayed by the Board members and the entire process. She said the town should not ask people to volunteer their time and then not listen to them.

Mr. Bassin stated that he feels that part of the Town Board's ongoing concern was that the Comprehensive Plan guidance regarding major and minor subdivisions was not followed at by the ridgeline subcommittee, and the subcommittee's original proposal did not protect steep slopes, but recommended protecting ridgelines that were not really visible from around town because of the topography of the ridgelines.

Jane Shannon stated that she felt that the town will not have a major subdivision on a ridge, it will be single houses.

Councilman Thomas stated that from the beginning he has made his feelings known. He is concerned with people's property rights.

Mr. Wilcox stated that he feels the board's directions were clear from the beginning.

Mrs. Donna Hoyt said that she has had problems with the ridgeline law from the beginning. She, as a ZRC member, feels what "muddled" up the ridgeline issue is the definition of a major subdivision. She feels this is going to be a problem. She feels that minor subdivisions are going to become major.

Councilwoman Israel stated that the Comprehensive Plan is just a guidance tool and that just because something is a suggestion it does not have to be done. Mr. Bassin stated that the Comp Plan is the framework for the revised zoning.

Councilwoman Israel pointed out that those in favor of the new ridgeline law are not in attendance at this meeting.

There being no more comments, the public hearing was closed by Supervisor Bassin.

Respectfully submitted by,

Monica R. Cleveland
Ancram Town Clerk

