

**Town of Ancram
Zoning Revisions Committee
22 October 2012**

Members Present: Hugh Clark, Barry Chase, Barbara Gaba, Donna Hoyt, Bonnie Hundt, Don MacLean, Jim Miller, Bob Roche, Dennis Sigler
Members Absent: Terry Boyles, Kyle Lougheed, Bob Mayhew, Jane Shannon,

The committee convened at 7:02 p.m. and approved minutes of the 15 October meeting.

The Chair reviewed recent actions of interest to the ZRC, including the Town Board's adoption of zoning revisions Package 3 on 18 October and comments, questions, and concerns voiced at the 18 October public hearing about Package 4. That hearing remains open and will reconvene at 6:00 p.m., 15 November.

Based on public hearing questions and comments, the ZRC then deliberated and decided about several issues concerning accessory apartments.

Re: Accessory Apartment in Single-Family Dwelling (Supplemental Regulations, A1b4)--The issue is whether an accessory apartment in a single-family dwelling should be limited to two bedrooms.

Among points made during discussion are that the number of bedrooms affects determinations about adequacy of water and septic systems; that the concept of subordinate use should remain intact even if there is no specific mention of bedrooms; that there is no harm created by enabling owner to determine internal room allocations; and that two-family dwellings remain authorized in the Use Table.

Accordingly, the committee decided to delete A1b4,"the accessory apartment shall be limited to two bedrooms." Concurrently, the committee requests Nan Stolzenburg insert verbiage to the effect that an accessory apartment within a single-family dwelling shall not occupy more than 40% of the square footage of that single-family dwelling.

Re: Accessory Apartment in Accessory Structure to Single-Family Dwelling, A1c4—The issue is whether the total square footage of an accessory apartment in an accessory structure should not exceed 1000 square feet.

Among points made during discussion are that the main use of an accessory structure (e.g. as a garage or barn, etc) should remain intact even if an accessory apartment is installed; that the accessory apartment should not exceed in size, scale, and intensity the principal dwelling or the main use of the accessory building; and that it helps to remember that a single-wide mobile home is approximately 700 square feet. It was also noted that a 1000 sf apartment might

occupy the major part of some accessory buildings, thereby placing the apartment out of scale to that accessory structure.

The committee decided that an accessory apartment in a structure that is accessory to a single-family dwelling shall not occupy more than 40% of the accessory structure and shall not exceed 1000 square feet. (It also was noted that slightly exceeding these limits may properly be addressed by an area variance application through the ZBA.)

Re: Accessory Apartment in Single-Family Dwellings, A1b5;—The issue is whether conversion of any single-family dwelling to accommodate an accessory apartment should be limited to one accessory apartment per principal residence.

Among points made during discussion are that Comp Plan Detailed Strategy 8.10 states “Allow one accessory apartment in single family dwellings and in accessory buildings like barns and garages, septic and water permitting, town-wide...,” and that Mr. Bassin proposes that the “number of accessory dwellings not be limited to one” and contends that “it was the intent of the Comp Plan to facilitate the expansion of relatively low cost additional housing in current structures to minimize the impact of new housing on agricultural land, open space and the environment. Restricting the size, number or water/septic access of accessory structures is not consistent with the objective of expanding housing within the existing housing footprint as much as we can.” Also noted was that failure to limit to one accessory apartment per principal residence opens a very “blurry” door to multi-family dwellings, which must meet different building codes and zoning requirements.

The committee affirmed that conversion of any single-family dwelling to accommodate an accessory apartment shall be limited to one accessory apartment per principal residence, as currently stated in A1b5.

Accessory Apartment in Accessory Structure to Single-Family Dwelling, A1c7—The issues are whether only one accessory apartment should be allowed in any single family dwelling and whether only one accessory apartment should be allowed on any single-family residential lot.

Points offered during the previous discussion also continued during this discussion. In addition, allowing one accessory apartment per lot is adequate to address expansion of low-cost housing for the foreseeable future and unduly relaxing standards now is likely to create future problems. Members noted that Ancram is a community largely oriented on single-family homes and that allowing one accessory apartment per lot amply expands low cost housing opportunities while retaining the essential character of the town. Leaping to a situation in which residential lots may be flooded with three or four accessory rental apartments at this time is too great a tilt.

Accordingly, the committee affirmed that only one accessory apartment shall be allowed in any single-family dwelling and only one accessory apartment shall be allowed on any single-family residential lot, as currently stated in A1c7.

Re: A1b7 and A1c6—The issue is whether separate water and septic systems for accessory apartments should be prohibited, encouraged, required, or other.

During discussion, it was noted that Mr. Bassin suggested “separate water and septic be encouraged (but not required) for accessory structures, not prohibited.” It was also noted that nothing in the current text prevents existing systems from being upgraded if the Health Department says the existing capacity is insufficient to accommodate the principal dwelling and the accessory apartment. If current text does not make clear that such upgrades may be undertaken, that language should be clarified. Also evident was that if a new water and septic system becomes necessary for the proposed accessory apartment, enough acreage should be available to preclude creation of a non-conforming lot if the accessory building ever becomes a principal use on a proposed new lot. Similar situations dealing with farm worker housing have previously been addressed and such language could be incorporated in this text to address that possibility.

The committee decided that the intent of these subsections remains intact: that separate septic and water systems to accommodate an accessory apartment are allowed, but are not required. While it may be preferable for accessory apartment water and septic systems to connect to the existing systems of the principal dwelling, it is permissible for an upgrade to those existing systems to occur, or even a separate system if necessary. If a separate system is necessary, non-conformance should be avoided. The Chair will request Nan prepare clarified text.

To accommodate viewing of the final presidential debate, the meeting adjourned at 8:27 p.m.