

**Town of Ancram
Zoning Revisions Committee
23 January 2012**

Members Present: Hugh Clark, Terry Boyles, Barry Chase, Bonnie Hundt, Don MacLean, Jim Miller, Bob Roche, Dennis Sigler

Members Absent: Barbara Gaba, Kyle Loughheed, Bob Mayhew, Jane Shannon

Others Present: Donna Hoyt

The Chair called the meeting to order at 7:03 p.m. and determined no recusals were necessary.

The committee approved minutes of the 16 January meeting.

Members identified features of Individual Standards for Uses Subject to SUP/Section J(10) that warrant revision. Results included:

p. 7, Camp, Campground—paragraph d: Members seek Nan Stolzenburg’s verification that “one lavatory for every five camp sites” means one sink per five.

p. 8, Camp, Campground—paragraph g: Members noted that noise emanating from the PA sets and activities of summer camps, as defined in Draft Definitions (v2) 6/1/2010 and generally oriented on children, has been a problem for neighbors. The ZRC also perceives other distinctions between such summer camps and “normal” campgrounds with RVs and tents, including that normal campgrounds can properly be operated beyond the period from Memorial Day to Labor Day and can accommodate RVs year-round. Accordingly, the committee speculates that summer camps should be treated as a use category different from the “normal” campground with RVs and tents. If a separate category, there should be no RV parking at summer camps, and no noise from PA systems or camp activities should be discernible at property boundaries between 7:00 p.m. and 7:00 a.m. Seek Nan’s thoughts.

p. 8, Compost/Mulching Facility: Underscoring the likelihood of offensive odors resulting from operations, the ZRC underscored the need for a comprehensive odor management plan that precludes noxious odors from migrating off site.

p. 10, Educational Facility—paragraph a: Members seek clarification from Nan. Does text mean that 5 acres is sufficient for 99 pupils or fewer, but that 7 acres are required for 100-199, and 9 acres for 200-299? Paragraph c: Members expressed concern about height increase to 45’ and request Nan provide rationale.

p. 11, Food and Beverage Uses—paragraph e: While noting that NYS examines the proximity of one bar or tavern to another when considering a license application, members perceive no significant problems with two or more bars/taverns being within 500 feet of each other. Absent compelling rationale from Nan, the ZRC requests deletion of the 500’ requirement. The remainder of paragraph e remains intact.

p. 12, Garbage/Trash Removal Service—The committee requests that requirements be added to screen trucks from view and to ensure that offensive odors not migrate off site.

p. 12, Gasoline Station, Service Stations and Related Uses—paragraph a: Noting past experience in Ancram and Ancramdale, and potential for a gas station in the future, the committee considers 2 acres excessive and requests change to 1 acre minimum. Paragraph c: Ms. Hoyt voiced concern that 20' may be too close to property line, but committee opted to retain text.

p. 13, Golf Course—paragraph b: The ZRC endorses the walking trail easement, but seeks clarification from Nan about who holds the easement—the town? Some other entity?

pp. 15-18, Gravel Mining: This entire section prompted extensive deliberation. One major thread of discussion noted Detailed Strategy 2.6 of the Comp Plan, including to “exempt from regulation mining done by landowners on their own land, for their own use or for sale, in quantities less than 1,000 tons or 750 cubic yards, whichever is less, within twelve successive calendar months.” Concurrently, the ZRC also acknowledged the Comp Plan intent to protect the community.

Accordingly, the ZRC decided to change the 3-tiered structure of the draft text (up to 500 cubic yards, 500 to 749 cubic yards, and more than 750 yards) to 2 tiers (up to 749, and 750 or more). Based on this 2-tiered concept, the following text will be changed:

para b1—“up to 500 cubic yards” becomes “up to 749 cubic yards...”

para b2—“no more than 500 cubic yards” becomes “no more than 749 cubic yards...”

para c—“500 to 749” becomes “no more than 749 cubic yards...”

para c1—Retain current text and, to guard against erosion, add text to effect that slope will drop not more than 1' for every 3' of ground. Mr. Boyles believes that this slope coincides with DEC guidelines, but he and the committee request verification from Nan.

Note: there is no c3 in the current draft text.

para c2, c4, c6, c7, c8, c9, c10, c11, c13, c14, c15, c16, c17, c18, c20—delete.

Committee rationale for some of these deletions includes:

para c6—extensive (and expensive) testing is required to determine existing water table, which counters intent for simple, inexpensive mining of small quantities by landowners.

para c7, c9, c10, c11, c13, c14, c17, c18, c20—there is no permit, hence no PB involvement, hence no application.

Note: Members believe that when a parcel to be mined by landowner is at least 1 acre, the landowner must have a permit from NYS, which addresses many of the deleted standards. Assuming this belief is correct, the ZRC requests that text be inserted to remind landowners of this requirement, and to potentially give the Town BI/CEO authority to cite this requirement to landowners.

para c15—already covered by NYS traffic law.

para c12 should be revised slightly. Delete “upon reclamation” and retain remainder of text, which de facto establishes reclamation standards.

The ZRC intends with the preceding changes to eliminate unnecessary costs to landowners for small scale gravel mining, and to eliminate unnecessarily bureaucratic admin requirements. However, while eliminating the SUP permit and application, the ZRC does not intend for the Town to neglect these small landowner gravel mines. The committee intends that by incorporating these standards plus references to NYS laws within this amendment, the Town BI/CEO will have sufficient tools to enforce reasonable standards, while also being able to investigate and respond appropriately if neighbors complain about a landowner's small-scale gravel mining operation.

para d—For Large Mines: The committee concurs with draft text, but suggests edit to change “[greater than] 750 cubic yards” to “750 cubic yards or more.” Also, re: paragraphs d1-5: If greater specificity is called for, incorporate language from deleted portions of paragraph c.

Note: There is no paragraph g in the current draft text.

para e,f,[h]—The committee concurs with draft text.

p. 19, Group Home—The committee asks Nan whether parking should be mentioned to preclude inappropriate parking on street or during snowstorms, and to preclude otherwise unauthorized parking on front lawn etc.

pp. 19-20, Home Occupation—Considering definitions for high impact and low impact home-based occupations on page 62 of Comp Plan Glossary, and for home occupation, major and minor, on page 15 of Draft Definitions (v2) 6/1/2010, the committee decided that all references to employees in a final definition should limit low impact home occupations to a maximum of 2 non-resident employees, and should limit high impact home occupations to a maximum of 4 non-resident employees. Those numbers of non-resident employees are in addition to the principal owner/operator of the home-based occupation, who is required to reside on premises. Those numbers of non-resident employees are also in addition to any number of other participants in the home-based occupation (e.g. family members of the owner/operator) who reside on the premises. Consistent with this decision, text of High Impact Home Occupations at page 20, paragraph c, must be altered, and an addition should be made to text of Low Impact Home Occupations on page 20.

Because migration of public address and activities noise across boundaries (e.g. camps, e.g. some business uses) is a concern, and because lighting that throws glare onto adjoining properties or unnecessarily thwarts dark skies is a concern, members wonder whether lighting and noise should be (or are feasible to) include in general standards as well as in these individual standards. Nan—your thoughts?

The committee then examined the Density Control Schedule with most recent footnotes (Density and Dimensions Tables, v1 11 7 11, transmitted as Density Requirements 1 15 12 v3) and determined no edits necessary to Table 1: Density Requirements and one edit necessary to Footnote 7 of Table 2: Lot Dimension Requirements. As written, categories are “lots ½ acre to 1 acre,” “lots 1 to 2 acres,” “lots 2 to 3 acres,” and “lots greater than 3 acres.” To preclude confusion, ZRC requests Nan amend categories slightly to avoid overlap of numbers.

Ms. Hoyt noted that the Carson Road District column in the Use Table contains some entries that appear to be inconsistent with the neighborhood. She also noted that the I-1 district on the Use Table must still be completed. The chair will put the Carson Road inconsistencies on the agenda for the next meeting on 30 January.

The meeting adjourned at 9:00 p.m.