

**Town of Ancram  
Zoning Revisions Committee  
29 August 2011**

**Members Present:** Hugh Clark, Terry Boyles, Barry Chase, Barbara Gaba, Bob Mayhew, Jim Miller, Bob Roche, Dennis Sigler

**Members Absent:** Bonnie Hundt, Kyle Lougheed, Don MacLean, Jane Shannon

**Others Present:** Donna Hoyt

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The Chair called the meeting to order at 7:05 p.m.

Members approved minutes of the August 22 meeting, affirmed that no recusals were necessary for the current meeting, and noted that the ZRC would not meet on Labor Day.

The Chair noted that the Town Board would conduct a public hearing about amendments Package #2, SPR and OSCS, at 7:00 p.m., September 12. Attendance by ZRC members would be helpful. The regular ZRC meeting will begin immediately after the public hearing closes.

The Chair reminded members that three documents had been forwarded to them by email for study: Columbia County PB comments about Package #2, Nan Stolzenburg's information about hydrofracking, and Nan's draft text about Floating Business Districts.

Re: FBD—Mr. Sigler and others opined that the draft requirement in paragraph E that “the minimum gross land area required for a FBD is ten (10) contiguous acres” appears to be “too much.” He speculated that the ten acre requirement may envision many businesses (e.g. strip mall) on one parcel rather than simply one business on one parcel, which he considers the more likely scenario. Mr. Boyles questioned paragraph B's feature that “FBD shall be limited to...property having primary vehicular access to State Highway 22 and 82, and County Routes 3, 7, and 8 outside of any hamlet district.” The committee seeks Nan's comments on September 12 about the rationale, especially benefits and drawbacks, for such requirements.

Re: Hydrofracking—Mr. Boyles and others noted that hydro-fracturing had been employed to improve the output of a few water wells in Ancram. In at least one case, a neighbor's well had been adversely affected for several weeks, probably due to the close distance between the two wells. Responding to a question, Mr. Boyles stated that no toxic gases or materials were employed when hydrofracking water wells. The committee seeks Nan's comments on September 12 about hydrofracking for gas, and also as a technique to improve output from water wells.

The committee then examined Nan's initial draft lift of individually tailored standards for SUP and offered questions, comments, and suggestions for Nan's consideration and response:

Re: paragraph 3d on page 3—Clarify whether these setbacks are for the animals per se, or whether they are for structures or other features of animal agriculture in hamlets.

Re: Auto Body...Shop, paragraph a on page 4—Does “enclosed storage yard” mean merely a fence, or a screened storage yard, or an actual building?

Paragraph f on page 4—As written, “no parking” means none. What about parking for customers or for vendors?

Re: Bed and Breakfast, paragraph a on page 4—This cites B&B “up to five units.” What about B&B of more than five units?

Paragraph b on page 5—Are handicapped parking spaces are required?

Paragraph d on page 5—include provision that there be no glare onto other properties.

Re: ECHO (Elder) Housing—page 5. This term needs a definition.

Paragraph (2) on page 5—Several members noted that mobile homes, which might serve as ECHO housing, frequently exceed 650 square feet.

Paragraph (3) on page 6—“within a rear yard exclusive of the required rear yard” prompted unanimous reaction of “what’s this mean?” Needs revision for clarity.

Paragraph (6) on page 6—Mr. Sigler noted that a concrete pad may or may not serve as a foundation. This text calls for “no permanent foundation.” Should we clarify status of pad?

Paragraphs (7) and (8)d on page 6—Mr. Chase and others applauded the annual renewal and signed agreement provisions.

Re: Equipment Storage, paragraph a on page 6—“or shall be stored in an enclosed structure:” Is this still “outside storage” if it’s within an enclosed structure?

Mr. Mayhew and others request rationale for differences between 25% for commercial uses and 30% for home based businesses. Also, all seek revision for simplicity and clarity.

Re: Gasoline Station etc, paragraph a on page 7—250 feet of road frontage appeared excessive to most members, especially within a hamlet. Committee requests Nan’s rationale.

Paragraph c on page 7—Members are not clear about whether such facilities will have any “required yard area.” Hence, this passage may need clarification or deletion.

Note: there are two paragraphs labeled “c” toward bottom of page 7.

Re: second paragraph c (now d) on page 7—Members questioned whether 35 feet from street is realistic, and whether siting pumps to side or rear is realistic. Seek Nan’s thoughts.

Re: paragraphs e and g on page 8—Note inconsistency. Para e says lighting fixtures may not protrude more than two inches whereas g says no bulb, lens or globe may extend below the casing or canopy ceiling. To preclude glare, no protrusion appears to be preferable. Also, these two provisions probably can be rolled into one paragraph. Similarly, paragraph k appears to be redundant of paragraph e.

Re: paragraph o on page 8—Members question whether this provision obligates town to check whether private employees are up-to-date in spill prevention training and whether inserting this provision makes the town legally liable for employee failures at time of spill.

Re: Golf Course, para (6) on page 10—“monument sign” needs definition.

Para (10) on page 10—“Approved by the Planning Board” should be “Town Board.” Because golf tournaments are a regular fund-raising feature for town organizations, the ZRC questions the value of requiring TB approval for “normal” tournaments. However, the committee also recognizes the benefit of requiring TB approval for special, truly large-scale tournaments and similar events that significantly exceed the normal capacity of the golf course. If one were able to determine the capacity of a course, the committee would opt to incorporate a TB permit for such events. The ZRC would like Nan’s thoughts on distinguishing large scale special events from “normal” special events.

Para (11) on page 10—For clarity, simplify language of the second sentence.

Para (12) on pages 10-11—Members want to ensure that pesticides, herbicides, and other chemicals used by the golf course are stored and mixed in an enclosed, locked room or facility.

Re: Light Industry, page 12—it should be clarified that medical supply manufacture, solar energy, and wind energy manufacture are examples of light industry rather than the only instances of light industry.

Para b on page 12—While agreeing with the thrust of this text against large scale sales, the ZRC anticipates circumstances in which a facility dedicated to light industrial manufacture or fabrication may have a small showroom or sales facility integrated within the structure for retail sales to a modest number of customers from the general public—probably less than half a dozen customers daily and would like to integrate such a concept into this text.

Add a provision that fumes, odors, noise, glare, etc not affect neighbors.

Re: Multi-family Dwelling, page 13—The definition on page 9 of Draft Definitions, v2, 6/1/2010, needs revision to clarify whether a multi-family dwelling is a single building, or a portion of a building, or a group of buildings, and to clarify exactly what is a dwelling unit. This confusion affects paragraph b (“dwellings per acre”) on page 13, para c (“residential units”), para d (“multi-family structures”), para e 1 (“units”), and para f 1 on page 14 (“multi-residential dwelling units”). Members found it difficult to engage in fruitful deliberation because definitional references were inconsistent.

Re: Outdoor Wood Furnace—para 3 on page 15, what is “a special exception permit?”

Para 3d, page 15—references to Claverack must be deleted.

Para 5, page 15—Members requested that this paragraph be written more simply and clearly, to include specifying what sort of “permit” “must be obtained within ten years of this law’s adoption. The last sentence also evoked questions about clarity and the relationship between expiration of building permit and operation of the boiler. Discussion also focused on renewal of the special use permit and why renewal would be called for if the boiler was installed in accordance with NYS law.

Re: Recreational Facility (Indoor)—para (5) on page 16: members wondered whether it also would be appropriate to avoid disturbing nearby commercial businesses.

Re: Recreational Facility (Outdoor...)—References to “Local Law #4 of 2008,” “Appendix A,” “Section VI (F),” and others appear to need correction.

For both types of rec facilities, Mr. Chase and others urged a three-year permit renewal.

Re: Self-storage—Paragraph b, page 18: References to “required front yard” and “required transitional yard” caused questions about what these are. Led by Mr. Sigler, there also was extensive discussion about prohibition against “electrically charged, barbed wire or razor wire,” focusing on why such measures are prohibited for self-storage, but not for other facilities. Request Nan explain rationale.

Para f, page 18—References to “Appendix A” appear to not belong in this text.

Re: Shooting Preserve—Para (1) on page 19: ZRC requests Nan provide source for the 200 acre minimum lot area.

Para (3), page 19—There was extensive discussion about the relationship between 1000 foot setback for “all shooting” and the type of firearm and animal hunted. 1000 feet appears excessive for shooting game-birds with shotgun, which is the type of shooting done on most shooting preserves in the area. Members acknowledged that 1000 feet is not excessive for shooting big game with rifles.

Re: Slaughterhouse—Paragraph 4c, page 20: While seeking Nan’s rationale for this provision, the ZRC is inclined to delete this requirement because it believes that likely sites include those serviced by town roads.

Re: Warehouse—Paragraph b on page 21: Members are not certain what “obstruct site distances” means.

Para f, page 21—for most previous uses, the maximum size of the sign has been stated; it appears that should be the case here.

Para l, page 21—This paragraph should include provision that no glare should extend to neighboring properties.

General Comment—Various types of signs are mentioned throughout these model individual standards, e.g. “freestanding sign” (pp. 5,12), “monument sign” (p. 10), “business identification sign” (p. 21). Such terms require definition. Also, sign sizes vary, e.g. “12 square feet” (p. 2), “6 square feet” (p. 5), “16 square feet” (p. 10). The committee is inclined to identify standard sizes for types of signs and uses, and requests Nan’s thoughts.

The meeting adjourned at 8:55 p.m.