

**Town of Ancram  
Zoning Revisions Committee  
11 March 2013**

Members Present: Hugh Clark, Barry Chase, Barbara Gaba, Donna Hoyt, Don MacLean,  
Jim Miller, Bob Roche, Jane Shannon, Dennis Sigler  
Members Absent: Terry Boyles, Bonnie Hundt, Kyle Lougheed, Bob Mayhew  
Others Present: Tim Demarest, Drew Hingson, John Mason, Ron Steed

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The committee convened at 7:04 p.m. and approved minutes of the 11 February 2013 meeting.

The Chair noted that the Town Board had adopted all of Package 4 on 21 February except Supplemental Regulations H. Ridgeline Protection, noted summaries of public hearing feedback about ridgeline protection, and summarized Town Board guidance drawn for Detailed Strategy 2.11 that ridgeline protection regulations will apply to major subdivisions and be encouraged for minor subdivisions; rooflines should be kept at or below the ridgeline with tree-lines being kept intact and structure colors and screening to aid blending; and the misunderstood 500' rule should be eliminated.

The Chair reviewed the four elements of Comp Plan guidance about ridgeline protection found in the community's vision, in Goal 1, in Goal 2, and in Detailed Strategy 2.11.

The committee then deliberated about whether the 500' rule should be eliminated. Among points raised were: The 500' rule protects the landowner as it establishes a limit for the PB; misperception should not be a basis for eliminating a valid landowner protective measure; misunderstanding of the rule is now so pervasive that it is better to eliminate the measure than to attempt further clarification; establishing the outer boundary of the 500' requires exact determination of the ridgeline from which the 500' is measured; costs of determination should be borne by the Town rather than the applicant; and topographic maps are commonly accepted materials and there would normally be no basis for costs beyond those typically assumed by the applicant. Because the 500' rule and the 35' rule are linked, before reaching a decision about the former, members agreed to examine the latter.

Members examined whether rooflines should be kept at or below the ridgeline, rather than 35' below. To provide a context for discussion, the Chair summarized relevant excerpts from zoning regulations of nearby communities:

Austerlitz: "All structures shall be sited so that their roofs are located below the ridgeline or hilltop."

Amenia: "Within the SPO District, site plan approval may only be granted if, with appropriate conditions attached, the proposed activity... Will be at least 40 feet below the crest line of any ridge and will not disturb the continuity of the treeline when viewed from a publicly accessible place. As used herein, "crest line" means the natural ground elevation of the land. The only portions of a structure that may project higher than 40 feet below the crest line shall

be a chimney, satellite dish, antenna, or cupola, which shall not be higher than 30 feet below the crest line.”

Hillsdale: “Within the Ridgeline Overlay District, special permit, site plan, variance, and/or subdivision approval may only be granted if, with appropriate conditions attached, the proposed activity or development... Will be at least 40 feet below the Crest Line of any ridge and will not disturb the continuity of the treeline when viewed from any publicly accessible road. As used herein, A Crest Line means the tops of trees as seen from any publicly accessible road or, if there are not trees, the natural ground elevation of the land. The only portions of a structure that may project higher than 40 feet below the crest line shall be a chimney, satellite dish, antenna, or cupola, which shall not be higher than 30 feet below the crest line.”

Gallatin: “. Location below the ridgeline. All structures shall be sited so that the roof or the top of the structure is located below the ridgeline unless the structure may be fully screened by existing vegetation and appropriate restrictions are placed on the lot to ensure that said vegetation is not removed. The Planning Board may impose conditions or otherwise limit the maximum height of any structure to achieve the objectives of this section.”

During extensive discussion, consensus emerged to adjust so the roof would be “something less than 35’ below the ridgeline.” Three changes receiving most consideration were:

Rooflines should not be higher than 5’ below the ridgeline;

Rooflines should not be higher than the ridgeline;

Apply Gallatin’s verbiage: “All structures shall be sited so that the roof or top of the structure is located below the ridgeline unless the structure may be fully screened by existing vegetation and appropriate restrictions are placed on the lot to ensure that said vegetation is not removed...may limit the maximum height of the structure to achieve the objectives of this section.”

During discussion, Mr. MacLean raised a special issue. Once the ZRC and TB determine at what height the structure may be vis a vis the ridgeline (and that screening and blending measures will apply to such a structure at that placement), the landowner could opt to place the structure a short distance below the designated placement and no ridgeline protection rules would apply—no screening, no blending. Hence, by varying the site height just a few feet, the structure could escape all ridgeline protective measures. He opined that applying an overlay district concept such as Gallatin’s (on the ridgeline or within 200 feet of a ridgeline constitutes a ridgeline protection overlay district), would achieve protection goals, would aid both applicant and PB by defining where the protective measures do and do not apply, and would also accommodate any modest imprecision in determining the exact site of the ridgeline itself.

After illustration and further discussion, the committee found that the problem cited by Mr. MacLean warranted resolution and found the Gallatin model to be a potential solution. This model also may resolve the 500’ difficulty. Members also debated whether 200, 250, or 300 feet was the most appropriate distance. The ZRC requested the Chair provide text by 18 March for the three options replacing 35’ cited above, with text for a “ridgeline plus 300 feet” overlay district and for a 200 feet overlay district included.

The meeting adjourned at 9:05 p.m.