

**Town of Ancram  
Zoning Revisions Committee  
14 March 2011**

**Members Present:** Hugh Clark, Barbara Gaba, Bonnie Hundt, Kyle Lougheed, Don MacLean, Jim Miller, Bob Roche, Jane Shannon, Dennis Sigler

**Members Absent:** Terry Boyles, Barry Chase, Bob Mayhew

**Others Present:** Nan Stolzenburg, Donna Hoyt

---

The Chair called the meeting to order at 7:00 p.m.

The committee approved minutes of the February 21 meeting, and records that no meetings occurred on February 28 and March 7.

The Chair distributed copies of the new Town Ethics Law to Barbara Gaba, Bonnie Hundt, Kyle Lougheed, Don MacLean, Bob Roche, and Jane Shannon, and will deliver copies to Barry Chase and Bob Mayhew. Terry Boyles, Jim Miller, and Dennis Sigler received copies previously through their membership on the Planning Board or Town Board. Training will be scheduled.

Nan Stolzenburg and the Chair explained major features of John Lyons' legal review of Sections I, VII, VIII, and IX. Highlights included:

The need to trace all municipal land use regulations back to either the NYS Town Law or to Section 10 of the NYS Municipal Home Rule Law. Municipal laws pursuant to NYS TL are commonly called ordinances; those pursuant to NYS HRL are local laws. The latter constitute a broader, general grant of authority for municipalities to protect community welfare. Most zoning laws used to be ordinances; most now are local laws. John recommends staying with original plan to enact current chunks as amendments to existing ordinance; later, when all revisions are completed and packaged together, enact as single local law. ZRC concurs.

ZRC agreed that substance of Section I will remain as drafted. John will adjust technical language to be an ordinance amendment.

ZRC affirmed John's edits of Section VII and also his recommendations to clarify some verbiage: e.g. re: JFL 5 that intent is for ZEO to capture conditions imposed by PB, not to check on PB; e.g. re: JFL 6 that intent is for deputy ZEO to have same duties as ZEO, but with less authority; e.g. re: JFL 7 that, if ZEO is unable to serve for a significant period, TB would first turn to deputy ZEO to serve as acting ZEO. ZRC also agreed that, when all revisions are done and entire coherent document gets cast as local law, it would be helpful to use articles and sections per JFL 8.

ZRC affirmed John's edits and recommendations about Section VIII. However, re: JFL 2, ZRC desires that some clear, comprehensible language be restored (perhaps via a reader info

box) that enables a citizen to understand why the ZBA exists without forcing that citizen to research several legal references. Also, re: JFL 16 and 18, ZRC opted to retain certified mail.

ZRC affirmed John's edits and recommendations about Section IX. Re: JFL 5, after extensive deliberation, the committee decided that there are more cons than pros to enacting a local law allowing an alternate to be activated in the mere absence of a regular member. Re: JFL 14, the committee agreed that a reference to the Town of Ancram Ethics Law should be added. This law had not been adopted when this draft was written and it is now appropriate to incorporate it into this section.

After extensive deliberation, the committee decided that the simplest, most coherent course of action is to replace paragraph I, Residential Cluster Development, of Section V, Supplementary Regulations, in the current ordinance with the Open Space Conservation Subdivision draft. John will alter the technical language citing it as a local law to language appropriate to an amendment.

Discussion then turned to questions and thoughts when revising Section III, Use Regulations, and especially focused on the Use Table for the Ancram Hamlet Business/Residential District.

Nan reminded all that site plan review looks at how a structure functions on the land and mentioned siting, parking, and signs as elements of such considerations. She then noted that the special use permit process looks at the use itself—that the use is allowed, but has characteristics that may need mitigation to fit into the neighborhood. For illustration, she cited that a 24-hour gas station would be a tough fit in a residential neighborhood due to noise, lights, etc.

Nan also noted that review of a SUP application normally entails SPR, whereas SPR can be done without SUP.

Responding to a query about Floating Business Districts, Nan noted that an FBD application normally goes first to the Town Board, which determines whether to create the proposed FBD. To aid its deliberations, the TB gets an advisory opinion from the Planning Board. If the TB says no to the proposal, the process is done. If the TB says yes, the approved proposal gets mapped and then proceeds to the PB for its normal review of application features. . A FBD is set up for a purpose; any other subsequent use would have to comply with the established criteria unless the TB subsequently changed those criteria. Nan reminded the committee that standards and criteria for FBD should be established as part of zoning revision, and that deliberations should encompass varied considerations—including legality, economics, and compatibility with town and district goals. It is prudent to err on the side of strictness when establishing criteria.

The meeting adjourned at 9:00 p.m.