

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

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

Members Absent: Terry Boyles, Barbara Gaba, Kyle Lougheed, Bob Mayhew

Others Present: Donna Hoyt

The Chair called the meeting to order at 7:08 p.m.

Members approved minutes of the Nov 7 meeting and affirmed no recusals were necessary.

Following up November 7 discussion with Nan Stolzenburg, the committee deliberated about the Floating Business District and determined:

- *FBD is for a single use/enterprise not envisioned in the use table and which is of a nature and scale that are compatible with the rural, scenic character of the town;

- *FBD is actually intended to be a floating light industrial district—not for retail businesses;

- *FBD is not required to be on a property abutting a hamlet district and is not required to be within a specified proximity to a hamlet district;

- *it may be beneficial to provide some sort of bonus to an applicant who opts to locate the potential use/FBD within a pre-established proximity to a hamlet. Such bonus might be that the applicant would not be required to own whatever minimum acreage might normally be called for. The notional proximity would be 1.5 or 2 miles from a selected center point in each hamlet. The ZRC seeks Nan's advice about this bonus possibility, including whether the location should be prohibited from abutting a residential district.

- *FBD must be located along a state or county highway outside a hamlet district, not on town roads.

- *The maximum building footprint should be 5000 square feet.

- *The ZRC seeks information and advice from Nan about several features of lot coverage:

- Does "lot coverage" mean only the building footprint itself, or does it also include paved parking and all other impervious surfaces?

- Is it better to establish "lot coverage" as a fixed percentage of lot size (e.g. 70%), or is it better to establish some ratio or proportion between lot coverage and the size of the lot (e.g. 40% coverage: 60% open)?

- If the latter, is there a danger that the applicant must acquire (and divert) agricultural land unnecessarily?

- *Other questions about FBD for Nan include:

- Does "unenvisioned" use mean a use that does not appear on the use table, or does it mean a use that appears on the use table, but is of a size or intensity larger than cited on the use table?

-If the use table states that a use is not permitted, or if the use table (or accompanying text) says that a use beyond a specified size or intensity is not permitted, may an applicant reasonably contend that his use beyond that scale was unenvisioned? Does “no” mean “no?”

-If a specific, unenvisioned use and its FBD are established, and the use operates for a time but then subsequently ceases, what happens to the FBD: Does it cease to exist? Do “normal” zoning rules kick in? Will the amendment contain guidance about such a circumstance?

-Should the use table contain a separate column that specifies guidance about FBD or points a reader to text that contains all guidance about FBD?

-Is it reasonable and feasible to limit the number of FBD that may be established?

-What distinguishes FBD from spot-zoning? Are the detailed, comprehensive steps in the application/review procedures and the detailed, comprehensive criteria that must be met to allow an approval the essential features that distinguish FBD from spot-zoning?

Referring to the draft Density and Dimension Tables, v1 11 7 11, that Nan handed out on November 7, members identified points that may require edits. Points warranting further review include:

Re: “Density Requirements” —

-Lot size in the Ag District is “Variable” as noted in the footnote, and could be less than ½ acre, especially in an OSCS.

-1/2 acre lot size in B/R districts may be too small unless there is public water and sewage. Although minimum separation distances between water and septic may be achieved on some ½ acre parcels, it’s possible that those minimum separations are achieved only by placing the water and septic so close to the lot boundaries that the ability of adjoining parcels to meet standards is compromised.

-2 acre lot size for I-1 may need further discussion.

-Carson Road contains mostly 4-acre lots that are not able to be subdivided. May warrant “variable” designation.

Re: “Lot Dimension Requirements” —

-Members unanimously seek Nan’s explanation about “Lot Width at front yard setback line (feet) Min.” What does this mean? Where does one measure from?

-Mr. Sigler noted that minimum lot width in “Lot Width” column may be too narrow for all circumstances and another column for OSCS may be needed.

-Mr. Miller questioned whether “Maximum Lot Coverage %” numbers are all correct, especially RhoR1. He speculated that 25% should be 65%.

-Carson Road numbers also merit further review. Donna Hoyt will bring info and maps about Carson Road to November 21 meeting.

-Mr. MacLean noted that flag lots may need to be addressed.

The meeting adjourned at 8:56 p.m.