

**Town of Ancram
Zoning Revisions Committee
16 May 2011**

Members Present: Hugh Clark, Terry Boyles, Barry Chase, Barbara Gaba, Bonnie Hundt, Kyle Loughed, Don MacLean, Bob Mayhew, Jim Miller, Bob Roche, Jane Shannon, Dennis Sigler

Others Present: Donna Hoyt

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

Members approved minutes of the May 9 meeting and affirmed that no recusals were necessary for the current meeting.

The Chair updated members about the first package of zoning amendments to Sections I, VII, VIII, IX, X, XI, and XII, which was delivered to the Town Supervisor on 11 May.

Members reviewed a map showing NYS Ag Districts and any overlap with hamlet boundaries.

The committee continued to determine uses in the hamlet residential zoning districts. Tentative results were:

Agriculture, i.e. crops, hay, is permitted. Agriculture, i.e. animals, requires SUP. Although the ZRC recognizes that the Town may not restrict agricultural activities within a NYS Ag District, the committee is concerned about harboring large numbers of animals in a relatively small space within the hamlet R2 districts and believes that review pursuant to a SUP is a reasonable and balanced protection.

For horticulture, greenhouses, and hothouses, the committee initially opted to require SPR in the hamlet R2 districts as it had in the hamlet B/R districts. Further discussion then confirmed members' intent to limit greenhouses and hothouses to a size to be determined. Given that objective, the ZRC tentatively determined that SUP was a more appropriate tool in the hamlet R2 districts. Because horticulture has not yet been defined, SUP would also apply to it. Reasoning about horticulture, greenhouses, and hothouses was similar to that captured in notes 11 and 12 about SUP for aquaculture, fish hatcheries, and silviculture/forestry—that the intent is to limit the size of the operation within a hamlet district.

Beekeeping and fences are permitted. Silos and bunkers are not permitted.

Barns and equipment sheds require ASPR. Upon further reflection, for logical consistency the ZRC also changed requirements for barns in the hamlet B/R districts from SUP to ASPR.

Members deleted “personal” from the “personal stable” use, and require SUP for stables, outdoor and indoor training arenas, and training tracks/courses in the hamlet R2 districts, as they had for the hamlet B/R districts.

As in the hamlet B/R districts, the committee requires ASPR for farm stands exceeding 400 square feet.

As in the hamlet B/R districts, wineries, distilleries, and breweries would require SUP.

Throughout their deliberation, members raised fundamental questions about the nature of the hamlet R2 districts and about uses—and scale of uses—appropriate for those districts. Therefore, it was understood that all determinations made during the course of the meeting are tentative pending Nan Stolzenburg’s guidance about issues such as the following:

#1. Which is the best option?

A. Should two categories be established in the use table—one for agricultural activities in hamlet B/R and hamlet R2 districts that are overlapped by a NYS Ag District and one for agricultural activities within hamlet B/R and R2 districts that are not in a NYS Ag District?

B. Or, should these distinctions be handled by verbiage in other parts of the zoning ordinance?

C. Or, should the ZRC alter the boundaries of the hamlet B/R and/or R2 zoning districts to eliminate any conflict with a NYS Ag District? Some members noted that this option entails a complicating factor: NYS changes its Ag District boundaries from time to time.

#2. Given that the Town wants to encourage and promote business and also agriculture, but also given that the town has B/R districts, a large agricultural district, and floating business districts, is it appropriate to allow significant commercial and agricultural uses in the hamlet R2 districts? Or, should these R2 districts be a haven from such uses—with the possible exception of unobtrusive home-based businesses?

#3. The ZRC wants to allow chickens, and a horse/pony or two, and hothouses/greenhouses that a home gardener or hobbyist might use in the R2 districts. How does one distinguish between “official commercial” agriculture and the scale of “household/hobby” animal and plant buildings and activities suitable for a 2-acre residential district?

#4. Given the dynamic between what’s “here and now” and what changes may occur in the R2 district in the future, which timeframe should receive most attention—what is, or what might be?

#5. If a barn is proposed for a hamlet R2 district, and the location is not overlapped by a NYS Ag District, should that barn receive full SPR, whereas in the NYS Ag District it would receive ASPR?

#6. Given the definitions in Draft Defs (v2) 6/1/2010, the ZRC recognizes that a special use is one that is permitted, but which may have conditions imposed by the PB to ensure that it is reasonably compatible with the neighborhood. The ZRC asks: May the PB say “no” to an SUP?

#7. Does the Town run afoul of NYS Ag & Mkts Law if it does not allow wineries, distilleries, and breweries in portions of the hamlet R2 districts that are overlapped by a NYS Ag District? Does it make a difference if those enterprises only sell their products wholesale, but not retail?

The meeting adjourned at 8:55 p.m.