

**Town of Ancram
Zoning Revisions Committee
18 October 2010**

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

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

Members approved minutes of the October 11 meeting.

Reviewing Version 3 of the Site Plan Review Section, members accepted Nan Stolzenburg's edits, including: page 1, paragraph A, incorporating references to major and minor reviews, but requested the sequence be reversed to cite major before minor; pp. 1-2, paragraphs A1a4 and 5; and affirmed that major sub-divisions (and cumulative minors) should receive major SPR.

After extensive discussion, the ZRC also accepted Nan's deletion of single to double conversions from page 2, para A1b. The ZEO/BI should review such proposals within the normal scope of his duties, looking especially at adequacy of water/septic systems and parking, and ZEO/BI/CEO duty description should include guidance that questionable proposals should be referred to the Planning Board. The committee also determined that draft definition of "accessory apartment" (see v2, 6/1/2010) should be revised to include apartments in barns, garages, etc that are not "in, or added to, an existing single-family dwelling" and requests Nan clarify definition of accessory apartment versus multi-family dwelling.

Re: page 3, para A2c, the committee concluded that duration of operation should not be the criterion for temporary farm stands. The size, scope, and nature of the farm stand should be the paramount considerations. Indeed, "temporary" should probably be excised from the reference. The ZRC wants to ensure that small structures, carts, wagons, and children's lemonade stands or similar enterprises are not discouraged by excessive regulation. Safety, especially parking, should be one of the few ground-rules for operation. Definition of "farm stand" may need amendment to avoid exclusion of resident selling produce from back-yard garden, etc.

Re: page 3, para A2d and comment NS4, the ZRC opted to keep the current wording, and not include actions that fall below the DEC threshold, and also opted to accept current wording at p. 3, para A2e because ZEO/BI/CEO will review.

Extensive discussion about which features of pp. 13-17, paragraph C2a-r, to extract and place in design standards or other sections of zoning law produced consensus that Chair should identify candidate passages and provide changes to Nan; committee will subsequently review edits. Likely extractions are: p. 14, para e—Insert "screening" in first sentence; extract remainder; p. 14, para f—Retain f; extract all or most of 1,2,3,4; p. 14, para g—Retain first sentence; extract all or most of remainder; p. 15, para i—Retain i; extract 1,2,3,4; p. 16, para o—Retain o, 1, 2, 3, 5; and first sentence of 4; p. 17, para q—Extract: already at C1. Committee stressed that extracted portions must go in commercial design standards and/or subdivision regulations.

Re: pp. 17-18, para D2c and Cmt NS10, Mr. MacLean noted that current subdivision regulations for major subdivisions already call for such a phased development bond. The committee accepted proposed text that the PB may request such a bond, but requests that Ms. Stolzenburg review now those parts of the current subdivision regulations that deal with guarantees of site improvements and performance bonds to ensure that all current and proposed provisions are consistent and coherent. The committee also asks that the last sentence of para D2c be amended to state that the town will not release the performance bond for one phase of development until that phase has been approved and that no bond for subsequent phases will be accepted until the prior phase has been approved.

Re: p. 20, para G2b and Cmt NS13, the committee opts to retain the last sentence as it parallels and coincides with similar language about major site plan review and reinforces transparency.

Re: p. 20, para G1b2, and p. 21, para G1b2g and Cmt NS14, the committee wants to ensure that residential site plan review is as simple and inexpensive for the applicant as possible. To the greatest possible extent, the applicant should not have to hire a surveyor to produce maps and drawings, and should be able to use or reproduce existing survey maps, tax maps, or similar instruments and enter proposed sites, features, and measurements on them. While the PB does need maps to scale, grades and contours should be sufficiently available from the town's existing hard copy or computer maps. While PB members agreed that the GIS maps are adequate, they question whether the town currently has the ability to print those maps. That capability needs to be developed, as well as making these maps available on the town's website.

Re: p. 21, para 5, and Cmt NS19, the committee decided that an application fee determined by the town board is sufficient, that no escrow account should be called for, and that this paragraph should be amended accordingly. The committee also wants to ensure that if a residential proposal "is complicated," that the PB has the right to "bump it up" to major site plan review.

Re: p. 23, para 6, and Cmt NS19, the committee decided that failure of the PB to act within specified or agreed upon timeframes shall constitute approval of the application. The committee also wants to ensure that a provision is included whereby the applicant's failure to follow through on his application (e.g. meet with the PB, or provide requisite info) within a specified period absolves the PB of the requirement to act.

The committee agreed that using the terms "major site plan review" and "minor site plan review" may cause confusion with the terms "major subdivision" and "minor subdivision." Indeed, such transference and confusion was evident in some committee discussions during the meeting. Accordingly, the committee adopted the terms "site plan review" and "abbreviated site plan review" for use throughout the revised zoning law.

The meeting adjourned at 9:02 p.m.