

**Town of Ancram
Zoning Revisions Committee
19 September 2011**

Members Present: Hugh Clark, Terry Boyles, Barry Chase, Bonnie Hundt, Don MacLean, Bob Mayhew, Jim Miller, Bob Roche, Dennis Sigler

Members Absent: Barbara Gaba, Kyle Lougheed, Jane Shannon

Others Present: Donna Hoyt

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

Members approved minutes of the September 12 meeting and affirmed that no recusals were necessary for the current meeting.

The Chair summarized points raised at the September 12 public hearing on Zoning Package #2 and then reviewed probable edits prompted by those points. Members' responses included:

Re: SPR, p. 7, para 2d—Because ZRC members believe that no town map of vernal pools currently exists, it may be premature to require a sketch map that shows vernal pool locations. The Chair noted that inserting a phrase such as “as may exist” might help the PB and applicant recognize that showing vernal pools would be required only if a map of their locations exists. Mr. Sigler reiterated that the sketch plan conference was not intended to be an exhaustive or unduly expensive compilation of information, and he and others asked “who has the final word on whether a vernal pool is of sufficient size or significance to warrant protection?”

Re: SPR, p. 10, para 5ee, and other references to stream buffers and streamside vegetated buffers—Some members asked where the buffer is measured from: from center of waterway or from edge? And what happens when the bank shifts due to flooding or other water action? Members concluded that buffers are measured from the edge of the waterway, but seek Nan Stolzenburg's validation.

Re: SPR, p. 16, para D2m, and p. 18, para F2—The ZRC affirmed their previous recommendation that the PB “may” request an advisory opinion from the Ancram CAC, rather than “shall.”

Mr. Boyles noted that two CAC members are also members of the PB and speculated that holding seats on two panels constitutes conflict of interest, or at least gives those CAC members two bites at the same apple. Other members responded that no true conflict of interest arises unless personal gain or perception of gain occurs, and also that the CAC “merely” offers advisory opinions and only the PB has decision-making authority.

The ZRC affirmed all other Section XIII (SPR) edits initiated by Nan and the Chair.

Re: OSCS, p. 6, para 6b(9)p—The ZRC extensively discussed the edit that “the Planning Board shall refer the sketch plan to the Ancram Conservation Advisory Council for review and an advisory opinion....” By a narrow margin, the ZRC affirmed the decision made on September 12

that the “Planning Board shall refer” rather than “may refer.” Members cautioned that the PB should institute controls to ensure that the CAC responds quickly to such referrals and does not delay the review process.

During this discussion, the Chair quoted from the August 23, 2010, Biodiversity Assessment research paper and the Vernal Pool research paper prepared for the ZRC by the CAC. ZRC members noted that some procedures suggested by the CAC (e.g. paragraph C1-10 of the Biodiversity paper) may be useful guidance by which the PB and CAC can coordinate their work, but should be thought of as internal standard operating procedures rather than as necessary for inclusion in town law.

Re: OSCS, p. 11, para 10—Extensive discussion occurred about this subsection on protecting open space. Some members of the ZRC who also had been members of the Comprehensive Plan Committee had understood that Comp Plan intent was to protect open space permanently. Deliberation among ZRC members prompted agreement that permanent protection of qualifying parcels is desirable. However, protection for a significantly long (but less than permanent) period is warranted for some parcels when lasting, long-term changes in the community’s vision and circumstances have evolved. In those instances, the ZRC senses that protection for approximately 25 years gives appropriate balance and flexibility between permanent protection and shorter term, but still significant, protection.

The ZRC opined that the original subsection 10 submitted to the Town Board remains appropriate. However, a subsection 10 a (3) should be added to the current proposal (as slightly edited already by Nan and the Chair). This additional subsection would provide for a “term easement” and/or some similar method(s) of open space protection that is less than permanent, but of significant duration (e.g. 25 years). The ZRC requests Nan Stolzenburg’s advice about such a term easement.

The ZRC affirmed all other subsection V (I) (OSCS) edits initiated by Nan and the Chair.

The meeting adjourned at 8:55 p.m.