

**Town of Ancram  
Zoning Revisions Committee  
31 January 2011**

**Members Present:** Hugh Clark, Terry Boyles, Barry Chase, Barbara Gaba, Bonnie Hundt, Don MacLean, Bob Mayhew, Jim Miller, Bob Roche

**Members Absent:** Kyle Lougheed, Jane Shannon, Dennis Sigler

**Others Present:** Donna Hoyt

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The Chair called the meeting to order at 7:02 p.m.

The committee approved minutes of the January 24 meeting.

As a basic step toward revising Section III, Use Regulations, members engaged in a brainstorming exercise to identify uses that might appear in the use table. More than 160 candidates were suggested. The Chair will sort these suggestions into groups with somewhat similar characteristics, so that members can determine which uses should be designated as uses permitted by right, which should be subject to site plan review, and which should require a special use permit.

The committee then reviewed draft version 1 of Special Use Permit Procedures provided by Nan Stolzenburg in her January 30 email. Suggestions included:

1. Include in sub-section C, Application for Special Use, a requirement that an Ag Data Statement be included if the project is within a New York State Agricultural District or within 500 feet of a NYS Ag District. This requirement should probably appear as C2 or C3.

2. Include in sub-section D4a, Decisions, a sentence to the effect that failure of the Planning Board to act within the period specified or other time frame agreed upon by the applicant and Planning Board shall constitute Planning Board approval of the application as submitted or last amended.

3. At sub-section D5, Expiration of Special Use Permit, members voiced concern about voiding the permit "if there has been a lapse in construction of more than six months." A lapse only in construction does not appear to cover all situations. By definition, a "use" may be an occupation, business activity, or operation—none of which necessarily require a structure that must be built. Members suggested that "lapse in construction" be changed to "if there has been no activity in more than six months" or similar verbiage.

4. At D10, Expansion of Special Use, members await John Lyons' response to questions posed in the January 24 minutes and wonder whether a caveat should be added to D10 to the effect that a SUP runs with the land unless the SUP has been voided.

5. Extensive discussion about E1a focused on the difficulty of defining “building character.” Members suggested that building character may be most closely captured within design standards. Ultimately, members agreed that it appears best to delete the second sentence in E1a and allow the Planning Board to apply its judgment about compatibility.

6. Members noted that sub-section E1j appears to be the only item in a-q that is relatively specific and wondered whether such specificity is better suited to another part of the zoning law, perhaps in Supplementary Regulations.

Also, members believe the term “open space” in this paragraph creates confusion when applied to “playgrounds and recreation” because such features connote relatively groomed, developed terrain, whereas “open space” as defined in Draft Definitions (v2), 6/1/10, refers to “land left in a natural state for conservation and agricultural purposes or for scenic purposes.” Although the definition does subsequently refer to “active or passive recreation,” that phrase is also preceded by reference to “land left in its natural state.” To avoid confusion, it may be prudent to simply state “Usable space for playgrounds and recreation...” or “Usable terrain for...” or some similar wording.

7. Members also suggested that the list of factors for consideration at E1 should include: “Requirements of any applicable Supplementary Regulations have been met.”

8. The language of E1o prompted members to speculate about the meaning of “injure the use...of the property.” The committee opined that such verbiage should be changed to more straightforward, understandable terms.

9. After considering Nan’s comments NS1 and NS2, ZRC consensus is that all SUP applications should not have to undergo site plan review.

The meeting adjourned at 8:48 p.m.