

**Town of Ancram
Zoning Revisions Committee
5 December 2011**

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

The Chair called the meeting to order at 7:04 p.m.

After noting that a sliding scale should include all setbacks rather than only frontage, members approved minutes of the November 28 meeting and affirmed no recusals were necessary.

Citing previous discussion about rights of way and the point from which they are measured, the Chair summarized a talk with James MacArthur, Ancram Highway Superintendent, in which Mr. MacArthur noted that ROW are measured from the center of the highway, which is determined by measuring from paved edge to paved edge. By NYS law, the town has 3 rods of ROW (approximately 48 feet) and normally maintains 20 feet each way from the center line.

Members conferred with Nan Stolzenburg about issues affecting completion of Package #3:

Re: Density and Dimensions Tables—

a. Draft Table 3: Sliding Scale for Lot Width Dimensions...in Ag District: During extensive discussion about what is accomplished (i.e. what is the “value added”) by having a road frontage requirement in the Ag District, the committee noted that frontage requirements can undercut best uses in Ag District and can cause uniform lots to be lined up along the road. The committee opted to have no sliding scale.

b. Instead, Table 2: Lot Dimension Requirements will cite 50 feet as the minimum lot width at front yard setback line in the Ag District.

However, it appears useful to have in Table 2 a sliding scale for Maximum Lot Coverage (%) in the Ag District, related to lot size, and Nan will draft such a sliding scale for ZRC consideration.

Also agreed upon was that the Max Lot Coverage (%) for the I-1 district should be the same as that for the FBD, which has not yet been decided.

Responding to a question, Nan explained that the 75 foot lot width at front yard setback line in the hamlet B/R districts facilitates parking on sides.

c. Discussion about Draft Table 1: Density Requirements prompted edit to insert “Minimum” in front of “Lot Size (acres)” and to add to Footnote 1 that ½ acre may be minimum lot size if individual water and sewage disposal are available. Also, text in Footnote 1 will be altered to

change “provided the average lot size does not exceed 3.5” to “provided the average lot size is at least 3.5.”

When the above edits and adjustments are made, the ZRC considers the Density and Dimensions Tables to be final drafts ready for public consideration.

Re: Floating Business District (FBD)—

The ZRC reviewed features of “Rough Draft, Floating Business District for ZRC Review and Input, 12/1/11.”

Once again, some members commented that an FBD appears to be “legalized spot zoning.” Responding, Nan noted that there is a risk, but that because the FBD is recommended in the Comp Plan, and the language establishes criteria, standards, and a process for establishing a FBD, the risk of this being spot zoning is mitigated.

Once again, members lamented that the town’s sole light industrial district is wholly occupied by the mill, and affirmed that it is preferable for an applicant to propose an FBD rather than for the town to initiate an action re-designating some residential, business/residential, or agricultural parcel(s) as a light industrial district.

Re: SubSections A (Purpose) and F (Uses Permitted in the FBD)—Once again, committee members discussed whether the FBD is actually intended to be (and therefore should be designated as) a floating light industrial district, or whether it should be for any commercial use not envisioned in the use table. Although most members agree that the use table is sufficiently complete that there is little likelihood that any retail or other commercial use has not been included, one also can logically conclude that some non-industrial business enterprise remains un-envisioned and that the FBD should not be designated purely for light industrial uses. This issue remains unresolved.

Re: SubSection B (Applicability)—Once again, committee members reviewed limiting FBD to property having primary vehicular access to State Highways 22 and 82 and to County Routes 3, 7, and 8 outside of any hamlet district. Consensus favors retaining this text.

Re: SubSection G 10, Expiration of FBD District—Members asked Nan to insert text that explicitly states the process by which the FBD shall become null and void and the land reverts to the underlying zone.

Again, one thread of discussion was whether an FBD should be for one enterprise, or whether the town should minimize proliferation of FBD by allowing or requiring an FBD to accommodate a number of businesses. If the latter, what is the minimum parcel size, maximum lot coverage, etc? This issue remains unresolved.

With thanks to Nan Stolzenburg, the meeting adjourned at 9:00 p.m.