

**Town of Ancram
Zoning Revisions Committee
6 June 2011**

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

Members Absent: Kyle Lougheed, Bob Mayhew, Dennis Sigler

Others Present: Donna Hoyt

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

Members approved minutes of the May 23 meeting and affirmed that no recusals were necessary for the current meeting.

Members reviewed a June 6 email containing Nan Stolzenburg's responses to a 4-point approach about home-based businesses in the hamlet R2 districts (See May 23 minutes.). Nan concurred with (1) adding minor/low impact and major/high impact home occupations as categories within the use table, (2) allowing low impact home-based businesses as permitted uses within the R2 districts, (3) not permitting any "store-front" or high impact home-based businesses in the R2 districts, and (4) tightening definitions of minor/low impact and major/high impact home-based businesses.

Using pages 5-8 of the Use Table Worksheet, 3d Edition, the ZRC then determined uses in the hamlet R2 districts. While doing so, the committee incorporated the 4-point approach cited above.

This approach led to considering each use category in the Use Table Worksheet in two contexts: as a minor/low impact home-based business and as a major/high impact home-based business or as a "storefront" business.

Consensus was that the nature of a home-based business should not be a matter of concern as long as the home-based business meets the definition of a minor/low impact home-based business. Accordingly, it would be acceptable for the "office portion" of home-based businesses to be a secondary use within the residence, but the "business portion"—i.e. parking of vehicles, storage of materials and equipment, congregating spot for employees—would have to be elsewhere in those instances.

Discussion also addressed whether the ZRC should recommend, and whether town officials could implement, a system requiring anyone seeking to establish a home-based occupation to first obtain some sort of review to determine whether that proposed home-based business would be minor/low impact (and thereby acceptable in an R2 district) or major/high impact and therefore unacceptable. Consensus was that such an approach is not practical. Reasons for this conclusion include: the difficulties of publicizing such a requirement well enough to assure

that all citizens at all times would know that the requirement exists; the likelihood that many home-based businesses could/would be started and operate so unobtrusively that no one would know that the business exists; that there would be no practical way to deal with such violations until the violation had already occurred; and that—consistent with the Comp Plan—low impact home-based businesses should not be discouraged or thwarted. However, to minimize unintentional violations and to keep peace among neighbors, the committee also concluded that town officials and the building department should publicize distinctions between low and high impact home-based occupations.

Re: pages 5-8 of the Use Table Worksheet, in the hamlet R2 districts, not permitted are alcohol/beverage sales/distribution, day spa, convenience store, grocery store, gift shop, art gallery, bank/financial institution, pharmacy, pawnshop, jewelry, clothing, consignment/thrift, furniture, hardware, appliance sales/service stores, pet shop, florist, discount stores/plans/clubs. Also not permitted are dry cleaners pick up/drop off and cleaning facility, glass sales/service, printing/engraving, tourist information/services, retail stores, auction houses, small engine repair shops, pest control/exterminator, automotive sales/service, commercial car wash, auto towing, auto body repair/paint shop, gasoline filling station, electric [vehicle] charging station, hydrogen fuel cell facility, auto/trailer rental ofc/parking area, commercial parking area, funeral home/services, crematory—human and animal, bail bondsman, employment agency, commercial laundry, Laundromat, mail order distribution facility, radio/tv station office/studio, antique sales store. Also not permitted in the hamlet R2 districts are nursery/greenhouse, construction equipment supplies, lumberyard, pre-school, camp, retreat center/conference center, private/religious schools (day and boarding), charter school, performing arts school, performing arts instruction, martial arts instruction, business/trade school, distance learning facility, and college/university.

Re: pages 5-8 of the Use Table Worksheet, in the hamlet R2 districts, the following uses are permitted IF they are minor/low impact home-based occupations: baker, butcher, barber, beauty salon, tanning salon, computer/electronics sales/service, furniture refinishing/repair, firearms sales/service, photography, tattoo/body piercing, tailor/seamstress, commercial cleaning/janitorial service, telemarketing facility/service, travel agent, artisan/craftsman, taxi/limousine service, attorney/legal services, financial services/accounting, tax preparation, engineer, architect, insurance, real estate sales/management, publishing, antique restoration, the “home office” portion of: lawn/garden/landscape service, arborist/tree services, excavation contracting, building contracting, electrical contracting, plumbing/heating/cooling contracting, demolition services, blasting services, painting contracting, roofing/gutter contracting, snow removal contracting, logging contracting, day care (children and adult).

Re: pages 5-8 of the Use Table Worksheet, in the hamlet R2 districts, the uses cited in the paragraph above as permitted if they are minor/low impact home-based occupations are NOT permitted in the R2 district if they are the major/high impact “business site collection of vehicles, equipment, and people” portion of those uses.

The meeting adjourned at 8:57 p.m.