

**Town of Ancram  
Town Board  
Regular Meeting  
March 20, 2014**

**Present:** Supervisor Arthur Bassin                      Councilman James Miller  
                 Councilman Chris Thomas                      Councilman Hugh Clark  
                 Councilwoman Madeline Israel                      Town Clerk Monica Cleveland  
                 Highway Superintendent James MacArthur

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The regular board meeting of the Town of Ancram was called to order by Supervisor Arthur Bassin at 7:00pm with a salute to the flag.

A motion was made by Councilman Miller and seconded by Councilwoman Israel to accept the minutes of the previous meeting as read and placed on the record. Motion carried.

Fire Chief David Boice gave an overview of the Fire Departments activities. He stressed that the area is in the midst of a burn ban that runs through the month of May. The town will be hosting the Memorial Day parade this year as well as celebrating the 75<sup>th</sup> anniversary of the Fire Department on July 12<sup>th</sup>.

Mr. Bassin asked Mr. Boice about the town pool, of which Mr. Boice is the overseer. Mr. Boice stated that the pool fencing needs some replacement sections this year. He questioned if it would be worth the investment to move the pool. In his opinion, the pool seems in good shape for an older, cement pool. He suggested some renovations to the current pool such as fencing, repairs to the pool deck and repairs to the bathroom facilities. The pool is a tribute to the care and maintenance that has happened over the lifetime of the pool. He did suggest that in the future the town may wish to invest in a fiberglass coating. This would cut down on the cost of painting the pool each year.

**Supervisors Report  
Town Issues**

**1. Financial Report** - \$63,000 in 4Q13 sales tax revenues received in February, which is about what we were expecting. Costs in February were again affected by the snow. We have about exhausted our annual sand and salt budget of \$60,000, and will probably exceed this budget by 15,000 to \$30,000. We will review with Jim McArthur on Thursday how the roads are, and how he may want to change our road spending plan for the rest of the year. We ended the month with \$1,346,000 in the bank.

**2. DEC Culvert Study** – Kickoff is April 10. DEC has agreed to do a study of the Town’s culvers as part of a statewide effort to study water management statewide. The objective is to identify culverts that are likely to be compromised depending on the severity of various weather events. This can help the Town prioritize plans to expand culvers over time to accommodate more severe weather.

**3. Community Cleanup Day** – May 10. 9 to 1. Details to follow.

**4. Fee Schedule** – Draft of the fee schedule is attached. We will discuss it Thursday, will incorporate your comments and will consider it for approval at the April meeting.

**5. Town Priorities** – I have attached an updated list of Town priorities. We will discuss and update this on Thursday, and make it a part of our monthly routine.

**6. No burning** - The annual outdoor burning ban is in effect from March 15 to May 15.

## County Issues

1. **Airport** – The Airport Committee should be ready at the next meeting on March 24 to recommend the “Porreca Plan” which will allow the /county to comply with FAA safety guidelines for the on the north end of the runway without the need for any land from the Meadowgreens.
2. **Pine Haven** – The County has formed a committee to review the plan to build a new facility at a cost of about \$35 million. The Committee will also consider options to sell or outsource the management of Pine Haven. While it is important that we keep Pine Haven’s 120 beds available in the County, there are organizations that are more skilled at managing this kind of facility than the County is. We need to get Pine Haven into the strongest possible management hands we can, for the benefit of Pine Haven’s residents and the County’s taxpayers.

## Town Board Members

Councilwoman Israel stated that she is looking for nominations of Senior Citizen of the Year for Columbia County.

## Highway Department

Mr. MacArthur stated that although the salt and sand budget has been depleted for the season, he is confident that as long as there are not several more storms, he will still have excess left for the start of the next winter season. He said that at this time the road conditions are not terrible given the winter season we have had. But, he reminded people that at this point there is still much frost in the ground. A question was raised about the cutting of trees along Westfall Road. Mr. MacArthur stated that the road is being marginally widened for safety reasons. Mr. Boice stated that this has been a concern at the Fire Department for some time as a truck may not make it up the road in the winter.

Mr. Bassin stated that he had received notice from the state that they will be putting rumble strips through the center line along Route 82 this summer.

Community day will be held on Saturday May 10 from 9 to 1pm. Mr. MacArthur is asking that those who bring refuse also bring a donation to the Food Pantry.

## Assessors Office

Mr. Leggett, Town Assessor, asked if he could make his Saturday hours during the months of July and August by appointment only. He stated that the board in Livingston had already okayed him for this as these months are the slowest for his office. Mrs. Boice will also shorten her hours for this month. The board was in agreement with this. Mr. Leggett stated he will be on vacation April 3 through the 10<sup>th</sup>. Mrs. Boice will work for him on Sat the 5<sup>th</sup>.

## FAC

The FAC will continue to work on the town fee schedule and will begin the audit of the town books.

## **Planning Board**

The planning board is in review of the revised zoning laws and are generating comments.

## **Zoning Board**

The transition to the new chair Bonnie Hundt has taken place.

## **Youth Commission**

The Youth Commission will be having a meeting to discuss upcoming events.

## **CAC**

The CAC is going over the Natural Resource Conservation Plan as well as a flood management plan. The beginning of this will be the start of the culvert study. Mr. Bill Hunt would like to be on the Flood/Emergency Management Committee.

The County Environmental Management Committee has made several awards including some to those nominated by Ancram. The Bio's of the County committee are now online on the committee's website.

There was a question about Long Lake and Rhoda Lake in regards of the pesticides. Mrs. Purinton stated that this is ongoing and that it will include water testing.

Nancy Bryant question who oversees the County's dams. She was told that the private owners are responsible for private dams, and the state or County is responsible for public dams.

## **Communications**

The committee continues work on the website, the newsletter and the new town signs.

## **Agricultural Council**

The committee met this Monday. The topic was the issue of offering an ag exemption for fire taxes. Some towns in the county have already done this. The decision to do this is up to the Fire District Commissioners. The committee has a new member, Sarah Chase. The farm brochure is being updated.

## **ZRC/Ridgeline**

The following memorandum was shared with the Town Board and was discussed by Mr. Hugh Clark, committee chair:

**The Objective:** "Start with the end in mind" is sound advice when undertaking any serious project. The community's vision for 2030 is that "we protect our environment and our important scenic views." To attain that end, Comp Plan goals charge us to "establish...visual impact mitigation recommendations" and "ensure new development minimizes negative impacts to visual and scenic resources." Of course, all must be done while respecting and protecting the rights of property owners to build on their land.

**Background:** The Zoning Revisions Committee submitted the first draft of ridgeline protection regulations in September 2012. Responding to public feedback, the ZRC extensively revised that draft and resubmitted it to the Town Board in April 2013. A Town Board sub-committee further reworked the regulation for consideration in October 2013.

Reaction to the April 2013 and October 2013 proposals might be termed "the Goldilocks Syndrome." Comments about the April proposal contended that it designated too many ridgelines for protection, that many of those ridgelines were not actually visible from publicly accessible locations, that selection had been too subjective, and that minor subdivisions should be encouraged, but not required, to apply protective standards. At the opposite extreme, comments about the October proposal contended that it

designated too few ridgelines and steep slopes for protection, selection was too objective, and that requiring standards only within major subdivisions is a faulty concept because most construction in Ancram has been and is likely to be single residences within minor subdivisions.

**Tasks:** Given this extensive variance in reaction to the April and October proposals, in November 2013 the Town Board asked the ZRC to accomplish two tasks: (1) Determine which ridgelines/steep slopes merit protection and (2) determine how to honor Comp Plan guidance that standards will be mandatory for major subdivisions and encouraged for minor subdivisions.

**Approach:** The Planning Board was invited to participate in all ZRC meetings and was provided with the agenda and minutes for all ZRC meetings. All deliberations and decisions were made in open meetings with comments invited from citizens attending. Mrs. Rader (a PB alternate member) and Mrs. Wilcox were regular participants in meetings, with Mr. Steed and Mr. Hingson attending frequently.

**Task 1:** The ZRC initially identified criteria that its recommendations should meet and determined the role that objective information and subjective judgment should play when designating terrain.

To identify terrain meriting protection, the committee employed a four-step process that incorporates objective factors verified by human judgment. The process correlates with Comp Plan guidance to determine protected terrain based on topographic prominence and scenic importance.

First, the committee identified a minimum elevation of 800' (the town median elevation is 804') as the initial discriminator of terrain that might be designated. Terrain above this elevation might reasonably be considered topographically prominent and narrowed the range of terrain to be further examined.

Second, the committee used Don Meltz's visibility analyses to determine whether, and to what degree, terrain above this minimum elevation can actually be seen from publicly accessible locations. Following extensive examination, terrain consisting of steep slopes/ridgelines above 800' elevation and visible from 4+ road miles correlated with being topographically prominent and probably scenically important.

Third, using six criteria distilled from more than eighteen factors initially discussed, ZRC members conducted an eyeball assessment to verify whether the indicated terrain is an important scenic resource—that the terrain typically stands out amid adjacent terrain, shows skyline beyond, is visible from more than one location and from varying angles etc. The Planning Board was invited to participate in this assessment. Mrs. Rader and Mrs. Wilcox participated.

Fourth, the ZRC examined findings from that eyeball survey and concluded that terrain identified via this process is a topographically prominent and scenically important resource to the Town of Ancram in accordance with the vision and goals of the Comprehensive Plan.

**Recommendation:** The ZRC unanimously recommends that the Town Board adopt the enclosed Town of Ancram Ridgeline/Steep Slope Identification and Protection Map, dated 3-17-2014.

As a point of information, the ZRC notes that the recommended terrain lies on 97 parcels. See enclosed list. This compares to approximately 170 parcels in the April 2013 proposal and approximately 29 parcels in the October 2013 proposal.

**Task 2:** Initial deliberations about requiring standards for structures in major subdivisions and encouraging them for structures in minor subdivisions examined many scenarios. After extensive debate, almost all ZRC members concluded that Comp Plan objectives—preserving important scenic views and minimizing negative impacts to visual resources—are best attained by applying all standards to all development within designated terrain.

**Preferred Recommendation:** By majority vote, the ZRC recommends that the Town Board adopt the enclosed text of Supplemental Regulation H: Ridgeline and Steep Slope Protection [ZRC Preferred Version].

However, the ZRC recognizes that this preferred recommendation does not implement the letter of Comp Plan guidance. It requires, rather than simply encourages, proposed structures in minor subdivisions to apply standards. Accordingly, the ZRC conscientiously formulated a second recommendation that addresses this element of Comp Plan guidance.

To "encourage," especially within the context of land use law, sounds simple, but is extraordinarily difficult to implement. Lacking a carrot, a stick, or both, neither a municipality nor its Planning Board may do more than say "please." Therefore, the ZRC crafted simple, practical inducements that can genuinely motivate applicants within minor subdivisions to apply the most critical

standards. These inducements exempt from some screening standards structures whose height and size will stand out only modestly from the surrounding landscape even if exempted from some screening requirements.

Having determined the probable value of these encouragements to structures in minor subdivisions and stand-alone lots, the ZRC also examined the benefits of authorizing these practical incentives for structures within major subdivisions. The committee concluded that applying the incentives to structures regardless of subdivision category helps to minimize visual disturbance, achieves Comp Plan goals, and makes sense.

**Final Recommendation:** If the Town Board does not adopt the preferred recommendation cited above, the ZRC strongly recommends the Town Board adopt the enclosed text of Supplemental Regulation H: Ridgeline and Steep Slope Protection [ZRC Final Version].

Mr. Bassin asked that the Town Board look over the ZRC documents in preparation for a public hearing.

The Town Board will continue to look at the fee schedule.

Mr. Bassin stated that the Building Inspector, Ed Ferrato, had approached him about the town board thinking about enacting a Local Law that would allow the town to better deal with unsafe buildings. If action was not taken by the owner, then the town would have a means to take them down and then place the costs of the demolition onto the property tax bill. Mr. Bassin asked that the board thinks about this and return next month with their thoughts.

A motion was made by Councilman Miller and seconded by Councilwoman Israel to make the following budget adjustment:

From 5110.4 to 5142.4 \$3000.00. Motion carried.

A motion was made by Councilman Miller and seconded by Councilman Clark to pay the bills. Motion carried.

Donna Hoyt asked where the proposed local law on derelict buildings had come from. Mr. Bassin stated that Mr. Ferratto had suggested it.

A motion was made by Supervisor Bassin to adjourn to executive session to discuss a matter which could lead to a particular person's dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension. Motion seconded by Councilwoman Israel. Motion carried.

### **Executive Session (8:05)**

A motion was made at 8:30 by Councilman Clark to adjourn the executive session where a matter was discussed that could lead to a particular person's dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension. Motion carried by Councilwoman Israel. Motion carried.

A motion was made by Councilman Miller and seconded by Councilman Clark to adjourn the Town Board meeting. Motion carried.

Respectfully submitted by,  
Monica R. Cleveland