

Town of Ancram
Comprehensive Plan Committee Meeting with Town Board
April 27, 2009
Revision 2

Comp Plan Committee Members present: Art Bassin, Suzanne Bressler, Barry Chase, Hugh Clark, Bonnie Hundt, Jim Miller, Leah Wilcox

Others present: Larry Berg, Sheila Clark, Madeleine Israel, Jane Shannon, Elaine Smith, George Wiggers

1. Review Of 4/20 Minutes: The Committee reviewed and approved the minutes of the 4/20 meeting.

2. Discussion of 4/25 Public Hearing: Mr. Bassin noted that the Public Hearing became noisy and hard to control at the end, as people were drifting out and talking among themselves. Because of the noise and distractions, Comp Plan Committee members were not able to comment on the Public Hearing. Mr. Bassin commented that Comp Plan Committee member Suzanne Bressler and several members of the audience expressed the desire to hear the Comp Plan Committee's comments on the Public Hearing and the Plan. Mr. Bassin asked each member of the Comp Plan for their comments, which follow:

a) Mr. Clark commented that the Public Hearing was a conciliatory and constructive meeting. He was puzzled as to why these concerns did not surface earlier in the process. He considers it disingenuous for petitioners to claim that they had no time to participate in the planning process as the committee held approximately 100 open, public meetings throughout a period of more than two years. Nor is he sympathetic toward those who allegedly did not participate because they assumed their opinions would not be considered. By forgoing the public process and opting for a political end run, petitioners scorn democratic principles. They should not receive official attention and support to the degree earned by many other citizens who participated in the plan development process. Setting tactics aside, he thought the issues raised deserved to be heard and dealt with, and supported the need to make the Town's zoning supportive of small and home based businesses. Mr. Clark also felt that arranging a meeting to review the issues raised by the petition was a good idea. Mr. Clark also noted that the concerns expressed by Mr. Boyles and Mr. Rothvoss failed to distinguish between NY State Building Codes, current zoning and the Comp Plan.

b) Ms. Wilcox was pleased with the large turnout at the Public Hearing, with the supportive comments from the community regarding the Plan itself, the planning process, the Plan communications process, the use of experts and professional advisors to create an independent and well researched Plan and the overall sense that the wishes of the community had been accurately captured and honored in the Plan document. Ms. Wilcox stated she was disappointed by the petition, as it appeared to be a secret process, not an open process, and was an attempt to work outside the planning process that had been ongoing for the last 18 months. Ms. Wilcox characterized the concerns in the petition as vague, and pointed out the Committee needed specifics to react rationally to the

petitioners' concern. Ms. Wilcox expressed a hope that the petitioners would meet with the Comp Plan Committee to review their specific concerns, and expressed surprise that they had not expressed these concerns earlier in the process. Ms. Wilcox noted that the public hearing verbal comment period was technically closed, so written comments were the only way for people to "officially" comment on the Comp Plan, until May 8. Ms. Wilcox also noted that the issues raised by Mr. Boyles and Mr. Rothvoss seemed to be related to building code and zoning matters, not to the Comp Plan. She suggested that the training now required of town zoning and planning officials by NY State has already and would continue to minimize the kinds of problems personally experienced by Mr. Boyles, Mr. Rothvoss and Ms. Hoyt. Ms. Wilcox noted the concerns expressed about site plan review, but pointed out that this was already going on in current zoning to some extent with reviews of curb cuts, driveways, environmental issues and setbacks.

c) Mr. Chase commented that he was discouraged by the approach used by the petitioners, and was skeptical of their comments about not having the time to participate in the process and read and understand the Plan. Mr. Chase also expressed a concern that claiming they had a petition with a series of names which they did not produce smacked of Joe McCarthy type tactics. Mr. Chase supported the idea that the committee meet with the petitioners, and noted "the ball is in their court". Mr. Chase also noted that he was not sure anyone needed 6 more months to understand the Plan as suggested by Mr. Boyles. Mr. Chase indicated that Mr. Boyles is a very smart man, and would have no trouble absorbing and understanding the Plan if he made the time. But Mr. Chase did acknowledge that concerns over site plan review were legitimate, and suggested the site plan review law should be carefully drafted so it did not permit unreasonable or onerous actions by the Planning Board.

d) Ms. Hundt noted that the petition was unfortunate, as it was not consistent with the "open" style of communications that the Comp Plan process, the Plan document and the Community wanted to see in town. Ms. Hundt acknowledged that site plan review was a valid cause of concern, and needed to be dealt with. Ms. Hundt commented that we had a good Plan, and we need to move ahead with it.

e) Mr. Miller noted that the petitioners had issues that were important to them, and expressed a hope that we would be able to work through them together. He noted that while the problems expressed by Mr. Boyles and Mr. Rothvoss were 15 or so years old and not related to the Comp Plan, there were concerns that the changes to zoning which would come from the revised Comp Plan could create additional zoning problems which could cause unintended problems down the road.

f) Ms. Shannon characterized the petition as mean spirited, nasty, divisive and polarizing. She said it was the act of saboteurs, not concerned citizens, and it made her very angry..

h) Ms. Israel noted that the petitioners did not seem to have any concern for the community as a whole, and pointed out how towns could become a real mess, like Greenport, if adequate zoning was not implemented. Ms. Israel also noted that no one

wanted to take anyone's property rights away, just define reasonable protections for everyone living in the Community.

i) Ms. Bressler noted that a lot of people had multiple jobs or other obligations, but still makes time to participate in the Comp Plan process. She suggested that the leaders of the petition were not representative of the people they were getting to sign the petition, because many of the people signing were not being told what was really said in the petition. The leaders of the petition are not interested in understanding what the Plan actually says, or the "facts" related to the issues they raised. She also suggested the leaders of the petition movement were interested in avoiding the Comp Plan Committee so the Committee would not have a chance to correct the record and undermine the need for a petition. Ms. Bressler finally noted that her family had lived in the area for several generations, and she was tired of having to justify "who she was" and why she should have a voice in the community just because she had not lived here all her life.

j) Mr. Bassin noted that excluding some of the unnecessary language in the petition, there were some excellent points made which deserve attention and resolution in the Comp Plan. Mr. Bassin mentioned four important issues which came out of the petition which the Comp Plan Committee should deal with:

1) **Site plan review** -- make sure the language of the site plan review process, which will come from the Zoning Revisions Committee during the implementation phase of the Comp Plan, is crafted to balance the rights of the individual property owners with the needs of the community for legitimate site plan oversight to protect neighbors and community priorities.

2) **Equal support for small business and agriculture** -- clarify that community and town support for small businesses and home businesses be as strong and unambiguous in the Comp Plan and the town's revised zoning laws as is community and town support for agriculture and ag businesses; the Comp Plan committee thought that it had made this clear, but we can make it even more clear; in addition, clarify that any businesses that can operate anywhere in town can also operate in the scenic corridor overlay zone except gravel mining, bus stations and airports, and review the commercial design standards in the SCOZ to align them with the design standards applicable to the rest of the town;

3) **Appeals Process for Onerous Zoning Requirements** – establish an appeals process which will allow residents to quickly and inexpensively resolve problems like those outlined by Mr. Boyles, Mr. Rothvoss and Ms. Hoyt without hiring a lawyer;

4) **Limit Cost of Screening for Small businesses and Individuals** – establish a limit for how much a small business or homeowner will have to spend to screen a property for scenic purposes, and consider exempting current small businesses from this requirement.

k) Mr. Berg suggested that the we-they c*** had to stop. It was a terrible waste of the Community's time and energy. Someone had to take a stand, and draw a line in the sand. Mr. Berg noted "terrible things" happen when this kind of we-they poison is allowed to exist.

l) Ms. Bressler suggested that town leaders should take initiatives to stop this we-they problem.

m) Ms. Clark noted that the Comp Plan recommended additional protections, more options and greater flexibility in using land, which overall benefited everyone, but noted that the change represented by the Comp Plan might understandably concern some.

n) Ms. Bressler noted that postponing the Comp Plan for another 6 months to allow more time for everyone to understand what was in it would put us in November and another election season, which meant the Plan would become the major political issue and probably would not be acted on until the new Town Board took office in January 2010.

o) Mr. Bassin noted that we had not had a new Comp plan for 37 years, so another 6 months was not a major problem, but also noted that not having an adopted Comp Plan might prevent us from applying for the November 2009 and April 2010 CDBG funding rounds.

p) Mr. Miller commented that he had exchanged emails with Doug Brenner on possible energy efficiency strategies for Ancram.

q) Mr. Bassin mentioned that Don MacLean, was not able to attend the meeting, had three comments he wanted to share with the Committee:

1) that mobile homes and mobile home parks should be treated like other residential development and be governed by the same rules;

2) that the issues Mr. Boyles had raised at the Public Hearing appeared to be building code issues, not comp plan issues; and

3) that historically the town building department was good at dealing with the building code, but was less familiar with the zoning laws and needed assistance from the Planning Board and ZBA and additional training to become familiar with the zoning law.

3. Draft Zoning Concept Map: The Committee will review the review the revised draft of the zoning concept map at one of the next meetings.

4. Comp Plan Party: The Committee decided to hold a party at the Ancram Hotel on Wednesday, May 27 at 7 PM.

5. Next Meetings: Mr. Miller will try to schedule a meeting next week with Mr. Stickle and others who support the Petition. A regular CPC meeting will be held next Monday, 5/4, with Ms. Stolzenburg

The meeting adjourned at 8:15.