

**Town of Ancram
Comprehensive Plan Committee Meeting with Town Board
May 11, 2009**

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

1. Review Of 5/4 minutes: The Committee reviewed and approved the minutes of the 5/4 meeting as amended by suggestions from Mr. Lougheed, Mr. Chase and Ms. Bressler.

2. Right to Farm Law: Mr. Miller commented on the Columbia County right-to-farm law and noted that he was interested in other right-to-farm laws from other counties and towns. Mr. Bassin said he would check with Ms. Stolzenburg on other right-to-farm law models.

3. Definition of Ag Related Businesses: The Committee discussed how to define “ag-related businesses” for purposes of determining what businesses could be set up in the ag zone. By one definition, any business that supports a farm could be described as ag related. By this definition, construction companies that do work for farms, electrical contractors that work for farms, computer hardware and software firms which support farm systems etc could be considered “farm related”. The Committee felt this definition might be too broad, and decided to request from Ms. Stolzenburg a list of what was usually considered “farm-related”, recognizing that anything that was not on the “approved list” could be considered by using the “floating zone” section of the zoning law. Mr. Miller noted that it would be important to clarify in the Comp Plan that all existing businesses would be exempt from any new requirements proposed in the revised zoning law unless they were to expand their business and need a permit to do so. In addition, the Committee concluded that it was important to review and perhaps expand the definitions for “home based businesses” so that more small businesses would qualify under this category of activity.

4. Planning Board Joint Meeting: Mr. Bassin commented that the 5/7 joint Planning Board-Comp Plan Committee meeting went well, and asked if anyone had any comments or questions on the notes from that meeting. Mr. Bassin indicated Ms. Bressler, the PB secretary, would publish the “official” minutes of that meeting, as it was a PB meeting. The Comp Plan Committee meeting notes are attached to this email. Mr. Chase commented that the issue of “individual property rights” verses the “community good” was a major discussion, and Comp Plan was clearly positioned to reflect the “community consensus”, while some of those in opposition to parts of the Comp Plan were advocates of not restricting the rights of individuals to do whatever they wanted with their property. Mr. Miller commented that the discussion about a subdivision on Westfall Rd. was interesting in that the PB considered (then rejected) the idea to limit access to heavy construction vehicles because the road was not adequate during the mud season. There was also a suggestion made by a PB member (but not required) that new development

should be required to help pay for the upgrade of town roads if such an upgrade was necessary to support the new development.

5. Discussion of Issues: The Committee reviewed the following “open issues” which have been raised during the public hearing process:

a) Site Plan Review and Standards – The committee deferred this discussion until next week so all members could review the document Ms. Stolzenburg had circulated.

b) Acreage cut-off to trigger formal open space guidelines – Mr. Chase suggested that subdivisions under 10 acres (two lots) not require a formal 60-40 open space plan review, site plan review or any of the other requirements, which would be reserved for parcels over 10 acres. He suggested that under 10 acre parcel subdivisions be set up so they can be done very simply and without a lot of cost or hassle. Mr. Miller suggested at 20 acres be the cut at which the more formal requirements be applied. The Committee debated this and concluded that 14 acres, which was 4 lots and a minor subdivision, may be the logical point at which to require the more formal development controls.

c) minor-to-major subdivisions—The Committee discussed how to deal with the minor subdivision (under 5) which became a major (over 5) when the next lot was carved off, most likely for a child or grandchild. There was agreement that we needed to find a way to minimize the cost and hassle to a landowner who was affected by this minor-to-major transition. The Committee noted that this problem exists in current zoning. One possible solution is that “minor” status could be continued if there was only one subdivision over 5 per year, until 8, subject to PB discretion and site plan review to insure no negative effectives were likely on neighbors or the environment. More discussion needed next time.

d) gravel mining issues – The Committee reviewed a letter from Ken Faroni of O&G Mining recommending that the Town consider establishing a “gravel mining overlay zone”, and expressing concerns about prohibiting owners of small mines from selling under 1000 tons of gravel annually. The Committee also reviewed a draft response from Ms. Wilcox which noted that the Town does not need a mining overlay zone, as mining is permitted everywhere except in the SCOZ, and the town did not intend to limit the sale of under 1000 tons gravel by mine owners, and would clarify that language. In addition, the Committee noted that the language of sections 2.6.2 and 2.6.3 might be unclear in that the Comp Plan simply recommends that the Town retain all rights to oversee mines which are permitted by DEC, and not give up any of these rights. The Committee agreed to modify this language to reflect this intent, and to consider eliminating the statement in 2.6.3 about requiring escrow funds, which is something that Town law permits for any project coming before the PB or ZBA if necessary for the Town to do a SEQRA, engineering or legal review.

e) allowing or prohibiting businesses—The Committee decided to recommend that the ZRC develop extensive lists of permitted businesses for each zone, and to permit the review of any business not on the permitted list via the floating zone. This way, no

business will be specifically “prohibited”, but if it is not on the approved list, it will have to get reviewed by the floating zone process and be consistent with the size and scale expectations of the Community. The Committee noted it was unlikely that the Town would be faced with a “big box” or industrial company opportunity/threat, but if that did happen, a floating zone review was likely to result in a decision consistent with the intent of the Community as expressed in the workshops and survey.

f) hamlet and commercial design standards – The Committee concluded that the lack of design standards have probably contributed to the deterioration of Ancram, and to discouraging new businesses/investors to come to town. While it’s true that the center of Town is in such bad shape that any improvements should be welcome, not having standards will probably deter new investment, not encourage it, while the existence of a Comp Plan and sensible, simple standards could encourage new money to come into Town, as there will be evidence of a Community trying to improve its look and appeal to businesses. The Committee agreed that the standards had to be clear, basic, simple and affordable.

6. Grandfathering existing businesses: The Committee agreed it was important to clarify that existing businesses would not be required to comply with new standards which were implemented as part of the Comp plan process unless they were to expand their operations and require a building permit to do so.

7. Comp Plan target delivery date: Mr. Bassin noted that with the issues that have been raised during the public hearing period and the need to clarify how open space works, what the specific hamlet and commercial design standards are proposed, how site plan would work, what specific site plan guidelines were to be recommended and what the specifics of the floating zone could be, it was likely that the Comp Plan would not be ready to be presented to the Town board until the July TB meeting. The Committee expressed an intent to aim for the June meeting if possible, but understood July was more likely.

8. Next Meetings: The next regular CPC meeting will be held Monday, 6/1.

The meeting adjourned at 9.00 p.m.