

**Town of Ancram
Comprehensive Plan Committee Meeting with Town Board
May 4, 2009**

Comp Plan Committee Members present: Art Bassin, Suzanne Bressler, Barry Chase, Hugh Clark, Bonnie Hundt, Kyle Lougheed, Don MacLean, Jim Miller, Leah Wilcox
Others present: Jennifer Berne, Bryce Birdsall, Sheila Clark, Donna Hoyt, Madeleine Israel, Bob Mayhew, Nick Nickerson, Jane Shannon, Nan Stolzenburg

1. Review Of 4/27 Minutes and 4/25 Public Hearing Minutes: The Committee reviewed and approved the minutes of the 4/27 meeting as amended, and of the 4/25 Public Hearing.

2. Discussion of 4/30 Petition Committee Meeting: Mr. Bassin noted he and Mr. Miller had met with the “Petition Committee” on Thursday night from 7 to 11. Mr. Mayhew and Ms. Hoyt had also attended that meeting. Mr. Miller said important issues had been raised, and the discussion was spirited. Mr. Mayhew noted that the Comp Plan was still causing confusion and concern, as it was not an easy read, and people are not sure how the Comp Plan will influence zoning revisions. The following issues were discussed:

a) Ms. Israel asked how many people the petition committee represented. Mr. Miller indicated that Mr. Stickle had said he got feedback from about 30-35 people in coming up with the questions he and his committee presented at the 4/30 meeting.

b) Ms. Hoyt asked who would pay the taxes on the 60% open space in an open space development. Ms. Stolzenburg said it could be either an individual landowner or a homeowners association. Ms. Hoyt suggested there was a risk that people would think the 60% open space was worthless and refuse to pay taxes on it, or ask for a tax assessment reduction to reflect that the land had “no value”. Ms. Wilcox noted that land donated to the land conservancy was similar in that the development rights on that land were gone, but the people who owned that conserved land were still obligated to pay taxes on it based on its assessed value. Ms. Hoyt indicated she would seek additional confirmation on the tax issue related to the 60% open space idea.

c) Mr. Mayhew asked what the 60% open space could be used for. Ms. Stolzenburg noted it could be used for corps, pasture, woods, recreation, and for leach fields and farm structures if the town wants those uses. (Note: the Ancram Comp Plan currently does not permit any structures on the 60% “open space”, including farm buildings).

d) Mr. Mayhew asked about what the 60% open space applied to – was it applicable to a 5 or 10 acre building lot or just to subdivisions? Mr. MacLean responded the 60% open space was only applicable to subdivisions, not to individual building lots.

e) Mr. Mayhew asked where businesses could be located. Mr. MacLean noted that there a substantial expansion of the commercial districts in the hamlets of Ancram and

Ancramdale. Mr. Bassin noted that the floating zone concept could allow qualifying businesses to locate almost anywhere in the town.

f) Ms. Bressler noted that the concerns expressed by the petition committee and Ms. Hoyt about there being too much emphasis on agriculture and not enough on business in the Plan was surprising in light of the fact that Ms. Hoyt was a member of the Community Development Block Grant Committee that had been working on developing a economic development plan for Ancram. Ms. Bressler also reminded everyone that the Plan's emphasis on agriculture and open space reflected the 90% of the survey respondents who stated that agriculture, open space and the environment were the most important planning issues facing the town.

g) Ms. Hoyt noted that if the open space rules only affected developments of over 4 lots at the same time, people would feel less concerned about the idea. Mr. Bassin commented that Mr. Miller had suggested that perhaps the open spaced rules would only apply to lots over a certain size, like over 20 acres.

h) Mr. MacLean commented that we had to have some way to apply open space rules to developments that started out as a one or two lot project, but ended up being a project of over 4 lots in time.

i) Ms. Wilcox commented that one of the advantages of the flexible lot sizes associated with the 60% open space idea was landowners could create parcels as small as ½ acre if water and septic were available.

j) Mr. Mayhew noted that the Comp Plan has a recommendation to do a zoning review annually to make sure if things are not working and need to be changed, we can do it often. Ms. Bressler commented that the Plan itself should be formally reviewed every 5 years to keep it current based on changes in the needs of the Community.

k) Mr. Bassin commented that site plan review might be something that was mandatory for developments and commercial structures, but voluntary for single lot residential development. Ms. Shannon suggested it was not practical to make site plan review optional – either we want it and require it, or we do not. The Committee noted that site plan review was now required for commercial development.

The Committee adjourned at 7.55 and reconvened at 8.05.

3. Discussion of Issues: Mr. Bassin asked each Committee member to comment on the issues that that been raised by the petition committee.

a) Ms. Hundt stated that site plan review, the environmental protections and the SCOZ were essential to respecting the vision and goals of the Community, and could not be softened without violating the intent of the people who have participated in the planning process.

b) Ms. Wilcox commented applying the open space guidelines to parcels over 20 acres might make sense, but expressed surprise about the “agriculture verses business” issue that had come up, noting agriculture is a business, has been the major business in Ancram for 200 years, and still employs a lot of people. Ms. Wilcox also stated that the CPC had to get more specific about some of the areas that were causing concern, like site plan review and the design standards, and we could not leave those to the zoning revisions committee.

c) Ms. Bressler commented that the issues raised by the petition committee were important to listen to and understand, but we needed to tie the Comp Plan to the survey and workshops and reflect the wishes of the majority in order to maintain the integrity of the process. Ms. Bressler suggested there may be areas of compromise without violating the integrity of the process. Ms Bressler also added it would be better to treat the environmental concerns more stringently at the outset rather than start with looser measures and have to increase their scope or intensity at a later time. Mr. MacLean asked if this would be similar to how the Planning Board works, with relatively strong requirements in place, but with the flexibility to modify those guidelines for cases that demand less stringency, and Ms Bressler responded it was.

d) Mr. Clark noted we had added to the general confusion when we said ag building could be put in open space, even though our definition of open space says otherwise. If we are going to let ag buildings in open space, why not non-ag buildings? Mr. Clark also noted that the perception open space had no value was incorrect, as every study he had seen on residential development suggested developments with extensive open space were more valuable than developments without open space. Mr. Clark also noted that we need to represent what the people of Ancram have told us they want – small businesses (not big box stores), environmental protections and protecting agriculture, open space and scenic resources. Mr. Clark also suggested we may want to consider opening up the SCOZ to gravel mining if we are able to secure credible assurances that the mining will be screened in such a way that it would be virtually invisible, and prohibit any other commercial activities in the SCOZ. Mr. Clark noted that he agreed we needed to hear what the petition committee has to say, but he had no sympathy or respect for the petition committee’s tactics or timing.

e) Mr. Lougheed noted that the Ancram business community is concerned about their interests verses the interests of the agricultural sector, and suggested we may be able to resolve this concern. He suggested we lock in on a 100 foot wetland buffer with no 150 foot option, and asked where the 750 foot buffer on vernal pools came from. Mr. Lougheed commented that opening up gravel mining in the SCOZ only benefitted one mine operator, and may not make sense unless there was some way for the mine to provide processed gravel or other benefits to the town. He noted that commercial wind and solar had no place in Ancram, and we needed to clarify the rules regarding single lots, small developments and large developments. Mr. Lougheed suggested we take reference to dump hours out of the Plan, and that we simplify lighting standards to reflect the need to protect neighbors from inappropriate lighting. He noted that site plan review was a difficult thing, because no one wanted to be told where to put his house, and we needed to decide what site plan review applied to, and what the factors were we would be

dealing with. Mr. Lougheed concluded by saying that even though the petition committee was late to comment, they deserve to be heard.

f) Mr. Bassin asked Ms. Stolzenburg to develop site plan and commercial and hamlet design standard recommendations so we could better explain what these would look like for single lots, developments and commercial structures. Ms. Stolzenburg said she would do this, and noted that we did not do an image preference study to see what the Community would want as design standards.

g) Mr. MacLean commented that the petition committee deserved to be heard, and responded to, but we had to base our Plan on the survey, which reflects the views of the entire Community, and not just the views of the Ancram business community. Mr. MacLean suggested the agriculture versus business issue was a red herring, agreed that setting an acreage level at which the 60-40 open space guideline applied made sense, and maintaining site plan review also was very important. Mr. MacLean suggested we should consider excluding existing lots for any site plan rules, but develop specific site plan guidelines for subdivisions and commercial and residential development which says essentially you can put your house anywhere except near environmentally sensitive areas, water, and on certain ridgelines. Mr. MacLean acknowledges there will be people in town who do not like this approach, but he believes it is essential to maintain the integrity of the Plan. Mr. MacLean also noted that it was important to develop and define design standards and make them clear enough and simple enough that people will understand why they are important. Mr. MacLean believes we should maintain the possibility to go to a 150 foot wetland buffer if soils and slopes require it, and that we need to maintain the 25 foot streamside buffer, but not require restoration of streamside buffers. Mr. MacLean also commented that the 60% open space guidelines and average densities were the best way to achieve the Town's goals of protecting agriculture and open space while accommodating development. Minimum lot sizes are suburban solutions, and would not serve Ancram well.

h) Mr. Chase commented that we should listen and understand what the petition committee is saying, and if it makes sense, we should go with their recommendations, if not, we should reject them and explain why. He noted that we should focus on major subdivisions, and that it was OK to "require" certain things if those things were clearly indicated by the Community in the survey and during the workshops and discussions over the past 18 months. Mr. Chase also noted that the Planning Board could use SEQRA earlier in the review process to achieve many of the environmental objectives of the Plan.

i) Ms. Stolzenburg noted that we should maintain our emphasis on small business, not any business, and should define the floating zone carefully to define what kinds of businesses would qualify for inclusion in that process. Mr. MacLean agreed, saying that small business, not any business, is what the town has said it wants.

j) Ms. Hundt mentioned the ½ acre lot size issues, and wondered why the petition committee would want to exclude that opportunity where possible. The Committee

agreed it made sense to keep the ½ acre opportunity in the Plan both in the Ag Zone and in the hamlets as part of the flexible lot size program.

k) Mr. Bassin suggested we delay presenting the Plan to the Town board until the June Town Board meeting to give the Committee enough time to review and decide which of the suggestions of the petition committee to incorporate into the Plan. Mr. Bassin suggested we then hold another public hearing in June, perhaps on a Saturday morning and a Monday evening. Ms. Wilcox suggested holding just one additional public hearing on a Saturday, a day when everyone in Town should be able to come and hear each others comments.

4. Comp Plan Party: The Committee decided to postpone its party at the Ancram Hotel until after the Plan was presented to the Town Board in June.

5. Next Meetings: A Comp Plan Committee-Planning Board meeting will be held at 7.30 on Thursday, 5/7. A regular CPC meeting will be held next Monday, 5/11.

The meeting adjourned at 9.40.