

MEMORANDUM

TO: Ancram Town Board & Community Members
FROM: Hugh Clark, Chair, Zoning Revisions Committee
SUBJECT: ZRC Update & Proposed Local Law #2 of 2020
DATE: 19 August 2020

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The Zoning Revisions Committee (ZRC) was charged to bring all town land use regulations into consonance with the 2019 Comprehensive Plan. Fulfilling that charge requires completion of two tasks. One task is to implement guidance about zoning contained in the 2019 Comp Plan. The second task is to consider adjustments to the 2014 Zoning Law suggested by the Planning Board, Building Department, and others.

There are more than 50 potential issues to consider, which are evenly divided between new Comp Plan guidance and suggested tweaks to current text. The ZRC does not have sole responsibility to accomplish all tasks. The Agriculture Advisory Council, Conservation Advisory Council, Climate Smart Community Task Force, Hamlet Planning Groups, and other volunteer panels have primary responsibility for many tasks, with the ZRC serving as catalyst, advisor, and coordinator.

Since 7 October 2019, the ZRC has conducted 33 meetings. Five additional meetings were cancelled due to the CoronaVirus. 16 meetings were convened via Zoom. Nearly 60% of the total issues have been completed. Consultant Nan Stolzenburg and attorney John Lyons have been extraordinarily helpful throughout these deliberations.

This memo addresses several features of Proposed LL #2 of 2020 and related documents.

Your packet contains:

- Resolution of the Town of Ancram Town Board introducing Local Law #2 of 2020....
 - Exhibit A: Proposed Local Law No. 2 of 2020 (49 pages);
 - Exhibit B: SEQRA Environmental Assessment Form, Part I, (13 pages, plus mapper);
 - Full Environmental Assessment Form Section F—Additional Information (1 page);
 - Zoning Law, Nov 20, 2014, Draft Showing ZRC Updates thru Aug 15, 2020 (263 pages);
- Note: This text contains red & blue type showing what will be changed by LL #2.

Your packet does not yet contain the Full Environmental Assessment Form (FEAF) Part 2, nor FEAF Part 3, nor the Environmental Notice Bulletin SEQRA Notice Pub Form. They will be delivered to the TB later in the review/approval process.

Review Tip:

-Exhibit A, the proposed LL #2 of 2020, has been prepared for submission to the NYS Dept of State. Not all the proposed verbiage in this document is “new.” For example, the first entry referring to Article II E 4 contains only two new words (“principal” appears twice). However, those two new words change the effect of that passage. Similarly, only a handful of entries in the Use Table are new; most Use Table entries remain as they were. On the other hand, the entire 4-page section on Short-Term Rentals in Article V D is new, as is all text pertaining to septage and Class B biosolids and to Special Event Facilities.

-To get a sense of perspective and to easily determine what was changed and the amount of change, I recommend you thumb through the “marked up” Zoning Law rather than Exhibit A, the proposed LL text. By the way, there’s no difference whether the mark-up is shown in red or blue. Both colors convey the same degree of change.

What You Will Find:

Among the many tweaks, edits, and entirely new text, you may note:

-Accessory Uses & Dwellings, including Equipment Sheds: Among amendments are that structures and uses commonly considered to be reasonably associated with a principal use may be constructed prior to the principal use and be temporarily considered the principal use. Also, free-standing accessory dwellings are now allowed on the same lot as an existing single-family dwelling, thereby enhancing housing flexibility and potentially increasing housing availability.

-Auctions: The 2014 Zoning Law defines auction houses and includes them in the Use Table, but did not define auctions per se nor include them in the Use Table. The proposed amendment corrects this oversight, defines auctions, and establishes reasonable supplemental standards for conducting auctions safely.

-Commercial Logging: New features address chipping, unattended burning, and performance guarantees.

-Recreational vehicles: Updates address RVs in two circumstances. Those that are parked and stored generally get treated similar to accessory structures. Other guidance applies to those serving as living quarters for visiting travelers, for recreational purposes, and for those forced from their homes by emergencies.

-Signs: Who would have thought that our standards for signs must be completely revised to comply with a ruling by the U.S. Supreme Court? But comply we did with the outcome of Reed v. Town of Gilbert, which directed that municipalities may not regulate signs based on the signs’ content. Local governments may regulate the physical characteristics of signs and may impose reasonable time, place, and manner in which signs may displayed, but may not regulate the content of signs.

-Septage & Biosolids: Comp Plan Strategy 2.2.6. said to “Consider revising zoning to prohibit dumping of septage in Ancram.” We considered, and researched, and learned not only about septage, but also about Class A and Class B biosolids, and even about food waste. We even had the guru of NYS Ag & Markets review our draft. The result does not totally prohibit septage, but does provide vastly more control over land application of septage, and also over Class B biosolids, plus recognizable and unrecognizable food wastes.

-Special Event Facilities: The question was, “Should barns, similar structures, and open lots be authorized to serve as venues for commercial enterprise weddings and similar large-scale commercial gatherings and events?” The answer is generally “yes,” but with standards to minimize the probability of bothering neighbors and to ensure safety of event participants.

-Short-Term Rentals: STRs can benefit homeowners, attract tourists, and boost the local economy. The 2019 Comp Plan seeks to allow STRs while avoiding adverse effects on community character, property values, and other features of town life. Application, inspection, standards, and periodic renewals are principal components of this balanced approach.

The ZRC is prepared to suggest a fee structure for the STR application/renewal and to recommend a relationship between STR and SUP fees that precludes double charging.

-Definitions: In Article XIV, some definitions have been added or altered.

As described in the introductory resolution, the proposed amendments that constitute Local Law #2 of 2020 will receive SEQRA review, and review by the Town of Ancram Planning Board, the Columbia County Planning Board, and by the community via public hearing.