

**Town of Ancram
Zoning Revisions Committee**

**MINUTES
November 18, 2024, 7:00 pm
By Zoom
Minutes: Susan Wohleking**

Present: Carol Falcetti, James Miller, Dennis Sigler, Bonnie Hundt, Norman Anton, Susan Wohleking

Absent: Steve Olyha, Erin Robertson, Kim Tripp

Minutes of November 4, 2024. Approved

Review of Organization Concerns

Carol's email contesting the reduction of the ZRC's annual operating budget by 87% had the desired effect and resulted in an increase to the requested \$5,000 for 2025. Nan's hourly is \$120 which is reasonable, still care should be taken when we ask her for assistance and review.

Kim will not be able to attend until sometime in June and asked for a leave of Absence. Dennis pointed out that it would take several months to replace her. Kim Tripp's leave of absence was unanimously approved

Looking ahead - work to be done. Jayelle and Ed's concerns are noted but cannot be addressed until we get through affordable housing.

- i. Town Road grades need to be consistent with the Fire Code
- ii. Revise septic law so that it would require a building permit to replace a septic tank
- iii. Outdoor wood boiler law, address inconsistencies.
- iv. Require a building permit for constructed ponds

Review of Mixed Use Definition and Use Table

Given the ZRC's observation that there is nothing in the code on mixed use buildings, the team developed and agreed to a definition in the meeting on 11/4/24 as follows:

A mixed-use building is one that provides more than one purpose or use in the same structure or building development. (Approved 11-4-24)

However Nan's reply said that there were mentions and a definition of mixed-use dwellings already in the zoning law. These mentions and definitions were reviewed and discussed by the group including the following definitions:

The Hamlet Business/Residential Districts, including Ancram Hamlet Business/Residential District (AH-B/R) and Ancramdale Hamlet Business/Residential District (AdH-B/R) are established as mixed use districts within the Ancram and Ancramdale hamlets in order to encourage a mix of residential and appropriately scaled commercial uses designed to be compatible with each other and that also reflect the traditional scale, density and character found in those areas. From p. 12 Ancram Zoning Law.

And from p. 281 Ancram Zoning Law 2023

Dwelling group: A group of two or more dwellings occupying a lot in single ownership.

Dwelling unit: A building or portion thereof providing complete house-keeping facilities for one family.

Dwelling, Multiple Family: A building or group of buildings located on one lot, each containing three

(3) but no more than four (4) dwelling units and designed or used for occupancy by families living independently of each other. A multiple family dwelling includes townhouses. Multiple-family dwellings shall be considered a commercial use and subject to site plan review. A multiple family dwelling unit is distinguished from an accessory apartment because the structure is designed and used with up to four principal dwelling units whereas an accessory apartment is clearly subordinate to the principal use of the single family dwelling.

Dwelling, one-family: A building containing one dwelling unit only.

Dwelling, Single: Family Detached: A residential dwelling unit designed for occupancy by one family and having no party wall in common with another building or unit.

Dwelling, Townhouse: A building divided vertically and consisting of three or four attached dwelling units, each of which has a separate entrance from an outside yard area. Townhouses are regulated as a multi-family dwelling.

Dwelling, Two-Family: A building on a single lot designed exclusively for two dwelling units, each of which is totally separated from the other by a wall, ceiling, or floor, except for a common stairwell and occupied exclusively as a home or residence for only two (2) families. Two-family dwelling units shall not be considered townhouses or multi-family dwellings.

Dwelling: A building designed or used principally as the living quarters for one or more families. The term 'dwelling', 'one-family dwelling', 'two-family dwelling', 'multi-family dwelling', 'multiple-dwelling', or 'dwelling group' shall not be deemed to include country inn or other lodging accommodations used for more or less transient occupancy. (See RESIDENCE)

Residence, Residential: A building, or any part of a building, which contains living and sleeping accommodations for permanent occupancy. 'Residence', therefore, includes all one-family, multi-family, boarding, fraternity and sorority houses. However, 'residences' shall not include transient accommodations, such as hotels, motels and hospitals, or that part of a building containing both residences and other uses which is used for any non-residential uses, except accessory uses for residences (p.301 Ancram Zoning Law 2023).

Mixed-use dwelling: a residential dwelling located in the same building that contains nonresidential uses. All nonresidential uses in a mixed-use dwelling shall front the street. (p. 294 Ancram Zoning Law 2023).

Traditional Neighborhood Design: A development pattern that reflects the characteristics of small, older communities of the late 19th and early 20th centuries. Traditional neighborhood designs result in communities that are characterized by mixed of housing types, small scale non-retail commercial businesses, grid street patterns, pedestrian circulation, intensively-used open spaces, and buildings with consistent architectural character (p.314 Ancram Zoning Law 2023).

The ZRC agreed that a dwelling, which by definition is a place where people live, is not the same as a building and so it was agreed to let the new definition, agreed on 11/4/24 (as above), stand.

There was also discussion about including the last sentence of the original definition of mixed-use dwelling (p 294) in our new definition. Specifically the sentence is: "All nonresidential uses in a mixed-use dwelling shall front the street." Is that sentence a necessary addition to our new definition? Among the many possible commercial uses we discussed were the possibility of multiple commercial units, two businesses- one in front and one in back, the back business possibly being a storage area and the front being a garage. We ultimately agreed that requiring the nonresidential units to front the street was not necessary and the entire original definition on p 294 should be removed and replaced with our definition. However, prior to finalizing that decision, Carol took the action to check with Nan.

SUP vs. SPR

The ZRC then discussed the difference between a SUP and a SPR based on Nan's comments. Specifically

There is a big difference – SPR looks at what is placed on the site and where and how it functions and is blind to the use. So it doesn't matter if it is an apartment building or an office building – it concentrates on where the building is, where the lights are, how they work on the site, etc. The SUP looks specifically at the use – so an apartment building functions different than an office building. So one looks at siting, the other looks at use – and reviews how that use can fit into the neighborhood. SUP's are uses that are permitted, but which have characteristics that may make it harder to fit in the neighborhood. And Also

Site plan should, in my opinion, be required for all commercial buildings and multi-family buildings in the hamlet districts. A special use permit is probably not required for a single building that has commercial on the bottom and residences above. A special use permit is probably a good idea if it is larger – if it has more than 3 apartments in it for instance.

There were no questions about the difference between a SUP and a SPR and the group agreed that a short training on SUP and SPR conducted by Nan would not be necessary.

Mixed-Use Line of the Use Table

The discussion moved to creating a mix-use line in the Use Table which prompted the question: should we limit building size in the hamlet and should we require a site plan review or a special use permit. According to Nan, "You can limit by square footage and if so, perhaps forgo the SUP. So for instance you could say that no mixed use building may be more than an 8,000 sf building footprint and have no more than 3 units (for example)." This led to a short discussion about Ancram's minimum size requirement for an apartment which currently stands at 800 square feet . (Art.V. A 16a: "There shall be a minimum dimension of 800 square feet per unit." p 82) The suitability of changing the minimum unit size to 400 square feet was considered, since that change would allow more affordable units to be constructed in the hamlet; however the ZRC didn't reach a conclusion to lower the minimum unit size. The ZRC did not think a building size limit was needed since the zoning rules would limit the size of a mix-use building in the hamlet.

Considering the first column of the use table -Ancram, Ancramdale, Hamlets B/R district: The ZRC decided that a SPR was sufficient.

In discussion of the Ancram, Ancramdale, Boston Corners Hamlets, AH-R2 District, Dennis read out a list of businesses that are allowed in residential areas. Therefore those allowed businesses could be housed in a mixed-use building and those businesses would always need to submit a site plan for review and an SUP if required by the use table

Meeting adjourned at 8:34.