

Town of Ancram
Zoning Revisions Committee
24 September 2012

Members Present: Hugh Clark, Terry Boyles, Barry Chase, Donna Hoyt, Bonnie Hundt, Don MacLean, Jim Miller,

Members Absent: Barbara Gaba, Kyle Loughheed, Bob Mayhew, Bob Roche, Jane Shannon, Dennis Sigler

Others Present: Ann Rader, Ron Rader

The ZRC convened at 7:04 p.m. and approved minutes of the 17 September meeting.

The Chair handed out hard copies of Package 3 and Package 4 to members present and commented that the Town Board had adopted Package 3, except for one feature, on September 20. The TB directed the ZRC to reconsider and resolve that issue, which is the principal focus of this meeting.

The Chair also noted that the Town Board had accepted Package 4. A public hearing will be held at 7:00 p.m., Monday, 15 October, with deliberation by the TB on 18 October and TB decision projected to occur on 15 November.

Focusing on the principal issue to be resolved at the meeting, the Chair summarized concerns expressed by the Raders at the 13 August public hearing about Package 3 that decreased setbacks in the Ag District may enable new agricultural and other uses to be sited too close to existing residences, thereby subjecting the existing residences to undesirable sights, sounds, and odors. He noted that the ZRC subsequently reconsidered and recommended that selected uses be set back at least 80' from existing residences in the Ag District, in addition to side and rear yard setbacks, and that the cited Ag uses be subject to SUP if in the town Ag District, but not in the NYS Ag District, and the other cited uses receive SUP in both NYS and Town Ag Districts. (The selected uses are: Commercial Agricultural—barn, stable, green/hothouse, indoor or covered training arena, silo/bunk silo; Ag-Related Commercial—slaughterhouse, tannery, vet/animal clinic/animal hospital; Residential Accessory—private barn/stable; and Business—commercial kennel.)

At the 20 September TB meeting, the Raders urged a setback of 200' and also urged that SUP, or at least ASPR, be applied to barns/stables under 3K sf in all districts. The Raders also directed attention to Section V A 9 (Supp Regs) of the current ordinance, which states that "buildings for the housing of fowl or farm animals shall not be located in the required front yard nor within 200 feet of a property line."

After extensive deliberation about the pros and cons of several options to all parties, the ZRC unanimously agreed that the cited uses shall be set back from the property line of the existing residence a distance that is at least 10% of the square footage of the proposed structure, plus

the applicable side or rear yard setback. In no case shall the proposed structure be sited closer than the side and rear yard setbacks established in Table 2. For example, if the proposed structure is 50' x 20', therefore 1000 sf, it would be set back from the property line at least 100' plus the 20' or 60' side/rear yard setback, for a total of 120' or 160' setback from the property line.

Turning to the second part of the Raders' 20 September concerns, the ZRC unanimously decided that in the B/R, Ag, and CarsRd districts, commercial agricultural barns/stables would be P if the structure is 1000 sf or less; would receive ASPR if larger than 1000 sf and in the NYS Ag District, and would require SUP if larger than 1000 sf and not in the NYS Ag District.

The three ZRC farmers present affirmed their comfort with these decisions; all other ZRC members present affirmed their comfort with these decisions; Ann and Ron Rader affirmed their comfort with these decisions.

Accordingly, the Chair will ask Nan Stolzenburg to amend the Use Table, Footnote #8 on Table 2, and any other zoning sections necessary to implement these decisions.

The committee then discussed again the benefits and drawbacks of permitting subdivision for trail lots/zones and unbuildable lots. Information recently received from Peter Paden and Robert Leslie, Bethlehem Deputy Town Planner, was considered as well as provisions already contained in Section V (I), Open Space Conservation Subdivisions.

Tentative conclusions remain divided with some favoring authority for the Planning Board to approve as unbuildable lots that have physical characteristics that render them unsuitable for building, and others focusing upon the near and long-term consequences of removing properties from the tax rolls. Others note that costs are relatively minor compared to the significant benefits that accrue to the community by setting aside such properties. Constantly recurring is the fact that conservation easements are a known and accepted tool for establishing recreational sites. Whatever guidance the ZRC settles upon will be implemented in subdivision regulations more than in the zoning law.

Due to time constraints, deliberation was suspended.

The Chair anticipates that the ZRC will not meet again until on or after 15 October. The Chair will notify ZRC members by email when it is necessary to convene again.

With thanks to all participants, the meeting adjourned at 9:04 p.m.