

MEETING SUMMARY
**2nd MEETING OF THE COMMITTEE TO
UPDATE DENNING'S LAND USE CODES**
November 26, 2007 from 7:10 to 8:50 p.m. Town Hall

Attendees: David Brooks; David Gilmour, Town Comprehensive Planner; Jennifer Grimes; Carl Landon; Katherine Parr; Kevin Smith; and Alden Thayer.

The attendees introduced each other. Misters Huncosky and Milk both previously indicated that they could not attend this evening.

The meeting summary for the first Land Use Codes Committee meeting was accepted without changes by unanimous consent.

Mr. Brooks agreed to take on the role of Chairperson of the Land Use Codes Committee provided others in the group aid him.

The project schedule was reviewed. David will provide more recommendations on the organization of the first outreach meeting at the next meeting.

Mr. Gilmour distributed the Subdivision Code Diagnosis (Stage 1). He reviewed the memo with the group.

- Mr. Thayer wondered if the recommendation to have all potential land use code definitions positioned in one place (zoning) would work well.
- Mr. Gilmour will research fees – the group will review and report on this topic to the Town Board. The structure should be for fees to be set by the Town Board annually.
- Recreation fees: There are some monies in escrow already. In the past Town Board was not eager to advance playground development -- they were concerned about management. In summer there are a lot of kids around Town. The guidance provided to Mr. Gilmour is to back the number down. Asked why we might have recreation fees – Mr. Gilmour said it is a way to deal with short supplies and demands attributable to new development.
- Mr. Thayer felt that maintenance agreements/ private road covenants do not work. Ms. Grimes said that one way available to bring private roads up to standards is for the Town to establish a taxing district

and then make improvements to enable to road to be declared public (with these ways brought up to public standards).

- All lot divisions would go before the Planning Board, including lot line adjustments (the latter which would have simple, straight forward public process). The group consensus was to establish formal process for developing a lot division on a lot that has not been previously been divided. Essentially, this would be a ‘minor’ subdivision which would also have a simple, straight forward process. More lot divisions than that (including re-subdivisions) would be ‘major subdivisions’. There is lot division terminology in the enforcement ordinance.
- The group discussed the ID of special places in Town and the concept of identifying preferably conserved areas within a site. There is no master list of special places within Denning that was developed when the comprehensive plan was updated. A list like this would be advantageous -- Planning and Town Board could review it whenever they start the process of reviewing a subdivision, site plan or special permit application. An example was Blue Hole – this is a really special place and there would be a benefit of identifying it as important to the community right up front. Some members felt that there must be care telling landowners how they can use their property. There was consensus that there has to be consideration of property rights.
- The group discussed how to achieve a meaningful early stage dialogue with permit applicants regarding site context and character. Mr. Gilmour indicated that the careful granting of waivers is a strong tool in the process of negotiations.
- There appeared to be a split, with most in favor of allowing roads and driveways above 12 percent grade. Mr. Landon pointed out the public road standards Denning has now; there is only reference to Town roads. See Redhill Mountaintop Association as example of acrimony around roads and access. Mr. Gilmour said a presumption should be that new ways platted are going to be public. Mr. Landon noted that Planning Board requests rights of ways be platted when there are new lots developed – “Ones that are not going to be Town Roads treat as rights of ways”. Mr. Gilmour asked what protects Town from development of incompatible roads and driveways in these instances.

The next meeting is set for Monday, December 17, 2007 at 7:00 p.m. at Town Hall. If there is a storm people will be contacted by phone the afternoon before the meeting if it is cancelled. If there is a weather cancellation, most likely we’ll try to hold the meeting the next evening.