

**MEETING SUMMARY**  
**3<sup>rd</sup> MEETING OF THE COMMITTEE TO**  
**UPDATE DENNING'S LAND USE CODES**  
**December 19, 2007 from 7:05 to 9:15 p.m. Town Hall**

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

Mister Huncosky indicated it would not be possible to attend this evening.

The meeting summary for the second Land Use Codes Committee meeting was accepted by unanimous consent with one change.

There was discussion about the subdivision diagnosis. Gilmour identified a clarifying point – it should not be construed that the County receives referral on all subdivisions. The group likes the idea of a detailed checklist.

The group discussed different road grades, comparing the features of Taylor and Wildcat roads. The group seeks materials explaining road grades and design practices plus examples. There are high proportions of steep slopes in the community. Mr. Thayer likes trying to follow the contours of land (it looks better) and can avoid cuts and fills. It was also noted that it can provide better ecological compatibility. Mr. Thayer expressed a preference for retaining tree canopy. Mr. Brooks identified that sometimes clearing can help melt ice and snow -- on many steep slopes in Denning there is limited sun exposure. Mr. Thayer talked about Greenwich, CT – where people cherish the rural, windy roads.

The group views roads and driveways differently. Private drives are more the responsibility of owners; they take on risk. There was discussion about promoting safe designs and connections to the public road system and facilitating safe public service, including fire, police, and ambulance access.

Mr. Gilmour asked whether private roads could be allowed in new subdivisions, such as if they don't contribute to the public road system/network? A group concern was whether it is risky to allow private roads because homeowners may not maintain the roads in good condition in perpetuity. A concern was that private roads must be maintained and that there should not be calls in the future to make private roads public, especially when the roads being requested for public acceptance are not up to a public road standard.

There was more discussion about road design and Gilmour's interview with the County Planner. Gilmour identified Mr. Doyle's preference for the provision of pedestrian connections, such as an area reserved in one side of the right of way (ROW) for pedestrian paths (more like trails than sidewalks). Ms. Graham was concerned about sidewalks to nowhere, or requirements for trail connections in very low density areas (the very low densities here are unique compared with other parts of Ulster County). Ms. Graham thought a map of hamlet pedestrian facilities/ connections makes sense.

There was discussion about ROW width requirements and street cross-sections in Denning. The current standard for ROW width is 50 feet (the Planning Board requires reservations of 50 feet for private access too). Cross-sections of 38 to 40 feet should work on lower order (low volume) roads. An example of components in this case could be: two nine to ten foot travel lanes, two six to eight foot shoulders with part of that are used for drainage and four feet on one side for a pedestrian connection reservation or actual constructed path (a 10 foot space for shoulders and drainage can help achieve more gentle side slopes for drainage).

By retaining 50 foot ROWs it should be possible to enable the flexible layout of roads and driveways. For example, the group prefers to not see whole ROWs cleared, but road layouts that optimize and flexibly use this space to avoid obstacles, follow topography with consideration of future design needs.

There were questions about the community's policies defining existing road layouts and maintenance policies on public ROWs. Landon thought in some places parcels may be taxed to the centerline, and that the right of ways are typically defined as 15 or 16 feet from the centerline (or roads prior to 1976 35 feet). Gilmour can examine this.

There was more discussion about private driveways. Some felt that shared driveways can't be forced upon landowners. Gilmour wondered whether analysis of options should be promoted. There needs to be strict care to ensure that when shared driveways are allowed that there are lock tight arrangements for their care by all of the owners with an interest in the driveway. The conditions for private driveway development would be codified. There would be standards for review of proposed conditions and legal agreements by the Planning Board's/ Town's Attorney. Agreements, including the formation of homeowner's associations, would be recorded with the County just like the plat. There would be conditions stipulated right on the plat and deed for perpetual maintenance and easements that

would run with the land forever, even upon parcel conveyance. These steps would ensure that owners remain responsible for driveway maintenance and upkeep. The enforcement provisions will be written into the agreements and these would be self-policing. For instance, these would be binding with potential for liens on land if people did not carry their share.

More discussion about public versus private roads -- there always needs to be good drainage. It might not be wise to allow private roads; so many of the 'problem' roads in Town are private. Red Hill Mountaintop Association was an example of problems among owners. Roads need to be safe. In the future, there could be challenges if the landowners fronting on the way want the road designated public, but it is no longer maintained to a public standard. The group wants more research on the topic. There should be a statement of legislative intent within the relevant sections of the subdivision code that reviews road options, public goals and objectives.

Gilmour wondered whether rural road classifications could be useful? These provide design and maintenance standards for rural roads, such as ones with fewer than 40 trips per day. It can be an alternative to providing seasonal road designations every year. It is for very low volume, very rural roads, such as ones used for recreation or other purposes. Gilmour was asked to check if Neversink has this type of designation. Also identify if there may be conflicts with FEMA standards.

Gilmour distributed the memo entitled Subdivision Code Discussion. It shows how a site conservation analysis could occur.

The Committee discussed the organization and content of the first major public outreach meeting for this phase of the project. The outreach meeting will be in March. There will be tables that take on specific topics. The topics proposed are: 1) road planning & development; 2) driveway planning and development; and 3) conservation/ environmental planning. Rather than have drainage as a separate topic, it will be included in the other three. The group's preference is for holding the outreach meeting on a Saturday -- March 8, 2008 was selected as the tentative date.

The Committee would like information available for attendees to digest before the meeting so that they are not overwhelmed by the amount of information that they are asked to process. Rather than a free form unstructured debate, we seek participant's input about the alternative approaches this group has been considering under each topic. Gilmour will package information that summarizes the Committee's thoughts and presents the consensus reached (the Committee will review it). We would

emphasize that no agreements are reached yet, but we seek input. Gilmour will prepare a press release as the meeting time approaches.

The next meeting is set for Wednesday, January 9, 2008 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.