

MEETING SUMMARY
**6th MEETING OF THE COMMITTEE TO
UPDATE DENNING'S LAND USE CODES**
March 3, 2008 from 7:10 to 9:15 p.m. Town Hall

Attendees: David Brooks; David Gilmour, Town Comprehensive Planner; Jerry Huncosky; Carl Landon; Katherine Parr; and Kevin Smith.

Ms. Grimes and Mr. Milk indicated they could not attend.

The group reviewed and approved three meeting summaries:

- The 3rd meeting of December 19, 2007 – with four changes;
- The 4th meeting of January 9, 2008 – as submitted; and
- The 5th meeting of February 11, 2008 – with one change.

Gilmour was requested to re-send the final meeting summaries that were already sent to Town Clerk. After the summaries above are finalized Gilmour will send hard and electronic copies to Town Clerk.

While reviewing the summaries there was discussion about pedestrian path standards, right of way policies and standards, and road construction standards:

- Most of the group does not see a need for right of way reservations for pedestrian paths that are separated from the road. Given land use patterns, density and traffic on most roads, paths would seldom be used. Group does not want paths/ sidewalks to nowhere. Mr. Huncosky wondered about potential liability? Consensus was for removing pedestrian path specifications/ standards and reducing right of way requirements accordingly.
- Mr. Landon opposes right of way reservations wider than 50 feet (the current policy is a mix of 50 and 60 feet). There was discussion about private versus public right of ways:
 - While the zoning and subdivision codes can be clarified, Gilmour thought that when new right of ways are intended to be public, the property boundary is not the road centerline but the outside edge of the right of way. Planning Board laid out few (if any) new public roads in the last decade.
 - Planning Board has reviewed the lay out of private ways. Mr. Landon indicated that when a plan is developed showing private right of ways there has been clear notation on the plans providing full rights to all abutting/adjacent properties.

- Mr. Landon is concerned about the implications of specifying larger public right of ways – it reduces the area available for new lots; believes there are fiscal implications.
- This group has talked about using right of ways as a tool to enable quality road building. For instance, having ample space in a right of way can enable road footprints that meander and are sited away from constraints. Rights of way do not need to be completely cleared of trees. Larger rights of ways provide space adjacent to roads for drainage and utilities (telephone, cable) rather than cross-country alignments which require the dedication of permanent access easements.
- Mr. Landon, seconded by Ms. Parr and Mr. Smith, expressed concern that larger right of ways will result in areas that are not maintained (they felt it is not clear who maintains roadsides) and there is potential for insensitive management/development by the Highway Department. In the code update the right of way policy should be clear, with identification of who owns and maintains new right of ways.
- Gilmour provided some preliminary research to confirm that the road standards discussed would not conflict with FEMA road standards, but he will check into it further.
- Ms. Parr talked with Mr. Bedditti, who has experience as a fire official in Newburgh, and lives in Denning – he believes that as long as the access/egress points with connecting road intersections are not too steep, it is feasible/ acceptable to have road and driveway grades above 12 percent.
- Road and driveway grades will be discussed at the outreach meeting.

There was more discussion around the outreach meeting design.

- Rather than having people sit at one table focused on a single topic for the whole meeting, Mr. Smith prefers an ability for people to freely move among topics. Rather than have people jump into the discussions underway, the meeting will be structured so that groups rotate, say 20 minutes for each group at each topic-specific table.
- Gilmour will provide more meeting outline and discussion materials for committee review over the next few weeks. They should review and comment by e-mail or mail to Gilmour so he can refine products.
- With eight people from the committee in attendance, it should be possible to get at least two people at each table. One would be a scribe and the other introduces the topic/ asks probing questions. (There could be a benefit to having more than one scribe).
- If a question can't be answered say so, and note it so that it can be researched or discussed with the whole assembly.

Mr. Gilmour distributed a 41 page Detailed Proposed Framework for Code Work. This is the proposed modifications to the subdivision code. The group was requested to review and comment on the document to Mr. Gilmour by e-mail. The document will be discussed further by the group. Gilmour asked if this document should be posted on the web to show areas proposed for modification within the subdivision law.

- Mr. Gilmour was asked whether road specifications will remain in the subdivision code. It is a typical approach. The standards could be clarified. Most of the group felt these standards can change and, therefore, should be situated outside of the code (rather, the applicable standards could be referenced).
- Although he did not know details, Mr. Landon felt that there is a Town public road standard adopted by law and available. Gilmour has asked Highway Superintendent for this – nothing other than subdivision code was identified, although the road standards in the subdivision code are unclear. He also reviewed the Clerk's records and interviewed Town Clerk. Ms. Parr will ask Mr. McConnell. Carl thought maybe the Town has adopted a County standard. Mr. Landon will obtain a copy of the highway public road policy.

End of summary.