

MEETING SUMMARY
MEETING OF THE COMMITTEE TO
UPDATE DENNING'S LAND USE CODES
September 8, 2008 from 7:15 to 9:10 p.m. Town Hall

Attendees: David Brooks; David Gilmour, Planner; Jennifer Grimes; Jerry Huncosky; Carl Landon; Lester Milk; Katherine Parr; and Kevin Smith.

The committee reviewed meeting summaries:

- The outreach meeting of April 12, 2008 was approved by unanimous consent.
- Notes of June 16 were approved by consent with two changes. In the context of discussing these changes, Mr. Milk noted that floodplain properties may be required to get a certificate of elevation which entails a survey paid for by the owner to show that a dwelling is not in the floodplain (or flood insurance would be required).
- The meeting summary of July 14, 2008 was approved by consent.

The group took up preliminary subdivision code edits.

- Mr. Brooks: p.10, sec 320. Why refer to sketch plan here? Mr. Gilmour said maybe that can be moved elsewhere. Don't need cluster reference.
- Mr. Brooks: p.14 requirements for minor subdivision. More expense for a minor subdivision than necessary. Mr. Gilmour: any non-ministerial permit requires SEQR. Gilmour asked: "Do we want to make it discretionary by Planning Board whether a public hearing is required for a minor subdivision?" Consensus: Yes.
- David Brooks: p.17 1st paragraph. Roads can't be in floodplain, but how do we know where it is without up-to-date map? Mr. Gilmour will provide more context/clarify decision-making criteria. We should mention there is a separate floodplain code. The existing regulatory floodplain maps are accessible at Town Hall in business hours. Mr. Gilmour thinks they are online from FEMA. Furthermore, Landon noted that Ulster County GIS (online) has this data along with parcel lines and some other layers.
- Jerry Huncosky: P.18 Radius of 50' for turnaround at end of cul-de-sac. Have we checked with Fire Districts about this? Jennifer Grimes: nature of topography is that dead end streets will be a reality here. Mr. Gilmour will work on turnarounds and check with Chiefs.
- P.18 Above 4.26, 4.2x last sentence 20' utility/pedestrian easement. The intent was clarified: where don't need 50' Board could use its discretion to require 20', such as for drainage. It's meant to provide connectivity and for future needs. Jerry Huncosky: 50' or nothing? Or, if there could be access

to State land, that could be a case where it makes sense to provide for pedestrian connections. Misterys Brooks and Smith thought it may interfere with private homeowners. Cars could be parked there. Gilmour clarified that requiring a right of way layout does not mean that it's for the public. Consensus: delete 20 foot future connection standard.

- Mr. Gilmour noted that Mr. Thayer provided comments. He will report back to the group on these; he did not have the notes.
- Mr. Smith p.22 457.2 Sidewalk, streetlight standards. It's existing code. Utilities underground? Snow, ice, and wind are hazards to above ground. Ms. Grimes: maybe in larger subdivisions electric lines should be required to be buried. Mr. Landon prefers an underground standard; he noted a case where new lines on a mountainside are visible from far away. Jerry Huncosky: new poles in a new subdivision won't be problematic, as areas will be cleared for access. He disagrees with burying. How about increasing minor to include one more lot. Gilmour thought the preference for the electric line topic was for flexibility. Mr. Landon said we should determine main trunk line that goes in, then leave it to owner. Consensus: make it flexible, don't dictate burial.
- P.24 457.5 1st paragraph. David Brooks: Good idea. Gilmour said Ulster County Planner asked for this. Jerry Huncosky: What are "minimal sources"? David Gilmour: will research intent; describe it in standards more clearly and diagram it. He thinks it's stuff that can fuel fires like wood piles, cars, etc. He will find out more.
- David Brooks: p.30 C sounds same as E on p31. David Gilmour: 1 is a resource analysis, 2nd is sketch plan. David Gilmour will have a look at order and flow and potential redundancy.
- David Brooks: p.31-32, Are these things that are supposed to be protected & not built on? Gilmour said the objective is to identify areas preferably conserved and those that may be more suitable for development. Lester Milk: are these recommendations? Jennifer Grimes: Isn't that why people buy & build, for views, etc? David Gilmour: constrained land, like floodplain, would not be a recommendation; floodplain is not subjective. C should be 3. David Brooks: It seems difficult and rigid. Mr. Gilmour: what do we do? Mr. Landon: Comp plan recommends inventory of special features. If that document is referenced in the code, the link will be provided when it is developed.

Mr. Gilmour distributed preliminary drafts of the proposed zoning (with edits in tracked changes), the Flood Damage Prevention Local Law, a potential Framework for an Industrial Wind Energy Special Permit Process and a possible framework for an incentive zoning program.

End of summary.