

TOWN OF MIDDLESEX
PLANNING BOARD
Minutes – July 14, 2010 7pm

Board Members present: Marty DeVinney, Chair; Loretta Henrie, John Gilbert, Lynn Lersch, Robert Mincer, Bruce St. Lawrence

Others Present: Ken Hurley, P.E. Lu Engineers

Agenda: Work session with Lu Engineers – Draft Steep Slope Law

Board discussion surrounding language to state intent: If an application can prove that the installation of a private road vs. private driveway in LR District would create the least negative impact to the existing environment it would be allowed only after the acquisition of a Special Use Permit which would require criteria compliance and a final determination from the Zoning Board of Appeals as well as a recommendation from the Planning Board.

Upon advisement from Ken Hurley, it was recommended that an application would first come to the Planning Board in a Preliminary Design format and once approved would progress to a Full Site Design Plan.

Board discussion on defining a “private road” as well as the various categories of dwelling access (farm path, vineyard road, that might be included in such a definition yet might not fit the standard width and length. Emergency access restrictions for standard 200’ length and a minimum of 14’ in width must apply as well as pull-off allowance in areas of steep slopes.

Board decides to draft a board statement of intent to our Town Attorney for her to draft an amendment to the existing Zoning Ordinance in Section 703. This draft law will be sent to the Town Board in the form of a resolution for board review and discussion. A motion was made by Board Member Gilbert and seconded by Board Member Robert Mincer.

A motion to add specific language to amend current Zoning Ordinance in Section #703 and send to Town Attorney Elaine Espenscheid was made by John Gilbert and seconded by Robert Mincer.

Draft Steep Slope Law was reviewed with the Board and Ken Hurley, P.E.:

- Sect. 1 was designated ok.
- Sect. 2 , #2.3 to be reworded and take out bracketed phrase.
- Sect. 3, reword 1st paragraph referencing “standards”.
 - #3.1 to allow the board the right to establish escrow agreements.
 - #3.2 reword paragraph, especially (e)
 - #3.3 review wording with Dawn Kane, CEO referencing site clearing.
 - #3.5 reword to include Planning Board involvement of wastewater system approval along with NYSDOH.
 - #3.7 reword “final” to “any”.
 - #3.11 – 3.13 reword definition of “slopes” and research NYSDOS for specific language referencing town authority to judge a lots development capabilities by % of of slope.
- Move definitions in front of the “PURPOSE” section to become Sect. #2.

Review of Draft Steep Slope Law shall continue in August.

Discussion of possible meeting time, and date change will be decided at next meeting.

Board member Mincer moved to adjourn the meeting with Board Member Loretta Henrie providing a second.

All board members present were in favor and the motion carried.

Meeting adjourned at 8:50m.

Minutes submitted by L. Lersch. Revisions to LSammy5@frontiernet.net.