

## TOWN OF MIDDLESEX

### PLANNING BOARD

Minutes – October 19, 2010, 7pm

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

Public Present: Carol Williams, Linda Sheive

Agenda: Worksession on Draft Steep Slope Law (Lu Engineer)

Meeting came to order at 7pm

Chairman DeVinney opened the meeting by asking the Board their vote on either holding our Nov. 2<sup>nd</sup> meeting at the Fire Hall next door due to Elections taking place at Town Hall or we could move the meeting to November 9<sup>th</sup> at Town Hall. The Planning Board moved to change the meeting to November 9 at Town Hall. Motion to approve was made by Ms. Henrie and seconded by Mr. Gilbert. Clerk Lersch will place a Public Notice in the paper for the change of meeting time.

Board discussion to propose a portion of the 11/9 meeting for resident discussion of Town's position to amend our Zoning Ordinance to allow Private Roads in the LR District under Special Conditions – Special Use Permit to be issued by the Zoning Board of Appeals and only after Applicant demonstrates there is good environmental reasons to do so. Board decided it would be important to hear from interested residents any concerns and to state the Board's reasons for recommending the amendment to the Town Board for adoption.

Resident Williams stated she would like to know who would be presenting so that she could prepare her concerns and questions.

Chairman DeVinney explained that it would include the Planning Board and possibly the Town Attorney to answer any legal concerns anyone might have. It would not be anything formal, however it was important to the board to hear "real" concerns from residents so that the Board could address them.

#### Steep Slope Law Edits:

Board reviewed the Draft from Lu Engineers and made revisions which Board Member St. Lawrence will include these edits before sending back to Lu to review again in November on the 16<sup>th</sup>.

Board questioned whether the current regulations for New Private Roads was too restrictive and a possible establishment of a minimum and a maximum standard should be put in place for Rural settings.

Board member St. Lawrence stated that our definitions come from State Regulations given to us in a compilation of Documents from Mr. Orr from Cornell. Our Standards for Roads came from these and regulations for setting minimum widths, emergency vehicle traffic turn-arounds, radius' all came from these. These could be pulled out and given to Lu to develop a standard for Residential Access Roads.

Board suggestion to advise the Zoning Board of Appeals to use Lu Engineers as a valuable resource when hearing any ZBA Applications for Variances that may need technical definition.

Board moved to approve a Resolution to the Town Board to recommend amending our Zoning Ordinance for the purpose of allowing Private Roads in the LR District by Special Use Permit issued by the Zoning Board of Appeals in certain instances if Applicant can prove environmental necessity to do so. Mr. Gilbert made the motion and Ms. Henrie seconded the motion. Chairman DeVinney will write up the resolution and give it to Town Clerk, Kathy Pelton. The process will include a County review and notice to surrounding municipalities.

Next Meeting 11/16 agenda: Draft Steep Slope Law review with current edits. Sections 4.12-4.14 were to be benchmarked with other municipalities and reviewed by Lu Engineer. Public Notice (8-9pm) for public discussion of Zoning Law Amendment for Private Driveways/Private Roads in Lake Residential District by Special Use Permit; Site Plan Review: Application #100710-SPR/Minor Subdivision of property owned by Mr. Alan Krautwurst and Mr. Peter DeMarco on South Lake Road (LR District)

A motion to adjourn was made by Mr. Gilbert and Mr. Mincer gave a second.

The meeting adjourned at 9:15pm.

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