

**Public Hearing – Chapter 112, “Land Development,” to require maintenance agreements for Open Development Area Subdivisions.**

**September 25, 2013**

The Town Board held a Public Hearing on the above date at 8:00 p.m. on a proposed **LOCAL LAW TO AMEND CHAPTER 112 OF THE CODE OF THE TOWN OF PHILIPSTOWN, ENTITLED “LAND DEVELOPMENT,” IN ORDER TO REQUIRE MAINTENANCE AGREEMENTS FOR OPEN DEVELOPMENT AREA SUBDIVISIONS ACCESSED BY SHARED RIGHTS-OF-WAY.**

PRESENT:

Richard Shea	Supervisor
Betty Budney	Councilwoman
Nancy Montgomery	Councilwoman
John Van Tassel	Councilman
David Merandy	Councilman

Town Clerk Merando read the Public Notice.

Supervisor Shea stated that this law is driven by the fact, that up until now, we have had subdivisions with no right-of-way maintenance agreement. Thus, we have private roads that fall into disrepair. Residents come before the town to complain, however, the Town has no leverage. This proposed local law will eliminate this ongoing problem.

Councilman Merandy added that he believes that the person at the end of the road suffers the most. The residents at the beginning of the road have a much easier travel way. Councilman Van Tassel also noted for the record that emergency service vehicles continue to have problems navigating these roads.

Lee Erickson asked whether or not there is wording addressing frontage owned by a particular resident? Supervisor Shea responded saying that the town is not writing the agreement, it is now a requirement, and the home/property owner would address any issue that may arise with regard to frontage.

There being no further comments from the public, Councilman Van Tassel, made a motion, seconded by Councilwoman Budney to close the Public Hearing at 8:11 p.m.

Respectfully submitted by,

Tina M. Merando  
Town Clerk