

TOWN OF DANBY  
 CODE ENFORCEMENT OFFICE

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MONTHLY ACTIVITY: OCTOBER 2015

BUILDING PERMITS ISSUED	Value	Fee
New Residential Construction		
Renovations/Other		
Danby Road: Renovate existing Building	195,000.	1075.
Curtis Road: 2 Story Addition of Garage with Finished Room above	100,000.	452.
Valley View Road: 130 KW ground mount PV	300,375.79	
Danby Road: 2 Story Addition	46,000.	198.
South Danby Road: 11.7 KW ground mount PV	41,248.	
Danby Road: 16'9" x 41'9" Pole Barn	6,500.	71.40
MONTH TOTALS	689,123.79	1,796.40
YTD TOTALS	3,722,931.99	6,123.40
PREVIOUS YTD TOTALS	6,710,409.	14,668.

CERTIFICATES OF COMPLIANCE

Coddington Road: Single Family Home  
 Bald Hill Road: Renovate existing, unfinished single family dwelling  
 Danby Road: Convert single family to two family dwelling  
 Comfort Road: 9.15 KW ground mount PV  
 South Danby Road: Install double wide Mobile Home  
 South Danby Road: Install single wide Mobile Home  
 East Miller Road: 11.7 KW ground mount PV

ADDITIONAL ACTIVITY

COMPLAINTS and VIOLATIONS- We are coming up on the deadline, Nov. 13<sup>th</sup>, for the cars on Hornbrook Road to be moved. If the property has not been cleared of the salvaged cars by that date, they will be issued an Appearance Ticket. They can be fined up to \$250 for not moving the cars, and another \$250 for every subsequent month thereafter that the cars are not moved.

Ric Dobson has been moving cars back to the front of his property. The DEC gets monthly reports from Ric and satisfied that contamination is not occurring on his property. The fill that seems to be coming onto his property to create that tremendous mound is also not a concern to the DEC, since the wetlands don't come into play. The dilemma is that his car lot is perceived as a historical usage, but from the Town's perspective it is an obvious eyesore.

RESP – This is on the agenda for the November 9<sup>th</sup> Board meeting. Emily Cuppernell will be doing a presentation. After the presentation, she will be handing out questionnaires to get feedback from communities about the program. It is important that you fill out these questionnaires since they are part of the requirements of the grant. We are in the last 6 months of this project and a lot of

information has been collected, but some of the most important decisions are being made now. These include who is paying for the rating, who is doing the ratings, and how is the program being implemented. Keep these concepts in mind when thinking about the program.

**STORMWATER- Emergency Stormwater Intervention:** C.J. and Jack Shawley attended a follow-up training on Emergency Stormwater Intervention (ESI) with Tompkins County Soil & Water District Resource Conservation Specialist Angel Hinickle on October 19. We walked in the creek bed and assisted with measurements of the stream's cross-section for assessment of the post-construction stream intervention on the West Branch of the Cayuga Inlet in Newfield (@ Trumbulls Corners Rd and Main St at [42.360177, -76.599231](tel:42.360177,-76.599231) in case you'd like to zoom in). The premise of the ESI program is using natural stream mechanics when doing emergency reconstructing after a big weather event. We will be re-examining this ESI site in the Spring to assess how the stream fared in order to apply this work in Danby.

**Environmental Finance Boot Camp:** C.J., and Carl, Laura, and Jack attended a full-day Environmental Finance Boot Camp at CCE on October 15. We identified and discussed hotspot stormwater areas of Dryden, Danby, Newfield, and Caroline. Trainers from the Environmental Finance Center at SUNY ESF recommended we prepare a Stormwater Plan or Capital Improvement Plan and create an asset advisory committee to help rank and prioritize projects. Effective planning and civic engagement helps create a public policy around stormwater finance and management. The Town of Danby is split into two major watersheds – one flowing north into Cayuga Lake through the Cayuga Inlet and Six Mile Creek, and another watershed that flows south (Catatonk Creek to the Upper Susquehanna, the headwaters of the Chesapeake Bay). This allows us to pursue funding from a variety of sources, such as NYSDOS' Local Waterfront Revitalization fund, the Green Innovation Grant Program, and the Water Quality Improvement Project (WQIP), the latter of which the Tompkins County Stormwater Coalition applied to for funding to begin documenting the locations of culverts to use in GIS. We will likely know the status of that funding by the end of 2015.

**Meeting with NYS Assemblywoman Barbara Lifton:** On October 1, Ric and C.J. attended a meeting with Newfield, Danby, Ithaca, and Tompkins County representatives regarding funding for localized flooding and storm damage. We had asked the Assemblywoman to write a letter of support when we applied for the WQIP funding in July; although she could not do that because she sits on the Southern Tier Regional Economic Development Council (REDC), the body charged with selecting projects, she has expressed interest in assisting with stormwater and flooding concerns. On October 9, she sent a letter to the Speaker of the Assembly calling for the creation of “a State Flood Relief Program with a new and reasonable threshold for state assistance to municipalities in such circumstances.”

**Stormwater Coalition:** Paul attended the monthly Stormwater Coalition meeting. The meeting mostly concerned the annual budget. At this time there is a surplus which allows the coalition to fund projects and trainings beyond what it takes in. Some of these trainings are required for MS4s. Right now we are a MS3, and are not required to take trainings or comply with the other requirements for MS4s. Still, we take advantage of the trainings as you can see by CJ, Carl, Jack, and Laura's activities this past month. There was some talk about giving us a reduced rate since we were an MS3, but the coalition decided since we use

the same offerings we should pay the same rate. The amount for 2016 is \$1500. and is due in June 2016. Sharing of equipment is part of being a member of the coalition. As part of mapping our culverts this winter, I asked Dryden if we could borrow their GPS equipment. The Code Officer from Dryden has to get permission from his board. Hopefully, he will have permission by the next meeting.

**AQUIFER LAW** – Assisted with setup and coordination for Protecting Danby’s Drinking Water: A Two Part Educational Forum presented by Steve Winkley of the New York Rural Water Association for the source water protection law on October 8 (and October 27, though no one from our office could attend that evening, thanks to Town Clerk Pam Goddard for setting up that evening). Part 1 of Steve’s presentation is available at [https://www.dropbox.com/s/5xk1g380j3i1s3j/Danby\\_drinkingwater\\_talk\\_part1.pdf](https://www.dropbox.com/s/5xk1g380j3i1s3j/Danby_drinkingwater_talk_part1.pdf) ; part 2 of that presentation is available at [https://www.dropbox.com/s/73qhf3za9q647vo/groundwater\\_talk\\_part2\\_handouts.pdf](https://www.dropbox.com/s/73qhf3za9q647vo/groundwater_talk_part2_handouts.pdf). Also received comments on the proposed law from Cornell Water Resources Institute and hydrogeologist Brayton Foster, who has done well testing and drilling in Danby.

**AG PLANNING** – C.J. met with with Debbie Teeter of Cornell Cooperative Extension on October 20 about the Agricultural District #2 update, which is occurring over the next 8 months. She does not anticipate the addition or removal of any properties from that agricultural district. C.J. prepared an Agricultural Data Statement, which is mandatory for use when approving discretionary actions in an Ag District in NYS, which I will have available for review at the November 16 Town Board meeting.

**PLANNING BOARD** – Continued discussion about PDZ 10 rezoning request. Public Hearing was held October 15; those minutes are available on the web site. The Planning Board held a special meeting the following Thursday, October 22 where members suggested modifications to the proposal; minutes from that will be available in the next week. The minutes and recording will be used to make tracked changes to the PDZ 10 draft so that the Planning Board, Town Board, applicant, and public are aware of the suggested modifications. The official recommendation from the Planning Board is due to the Town Board no later than December 17 but is anticipated to be completed during the November 19 Planning Board meeting.

**BURN LAW** – Do we need a burn law? The last week in October a contractor was clearing a lot on Jersey Hill Road. He contacted the Fire Chief about burning brush and what all he was clearing at the site. He was told that we don’t have a burn law, and that he could burn a single pile of a reasonable size, adding to it as the pile burned down. What he did was have 4 to 6 piles, 20’ long and 15’ high, burning at the same time. I did not see the fires when they were fully engaged, but on the second day when they were still burning and putting out enormous amounts of smoke. I called DEC, who does regulate burning, and they sent an officer out. He gave the contractor until 3:00 the next day to put the fires out and clear the site. The DEC officer said that the DEC limits the fire to logs less than 6” in diameter, and 8’ long. These fires had logs more than twice that size. Without a burn law specifying size, safety precautions (fire trucks on site?), how close to neighbors, who can burn, enforcement, recreational bonfires, etc. we can’t even explain what can be done safely. Do we need a burn law?

**MAPPING** – CJ created draft zoning map to include all Town Planned Development Zones. With this map Paul was able to make a list of all the PDZs, their tax numbers, and likely owners. Town Archivist Mary Ann Barr is now researching the resolutions or town laws that govern these 19 PDZs. The map shows how extensive these PDZs have become. There is a

misconception that PDZs are commercial zones, and therefore should be treated as such. This has gotten us into trouble in the past. Many are residential properties that have gotten special approval for one specific use, never intending for them to become larger commercial enterprises. The overlays CJ used to create the map are not perfectly accurate, and need some refinement so they will align with exact property lines or natural features. With these refinements, this map could become the new official zoning map (last one was in 1991).

**ZONING** – CJ and I have been talking since we got here about zoning in Danby. Last week Ric has become part of that conversation. Besides making Ric's eyes glaze over, it became clear there is twofold part to this question of zoning. Is it project driven (we want to do this or have this in our town) or something much more global? Obviously it is both. The concrete project part is just more easily grasped and reacted to. More often than not we are in this state of reaction, and shaping our global vision on these reactions. I think CJ's and my role is to flip this equation. We need to shape our guiding principles, with an eye on our goals and the concerns of the citizenry, but also so that it shapes us administratively. They would become the guidelines for the decisions made by the BZA, Planning Board, and Town Board. Ouch, right?

**HIGHWAY ROOF** – The first week in November has been ideal for roofing. The old roof has been completely removed, warped and otherwise dilapidated sheets of plywood have been replaced, all underlayment sheets are on, and the shingling is progressing well. I wouldn't be surprised if the roof is finished by the time of the Board meeting on the 9th.

**TOWN SOLAR** – Informally, Paul has spoken to Renovas about installing an array at the Town Highway barns. They are right now installing a similar sized system for Greenstar on Valley View Road in West Danby (130 KW). That system is costing Greenstar \$300,375. Ric believes there is funding available to Towns so that our cost would be considerably less. All Paul needs to do is get the RFPs out, so that the bidding contractors can put together packages that includes these discounts.

We have been approached by a firm in Wisconsin who wants to put up a community solar garden in Danby. It would be owned by them, but on Danby property. The residents would get a kickback on their energy bills of something like 15% of the price of the energy produced (I think). It is interesting in that it is conceptually a baby step towards Danby owning its own utility.

**CCA** – This is the Community Choice Aggregation. It enables communities to put out for bid the total demand for electricity and/or natural gas of participating homes and small businesses and purchase energy on their behalf. It gives individuals market clout in negotiating lower rates with private suppliers. Right now we contract with ECOs as individuals through NYSEG (the distributor). My understanding is NYSEG can also act as an individual's ECO, but it doesn't really want to. There is a pilot program in Westchester. TCOGG is considering using the model.

**EMERGENCY PLANNING** – C.J. contacted County Emergency Services for an updated office E911 plotter map and to alert them that Brock Hill Rd (aka Van Woert Rd) was abandoned by the Town. They will remove that former road from the map(s), their database, and other repositories of geographic information (GIS). Discussed updating the Town's emergency management protocol.

**SEQR** – C.J. attended the SEQR training for rural communities on October 29, sponsored by New York Municipal Insurance Reciprocal (NYMIR). They conducted a live review of

Environmental Assessment Forms (EAFs) Part 2 and 3 prepared by a municipality for a new multifamily housing development in a village center.

**VERY CONCRETE WINTER PROJECTS** – One of these is fixing our sidewalks outside. I will be getting at least one bid for their repair so we can decide what we want to do.

Matt had a couple of projects he left for me. The first is the divider between entry and the kitchen. The idea was to add cabinets so that there was storage on the kitchen side for the water bottles, and to create a more “welcome to the Danby” formal entrance on the door side. I’ve started a couple of sketches, which may include a mural art thing. I’m working on it.

The other was cabinets and railings in the assembly space. I can’t help it, but you got to start thinking about the library. This is like the Zoning issue. You can’t do the little things without getting a larger plan in place, and then you can prioritize and put together a five year plan. You don’t want to be tearing things down in 2 years. So with that in mind, your library and assembly space doesn’t work. I know you have an issue getting a community center, and also may have some conflict with a library housed in the same building as the community center. Therefore, the library comes back to Town Hall. The good news is the library is compatible with the assembly space, and there is a way to make it all work including getting the railing above. Think old New England meeting house. I’ll make some drawings so you can see what I mean. You might as well use me while you got me. Then we can do that 5 year plan.