

**Danby Planning Board
Meeting Minutes
April 21, 2010**

Members Present:

Anne Klingensmith
Ted Melchen
Robert Roe
Steve Selin
Naomi Strichartz

Members Absent:

Olivia Vent
Ray Van de Bogart

Others Present:

Pamela Goddard Town Clerk
Susan Beeners Code Enforcement Officer
Councilpersons Leslie Connors

Members of the Public:

Joel Gagnon, Jane Schantz, Cindy Ceracche, Jack Miller Jr.,
Charles Tilton, Pat Woodworth, Cathy Darrow, Frank Darrow

Designating a Chair for this meeting:

Robert Roe was nominated to chair the meeting by N Strichartz, seconded by Klingensmith; accepted by general acclamation.

The meeting was called to order at 7:07pm

Approval of Minutes:

Resolution No. 10 of 2010 - APPROVAL OF MINUTES, 03/17/2010

Resolved, That the Planning Board of the Town of Danby approves the minutes for the 03/17/2010 meeting.

Moved by Strichartz, Second by Klingensmith. The motion passed.

In Favor: Klingensmith, Melchen, Roe, Selin, Strichartz

Town Board Report:

Leslie Connors reported on various actions taken during the April Town Board meetings. (This information is also available in the Town Board minutes.) There was special interest regarding recently adopted Stormwater Legislation and fee structures among members of the Planning Board. The PB also expressed interest in projects underway in relation to NYSERDA Grants and developments regarding a Conservation Advisory Council.

Update on BZA Hearings, 58 Marsh Road:

Code Enforcement Officer, Sue Beeners, reported that hearings on the proposed Aromahead Institute at 58 Marsh Road will be held at 7:30 and 8:15 on Thursday, April 29, 2010. As an appellant to the determination of the CEO, it was suggested that the Planning Board appoint a representative to the hearing. A packet of information was distributed to the PB for review by the person representing.

Strichartz reported that Vent was interested in attending the meeting, but hesitated to volunteer her as representative in absentia. Klingensmith tentatively volunteered to represent the PB at this hearing. The information packet was put in her hands. Strichartz and Roe both stated that they would also attend the hearing.

Member Items:

Naomi Strichartz reported that the *Beautification Committee* will do plantings around the “Welcome to Danby” signs at each entrance to the Danby Hamlet on Route 96B over the following weekend. Additional volunteers are welcome. Funds for these plantings are supplied by Cooperative Extension.

Roe announced that the Planning Board had been extended an open invitation to an awards ceremony for NYSERDA grants taking place at Cornell.

Secretary Goddard announced the May “Neighbors Series” of Earth Day related events. A full schedule is listed on the Town web site.

Discussion regarding Waldorf School at 279-303 Gunderman Road:

Proposed location of Ithaca Waldorf School at 279-303 Gunderman Road, Planned Development Zone 10, Tax Parcel 9.-1-9.12, Matthew and Jeanne Engelhart, Owners; Ithaca Waldorf School, Applicant. Such proposal would involve amendment of Local Law No. 1 of 1997, related to permitted uses of Planned Development Zone 10, and approval of the general site plan. The PB reviewed the Proposal and scheduled a Public Hearing Date to consider recommendation to Town Board.

Parents and educators explained the Waldorf philosophy of childhood development, “green” education emphasizing respect for the natural world and community service. Information about the local school can be found at [ithacawaldorf.org]. The presenters believe that Waldorf education and Danby are a “good fit.” There are currently 69 students, a small portion of which are bussed to the school. The school has already been developing a master plan for a facility on Nelson Road. (A permit for a Waldorf School at that location has already been granted.) The Ithaca Waldorf School is particularly interested in the Engelhart barn as a potential school site which would not need new buildings. They are interested in making this building a model for sustainable use. A representative stressed that they are not, “interested in ramming a school in here. We want to enter into a collaboration with the Town where this is a benefit to the community.”

Planning Board members asked a variety of questions, including how the property would be used, any changes to public utilities, traffic impacts at this location, the extent of the planned development zone, potential adjunct businesses which may be housed in the facility, and impacts from potential growth of student/teacher population. There were a number of questions about planned development zones and the historic development of this property. A purchase contract was only recently negotiated, and so the permit application is still incomplete. Supplemental materials will be submitted to the Code Enforcement Office, including traffic pattern analysis and building review. An inquiry as to any endangered species is under review.

Neighbors to the property expressed concern regarding the amount of water in the local water table. It was stated that, historically the hillside between Gunderman, Comfort, Bruce Hill, and Jersey Hill Roads (to the Newfield border) has had problems with insufficient water. There was a question regarding what sorts of studies have been done to assess the water level in that area and how the Town deals with water issues between land owners. CEO Sue Beeners reported on findings from hydrologists when this problem has come up before, and stated that well influence is of most concern when wells are in the range of 300 feet apart. As the buildings in question are in the range of 500 feet from neighboring houses, in the opinion of the hydrologists, it would be unlikely to have an impact. Neighbors on either side reported from experience that, in this region, high water use at the Englehart property has had an effect on their rate of home water flow. “On average” may be true in some cases, but not always in this local area.

As an adjacent neighbor, and having had prior bad experiences with activities at the property in question, PB member Naomi Strichartz stated that she intended to recuse herself from the vote when this issue is considered during a public hearing.

Other concerns included tax rates since schools are tax exempt, increased traffic along Gunderman Road and the current speed limit of 55mph in that area, disruptions due to student activities, and concerns about interactions between students and potentially dangerous wildlife—in particular, a growing bear population. Tax rates are not specific to one area, and this will be true whether the school is on Nelson or Gunderman Roads. Other neighbors cited the positive aspects of the school and the fact that it might attract new families to Danby.

The fact that there would potentially be two public hearings, before the Planning and Town Boards for zoning review, was reassuring to those who spoke. There was a general discussion about how much time was needed for the Waldorf School to gather appropriate information to present to the Planning Board and the best timing for a public hearing.

Resolution No. 11 of 2010 - PUBLIC HEARING, 279-303 GUNDERMAN ROAD

Resolved, That the Planning Board of the Town of Danby sets a Public Hearing, to be held on May 19, 2010 at 7:00 pm, to consider a recommendation to the Town Board for a request for rezoning for the purposes of a Waldorf School at 279-303 Gunderman Road.

Moved by Klingensmith, Second by Melchen. The motion passed.

In Favor: Klingensmith, Melchen, Roe, Selin, Strichartz

Discussion regarding 461 Troy Road Detached Dwelling:

Proposed Construction of a Second, Detached Dwelling at 461 Troy Road as living space above a proposed new garage, requiring a Special Permit. John Webster and Amy Russ, Owners/Applicants. Tax Parcel 4.-1-32.123. The PB reviewed the Proposal and Scheduled a Public Hearing.

There was a brief discussion regarding the placement and use of this proposed new building. Due to the placement, in relation to set back from an adjacent property, this may need a set back variance through the BZA. CEO Beeners reported that the neighbor is in agreement to a five foot set back rather than the required ten foot set back.

Resolution No. 12 of 2010 - PUBLIC HEARING, 461 TROY ROAD

Resolved, That the Planning Board of the Town of Danby sets a Public Hearing regarding a set back variance related to a detached building proposed for 461 Troy Road, subsequent to a Public Hearing on the Waldorf School on May 19, 2010.

Moved by Klingensmith, Second by Strichartz. The motion passed.

In Favor: Klingensmith, Melchen, Roe, Selin, Strichartz

Recommendation regarding Planning Board Chair:

The Planning Board held a discussion about the position of Standing Chair for the Planning Board. Roe expressed that he was not interested in being the Standing Chair at this point. Members of the Planning Board agreed to each take more responsibility for informing themselves of current issues, setting agendas, and running meetings in order to share the work. Klingensmith and Strichartz both offered to run up to two or three meetings a year. It was agreed that Ray VandeBogart would be a good chair, if he was in agreement. Melchen agreed to contact him about this possible appointment.

Resolution No. 13 of 2010 - RECOMMENDATION FOR PLANNING BOARD CHAIR

Resolved, That the Planning Board of the Town of Danby recommends that the Town Board appoints Ray VandeBogart as standing Chair of the Planning Board, contingent on VandeBogart agreeing to this appointment.

Moved by Strichartz, Second by Selin. The motion passed.

In Favor: Klingensmith, Melchen, Roe, Selin, Strichartz

Resolution No. 14 of 2010 - BZA HEARING REPRESENTATIVE

Resolved, That the Planning Board of the Town of Danby appoints Ann Klingensmith, with Olivia Vent as a contingent backup, as its official representative to the April 29 BZA public hearing regarding the determination of the Code Enforcement Officer regarding the Aromahead Institute at 58 Marsh Road.

Moved by Strichartz, Second by Melchen. The motion passed.

In Favor: Melchen, Roe, Selin, Strichartz

Abstain: Klingensmith

Additional discussion regarding Map Study for the Danby Hamlet:

There was some discussion regarding whether map study for possible zoning changes in the Danby was useful and whether there was support from the Town Board for this effort. Klingensmith raised the issue of councilman Klein questioning the viability of a Danby Hamlet. Councilwoman Connors pointed out that this was just one view on the Board. CEO Beeners suggested that members of the PB take maps and acetate overlays home for study.

Discussion regarding training with SEQRs from the DEC:

The map study question morphed into a discussion about annual required training for the Planning Board. Roe volunteered to contact the region 7 DEC regarding training in reading long and short form SEQRs.

Adjournment:

The Planning Board meeting was adjourned at 9:00pm.

Pamela S Goddard, Planning Board Secretary