

**Danby Planning Board  
Minutes of Meeting  
March 24, 2011**

**Present:**

Joel Gagnon  
Ted Melchen  
Robert Roe  
Naomi Strichartz  
Ray VandeBogart

**Excused:**

Anne Klingensmith  
Steve Selin

**Others Present:**

PB Secretary	Pamela Goddard
Code Enforcement	Sue Beeners
Town Board	Leslie Connors
Public	Andreas Aigner, Kristen Bartholomew, Lisa Turner, Ronda Roaring, Rudy Laurenson (arrived late)

**Flashing Feathers Public Hearing**

**Planning Board Chair, Robert Roe opened the Public Hearing at 7:04pm.**

PUBLIC HEARING to Consider a Request for a Special Permit to Flashing Feathers Bowhunters Club for the proposed construction of a new club house to replace a preexisting club house at 18 Peter Road, on part of Tax Parcel 22.-1-24.1.

Beeners read a letter from Ed Marx, Commissioner of Planning and Community Sustainability with the Tompkins County Department of Planning. He stated that, "The Department has reviewed the proposal, as submitted, and has determined that it has no negative inter-community, or county-wide impacts."

Leslie Connors asked questions about the number of parking spaces (the lot can hold 20 vehicles). There was a question and short discussion about the proposal to change the entrance of the driveway in relation to the curve of the road. There are no residence or overnight stays. The building does not have running water, but uses an outhouse facility.

**Planning Board Chair, Robert Roe closed the Public Hearing at 7:09pm.**

**Planning Board Chair, Robert Roe opened the Planning Board meeting at 7:09pm.**

**Consider Flashing Feathers Special Permit**

The Planning Board engaged in a discussion regarding this proposal. The Board asserted that this will be a substantial improvement over the facilities currently in use at this location. It was also noted that Flashing Feathers engages in valuable community service through youth programs.

Rudy Laurenson arrived late. He clarified considerations regarding the driveway entrance.

**RESOLUTION NO. 9 OF 2011 - SEQR DETERMINATION, SPECIAL PERMIT REQUEST, FLASHING FEATHERS BOWHUNTERS CLUB**

**WHEREAS**, this action is to Consider Granting a Special Permit for the proposed construction of a new club house to replace a preexisting club house by Flashing Feathers Bowhunters Club, at 18 Peter Road, on part of Tax Parcel 22.-1-24.1; and

**WHEREAS**, this is an Unlisted Action for which the Town of Danby Planning Board is acting as Lead Agency in environmental review; and

**WHEREAS**, the Planning Board has reviewed the Short Environmental Assessment Form and the draft environmental assessment by the Code Enforcement Officer, recommending that a negative determination of environmental significance be made for this action;

**NOW, THEREFORE, IT IS**

**RESOLVED**, that the Town of Danby Planning Board accepts the draft environmental assessment and hereby makes a negative determination of environmental significance for this action.

**Moved by Strichartz, Second by Gagnon. The motion passed.**

**In Favor: Gagnon, Melchen, Strichartz, VandeBogart, Roe**

#### **RESOLUTION NO. 10 OF 2011 - SPECIAL PERMIT REQUEST, FLASHING FEATHERS BOWHUNTERS CLUB**

**WHEREAS**, this action is to Consider Granting a Special Permit to Flashing Feathers Bowhunters Club for the proposed construction of a new club house to replace a preexisting club house at 18 Peter Road, on part of Tax Parcel 22.-1-24.1; and

**WHEREAS**, this is an Unlisted Action for which the Town of Danby Planning Board, acting as Lead Agency in environmental review, has on March 24, 2011 made a negative determination of environmental significance; and

**WHEREAS**, the application was referred to the Tompkins County Department of Planning for a recommendation pursuant to General Municipal Law 239-l and -m; and said Department has determined that it has no negative inter-community, or county-wide impacts; and

**WHEREAS**, the Planning Board has reviewed the draft Agricultural Data Statement for this proposal; and

**WHEREAS**, the Planning Board has reviewed the General Considerations Required for All Special Permits provided in Section 901 of the Town of Danby Zoning Ordinance; and

**WHEREAS**, the Planning Board on March 24, 2011 has held a public hearing on the matter;

**NOW, THEREFORE IT IS**

**RESOLVED**, that the Town of Danby Planning Board accepts the draft Agricultural Data Statement for this proposal; and it is

**FURTHER RESOLVED**, that the Town of Danby Planning Board grants a Special Permit to Flashing Feathers Bowhunters Club for the proposed construction of a new club house to replace a preexisting club house at 18 Peter Road, on part of Tax Parcel 22.-1-24.1.

**Moved by VandeBogart, Second by Strichartz. The motion passed.**

**In Favor: Gagnon, Melchen, Strichartz, VandeBogart, Roe**

#### **Waldorf School Sketch Plan Review**

A sketch plan was distributed for a proposal by the Ithaca Waldorf School to build a school in two phases at 23 Nelson Road. The Planning Board engaged in a discussion about this proposal with people from the Waldorf School. Beeners introduced members of the School and gave a short report regarding the history of this proposal going back to 2006. The current proposal is for a school to accommodate approximately 108 students. The IWS currently has 55 students enrolled.

There were questions about the floor plan and uses of the spaces. It was noted that the Ithaca City School district has reviewed and approved a transportation plan. Busses will collect students in the school district. Other families car pool children to the school.

In a discussion about the time schedule for proposed construction, a representative from the IWS said that they hope to break ground soon after approval of a special permit. They will continue to rent during this coming school year while they build. More detailed plans should be prepared within the next month. Roe suggested setting a public hearing for the April PB meeting. Secretary Goddard

noted that she will not be available on the fourth Thursday of April. Beeners recommended that the date be kept on the 28th of April and that the Board appoint an acting secretary for that date.

#### **RESOLUTION NO. 11 OF 2011 - SET PUBLIC HEARING**

**Resolved**, that the Planning Board of the Town of Danby sets a Public Hearing for Thursday April 28, 2011 at 7:00pm regarding a proposed school for the Ithaca Waldorf School, to be built in two phases at 23 Nelson Road.

**Moved by Strichartz, Second by Gagnon. The motion passed.**

**In Favor: Gagnon, Melchen, Strichartz, VandeBogart, Roe**

#### **Town Board Report**

Leslie Connors reported on recent activities and action of the Town Board. She advised the PB that there will be a public hearing and vote on 4/4/2011 regarding proposed changes to the Zoning Ordinance, particularly in regards to appointing Planning Board Alternates. She also informed the PB about a hearing on the County Road Use Laws on 3/29/2011 at the "Old Jail" on Court Street and a presentation by Arthur Berman regarding gas drilling economics on 3/31/2011 at the Town Hall.

#### **Town Wide Meeting**

The board reviewed a draft statement crafted by Robert Roe for the Town Wide Meeting to be held April 7 at the Town Hall. Small changes and corrections were suggested. There was a discussion about who will present for the Planning Board. Roe agreed to represent the PB during the April 7 meeting.

#### **RESOLUTION NO. 12 OF 2011 - APPROVE STATEMENT FOR APRIL 7, 2011 TOWN-WIDE MEETING**

**Resolved**, that the Planning Board of the Town of Danby accepts the amended statement written by Robert Roe.

**Moved by Gagnon, Second by Melchen. The motion passed.**

**In Favor: Gagnon, Melchen, Strichartz, VandeBogart, Roe**

#### **Rapid Waters Unit Management Plan**

Beeners informed the PB that a meeting will be held on April 14, 2011 in Candor. to report and comment on the management plan for the Danby State Forest. There was discussion about how the PB should respond to the final draft of the plan. Connors reported on her understanding of the plan review over the past three years. She encouraged people to attend the 4/14/2011 meeting.

Gagnon expressed concerns about natural resource management and whether the Unit Management Plan includes consideration of ground water. There were also questions about whether mineral rights are held on the Federal or State level.

Written comments on the Plan can be submitted until April 30, 2011 [subsequently extended to May 14]. Gagnon suggested that the Board review the Plan and submit written comments later in April. Beeners advised that the document is available on the internet for review. Roe stated that he will most likely write comments as a private citizen. He did not make any promises about crafting a statement on behalf of the PB. Gagnon offered to review the Plan as well and would send comments to the board.

#### **Ray VandeBogart needed to leave the meeting at 8:05pm**

#### **Local Law #2 of 2011**

Beeners reported on the need for the Planning Board to submit a resolution of support to the Town Board for adoption of the proposed changes in this local law.

#### **RESOLUTION NO. 13 OF 2011 - PROPOSED LOCAL LAW AMENDING ZONING ORDINANCE RELATED TO ENFORCEMENT, BUILDING PERMITS, CERTIFICATE OF OCCUPANCY, TEMPORARY CERTIFICATE, OPERATING PERMIT, PLANNING BOARD, AND VIOLATIONS AND PENALTIES – CONSIDER RECOMMENDATION TO TOWN BOARD**

**WHEREAS**, the Town Board of the Town of Danby is considering adoption of a Local Law Amending the Zoning Ordinance of the Town of Danby Related to Enforcement, Building Permits, Certificate of Occupancy, Temporary Certificate, Operating Permit, Planning Board, and Violations and Penalties; and

**WHEREAS**, the Town Board has classified the adoption of said Local Law as an Unlisted Action under 6NYCRR Part 617.6 of the implementing regulations for the New York State Environmental Quality Review Act (Environmental Conservation Law Article 8); and

**WHEREAS**, the Town Board has determined that it should be Lead Agency in environmental review of this action; and has so notified the involved agencies identified for this action, being the Town of Danby Planning Board and the Tompkins County Dept. of Planning; and

**WHEREAS**, the Town of Danby Planning Board has reviewed the proposed Local Law, the Environmental Assessment Form, and the recommendation of the Town's Code Enforcement Officer that a negative determination of environmental significance be made for this action; and

**WHEREAS**, the Town of Danby Planning Board is also charged with making recommendation to the Town Board on any amendments to the Town's Zoning Ordinance and the Town's Subdivision and Land Division Regulations;

**NOW, THEREFORE, IT IS**

**RESOLVED**, that the Town of Danby Planning Board, acting as involved agency in environmental review of this action, concurs that the Town Board is Lead Agency in such environmental review, and recommends to the Town Board that a negative determination of environmental significance be made; and it is

**FURTHER RESOLVED**, that the Planning Board recommends to the Town Board that the proposed Town of Danby Local Law No. 2 of 2011, "A Local Law Amending the Zoning Ordinance of the Town of Danby Related to Enforcement, Building Permits, Certificate of Occupancy, Temporary Certificate, Operating Permit, Planning Board, and Violations and Penalties" be adopted.

**Moved by Gagnon, Second by Strichartz. The motion passed.**

**In Favor: Gagnon, Melchen, Strichartz, Roe**

### **Hamlet Plan Discussion**

The Planning Board continued its discussion on the Hamlet Plan. Strichartz re-asserted her view that it's best to incrementally add small changes to zoning in the Hamlet. Roe said that he appreciates that view but wondered whether it was better to do things in one shot rather than going back to the citizens several times for review.

There was a discussion about where the most sensible center for the focal point of the Hamlet should be. The areas around the old store or the Town Hall were suggested. Public transportation and a small commercial district (such as a "Brookton's Market" style store) were seen as important aspects of Hamlet development. Mixed use or vertical zoning, with combined residences and businesses, was discussed.

Roe suggested that a starting point might be to lay out a hypothetical Hamlet footprint within a walkable area. Within that should be a useable parcel of developable land. This might be linear, rather than circular.

### **Approval of Minutes**

#### **RESOLUTION NO. 14 OF 2011 - APPROVAL OF MINUTES**

**Resolved**, that the Planning Board of the Town of Danby approves the minutes of February 16, 2011.

**Moved by Gagnon, Second by Strichartz. Roe cast one vote for the Board.**

### **Appoint April Secretary**

Goddard stated that she would be unavailable for the April 28 Public Hearing and Meeting. Beeners offered to fill in as acting secretary for that date. Goddard also advised the PB that she will not be available the fourth Thursday in July, and that the fourth Thursday in November is Thanksgiving. The

question of potentially moving meetings to the third Thursday of the month should be on the April agenda.

### **Conservation Advisory Council**

Beeners and Gagnon reported activities of the CAC. This council is advertising for an intern with excellent GIS skills to develop the required open space inventory. The CAC has a lead on such a person. In addition the group has access to the Ithaca College GIS lab through one of its members. This should build on the work being done by the Critical Environmental Areas group.

### **Request from the Public**

Ronda Roaring requested that the Planning Board address development in low density residential areas. She disagrees with the intent of the zoning in relation to road frontage and the length of drive-ways. Strichartz suggested that Roaring bring this concern to the Town Board, as the body which makes zoning changes. There was a lengthy discussion about what recourse a citizen might have to change zoning and the proper procedure.

### **Strichartz departed during the discussion of Roaring's Request.**

### **Adjournment**

The Meeting was adjourned at 9:20pm.

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Pamela S Goddard, Planning Board Secretary