

**Danby Planning Board
Minutes of Meeting
September 22, 2011**

Present:

Joel Gagnon
Anne Klingensmith
Robert Roe
Naomi Strichartz
Steve Selin

Excused:

Ted Melchen

Others Present:

Secretary	Pamela Goddard
Code Officer	Sue Beeners
Town Supervisor	Ric Dietrich
Co-op. Ext.	Debbie Teeter
Public	Ronda Roaring, Ted Crane

Planning Board Chair, Robert Roe opened the Planning Board meeting at 7:06pm.

Guest Speaker - Cooperative Extension

Debbie Teeter made a presentation about Tompkins County review of Agricultural District #1. Agricultural Districts are reviewed every eight years. Ag. Districts #1 and 2 both include regions of Danby, but only District #1 is currently under review. Teeter answered questions about what qualifications are necessary for inclusion or exclusion in an agricultural district.

Roaring expressed strong concerns about Agricultural District designation, particularly properties that do not qualify for an Agricultural Exemption (that is, are not operated as a business), such as those around her home. This concern was heard and responded to.

There was a discussion about positives and negatives related to Agricultural District designations. Teeter suggested that Ag District designation was essentially neutral for land owners who are not actively engaged in agriculture. Teeter stated that she was not presenting to advocate for the Ag. District, but rather to answer questions and learn what changes (if any) the Planning Board might recommend to District #1. Teeter suggested that land owners who are currently receiving an Ag Exemption through the assessment office, but are not currently part of the Ag. District, be contacted regarding whether they would like to join District #1. The Planning Board had no objections to those land owners being contacted. The Board did not discuss withdrawing any parcels from District #1.

Discussion of Draft Local Road Use Laws

Town Supervisor Ric Dietrich made a presentation in the place of the Highway Department's Laura Shawley. He answered questions and tried to respond to concerns. These concerns included pass-through traffic and the potential "industrialization" of roads. There was concern that improving roads would facilitate industrial activity. There was a clarification that this law would primarily provide economic protection for the Town. Other zoning laws must address quality of life or rural character/community protections.

Beeners raised concerns regarding the way this draft law will interact with existing standards, such as the 1990 highway specification for new roads and the existing minimum maintenance law for roads lower than 400 trips per day, such as Comfort Road Extension. Without additional engineering

information, there is no indication of what specifications would be used for road improvements or restoration. Another draft of the law is in process, following a conversation between Town Attorney Guy Krogh and the Delta attorneys.

Many of these concerns are addressed in the Delta Program and Technical Manuals. This road use protection program goes beyond concerns about potential high impact industrial activity. This program will address standard maintenance for the future. A date will be set when the Town and Planning Boards may ask questions of Steve Mesmer (a road engineer with Delta Engineering) regarding this draft law and road protection program.

There was a related discussion about possible joint defense between local municipalities related to the current suit against the Town of Dryden Gas Drilling Ban. Dietrich related what information he had about the proposed court date and proceedings. Beeners and Dietrich urged the Planning Board to review and officially respond to the rdSGEIS and proposed Home Rule legislation.

Budget Process

There was a short discussion regarding planning for the 2012 Planning Board budget. Roughly half of the 2011 Planning Board budget was spent on GIS mapping for the Critical Environmental Areas project under comprehensive planning. Beeners advised that between \$5,000-7,000 be put into the account for the 2012 budget for possible consultations. It was suggested that Chairman Roe work on the 2012 budget with Beeners and bring a proposal to the full Planning Board during its October meeting.

There was a preliminary discussion of upcoming review of the Comprehensive Plan with possible assistance and facilitation from County Planning. The Board discussed the process for review of sections for relevancy with updates (for example) for promoting sustainable energy use and in regards the town aquifer study.

Vacant Planning Board Seat

Ray Van de Bogart resigned his seat on the Planning Board in July. The Town Board has advertised this vacancy in the Danby Area News and Broader View Weekly. There was a short discussion about finding good candidates for this role. It was suggested that Board members contact people who might be interested and encourage them to apply.

Set Meeting Date

Beeners informed the Board of a possible public hearing for the Planning Board in November. This involves the Log Country Inn B&B complex on LaRue Road. A planned development zone for two buildings was done circa 1990. This has expanded to two other buildings, and has come to the attention of the health department. The family contends that these are run by different people, and so are different B&Bs. Beeners will collect more information.

The November Planning Board meeting will be held on Nov. 17 so as not to conflict with Thanksgiving. This timing will also better meet the need for the PB to review and comment on the rdSGEIS.

RESOLUTION NO. 25 OF 2011 - CHANGE MEETING DATE

Resolved, that the Planning Board of the Town of Danby will move its November meeting from November 24 to the 17, 2011.

Moved by Gagnon, Second by Strichartz.

The Motion passed unanimously.

Conservation Advisory Council Report

Joel Gagnon made a report on activities of the CAC. The CAC held several successful educational programs over the summer/fall, including an event on Jennings Pond. The CAC is working on the process for conservation easements. There are four or five land owners who are interested in easements for their property. The CAC is seeking real estate lawyers who would be willing to do this work on a pro-bona basis.

Approval of Minutes

Approval of the July 28 PB minutes was postponed until the October Planning Board meeting.

Hamlet Planning Discussion

Gagnon raised the question of how to proceed with action related to Hamlet Planning. There was consensus that enough discussion has taken place and the next step is to draft actions. There was interest in having the PB draft a “laundry list” of zoning changes which would facilitate hamlet development. Gagnon is particularly interested in zoning changes that would allow development consistent with that already found in the hamlet areas. He offered to draft an outline of specific zoning needs to facilitate high residential development areas for presentation later this winter. This will be reviewed by the PB for possible presentation to the Town Board. There was recognition that this effort may wait for other, more pressing actions.

Discussion of Other Planning Board Considerations

The Planning Board discussed various other activities including a Planning Board response to the rdSGEIS, home rule considerations, etc. Beeners and Klingensmith suggested that the PB respond to the rdSGEIS in relation to municipal roles in the permit process. She suggested looking at other sources which are already working on this, such as the web site *rdSGEIS Flaws*. Selin volunteered to research home rule issues, such as the Senate bill sponsored by Seward. Selin also reported that he attended a workshop regarding protection ordinances in the “round two” realm which are supported by state regulations.

Adjournment

The Meeting was adjourned at 9:14pm.

Pamela S Goddard, Planning Board Secretary