

**Danby Planning Board
Minutes of Public Hearing and Meeting
May 24, 2012**

Present:

Joel Gagnon
Anne Klingensmith
Frank Kruppa
Ted Melchen
Steve Selin
Naomi Strichartz
Robert Roe

Others Present:

Secretary	Pamela Goddard
Code Officer	Sue Beeners
Town Board	Leslie Connors
Public	Jeff and Sherry Huddle, Garry Huddle, Margie and John VanDeMark

The Planning Board Public Hearing was opened at 7:03pm

Huddle Flag Lot

The following legal notice was read:

PLEASE TAKE NOTICE, that the Town of Danby Planning Board will hold the following Public Hearing at 7:00pm on May 24 at the Danby Town Hall, 1830 Danby Road, Ithaca, NY:

Public Hearing to Consider Approval of the proposed subdivision of a 13.62-acre portion of Tax Parcel 8.-1-5.2 into a 2.04-acre lot with 242 +/- feet of frontage and containing an existing house at 400 Comfort Road; and an 11.58- acre lot with 52 +/- feet of frontage. A variance of the minimum 200-foot frontage requirement of Sec. 600, Para. 5 of the Town of Danby Zoning Ordinance was granted by the Town Board of Zoning Appeals on April 18, 2012 to allow a minimum of 50 feet of frontage on the second lot. Jeffrey Huddle, applicant, John and Marjory Van De Mark, owners.

All persons will be heard either in writing or in person.

The Planning Board heard input from the VanDeMarks (who expressed support for the Huddles as neighbors) and from Huddles. No other communication was received in any form.

Code Officer Beeners and applicant Huddle answered questions about the proposed placement of a new house and the Huddle's intention to continue leasing the open field for farming.

The Planning Board Public Hearing was closed at 7:08pm

The Planning Board Meeting was opened at 7:08pm

Consider Flag Lot

The Board held a short discussion about the proposed subdivision. It was noted that there were no objections to the proposal from any of the neighbors.

RESOLUTION NO. 12 OF 2012 - SEQR DETERMINATION, PROPOSED MINOR SUBDIVISION, 400 COMFORT ROAD

Whereas, this action is to Consider Approval of the proposed subdivision of a 13.62-acre portion of Tax Parcel 8.-1-5.2 into a 2.04-acre lot with 242 +/- feet of frontage and containing an existing house at 400 Comfort Road; and an 11.58- acre lot with 52 +/- feet of frontage. A variance of the minimum 200-foot frontage requirement of Sec. 600, Para. 5 of the Town of Danby Zoning Ordinance was granted by the Town Board of Zoning Appeals on

April 18, 2012 to allow a minimum of 50 feet of frontage on the second lot. Jeffrey Huddle, applicant, John and Marjory Van De Mark, owners; and

Whereas, this is an Unlisted Action for which the Town of Danby Planning Board is acting as Lead Agency in environmental review of the proposed subdivision; 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.

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

RESOLUTION NO. 13 OF MAY 24, 2012 – APPROVAL, PROPOSED MINOR SUBDIVISION, 400 COMFORT ROAD

Whereas, this action is to Consider Approval of the proposed subdivision of a 13.62-acre portion of Tax Parcel 8.-1-5.2 into a 2.04-acre lot with 242 +/- feet of frontage and containing an existing house at 400 Comfort Road; and an 11.58- acre lot with 52 +/- feet of frontage. A variance of the minimum 200-foot frontage requirement of Sec. 600, Para. 5 of the Town of Danby Zoning Ordinance was granted by the Town Board of Zoning Appeals on April 18, 2012 to allow a minimum of 50 feet of frontage on the second lot. Jeffrey Huddle, applicant, John and Marjory Van De Mark, owners; and

Whereas, this is an Unlisted Action for which the Town of Danby Planning Board, acting as Lead Agency in environmental review, has on May 24, 2012 made a negative determination of environmental significance; and

Whereas, the Planning Board on May 24, 2012 has held a public hearing on the matter; **Now, Therefore it is**

Resolved, that the Town of Danby Planning Board grants approval to the proposed subdivision of a 13.62-acre portion of Tax Parcel 8.-1-5.2 into a 2.04-acre lot with 242 +/- feet of frontage and containing an existing house at 400 Comfort Road; and an 11.58- acre lot with 52 +/- feet of frontage, with the condition that said 13.62 acre portion not be further subdivided beyond that approved this date.

Moved by Strichartz, Second by Melchen.

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

Town Board Report

Connors informed the PB of recent actions by the Town Board, including progress on the West Danby Water District improvement project. Connors informed the Board that there will be a presentation by the Finger Lakes Land Trust in June. Members of the Planning Board and Conservation Advisory Council will be invited to attend. She also noted the success of community activities such as the Plant Exchange and a benefit held at the Danby Fire Hall.

Approve Minutes

RESOLUTION NO. 14 OF 2012 - APPROVE MINUTES

Resolved, that the Planning Board of the Town of Danby approves the minutes of April 26, 2012.

Moved by Gagnon, Second by Kruppa.

In Favor: Gagnon, Klingensmith, Kruppa, Melchen, Strichartz

Abstain: Selin, Roe

Member Item

Klingensmith reported on activities of the Danby Gas Drilling Task Force and informed the PB of a current effort to enlist elected officials, across the state, in signing a letter to Gov. Cuomo asking for continuation of a moratorium on hydrofracking. She encouraged members of the PB to reach out to any elected officials they might know, to encourage them to sign on. It was noted that elected officials in Danby have already signed onto the letter.

The Planning Board Meeting shifted to a Work Session at 7:26pm

Water/Sewer Regulations

Kruppa gave a substantial report on current state and county rules regarding water and sewer systems. He advised the PB that local and state regulations for waste water treatment are restrictive and intend to become more so. Some rules which open the door to alternative or engineered systems were “accidentally left in” the regulations and are intended to be removed at the next update. Large engineered systems, for more than 1,000 gallons, can still be approved. There is also a minimum lot size of one acre in the local sanitary code. If a residence is on public water, such as in West Danby, the lot size can be reduced to half an acre.

There was a lengthy discussion of the practicality of shared systems between multiple households as a way to increase density in a hamlet area. Shared systems require a “Responsible Management Entity” to oversee and maintain the system. This is possible (as in the case of White Hawk EcoVillage) but add a layer of complexity.

Kruppa reported that the Health Department will consider any and all options for individual projects but, from a planning perspective, “the rule is the rule.” Beeners raised the question, “Is density the only way to create a Hamlet?” This led to a discussion of mixed use development, increased social activity and pedestrian traffic. Klingensmith suggested that the PB draft potential hamlet zoning changes, as allowed by the rules of the sanitary code, and present the recommendations to the Town Board.

Comprehensive Plan Work Session

The PB continued discussion of a work plan for reviewing the Comprehensive Plan and Hamlet Plan. Each member of the Planning Board reported on their review of their chosen focus section.

Agriculture: Strichartz reported on more interviews conducted with individuals engaged in agriculture. There is a widespread concern about access to water for farm animals. There is a concern that all sizes of animals are prohibited from drinking from streams, ponds, etc. Access to water is more of a concern than water quality. There is a need for more education about land use regulations.

Natural Resources: Klingensmith described her interest in devising some type of survey in order to gain public input in order to assess needs and recommendations for revisions to this section. This might be distributed through a variety of means. There was an extensive discussion of designing survey and how to conduct the same in relation to natural resources. It was suggested that the Town of Ulysses might have a valuable model. Klingensmith hopes to distributed a survey this summer.

There was a related discussion about the use/protection of such natural resources as drinking water, rural quiet, dark night skies, and open space/the right to fence private property (the “Emerald Necklace”). The CAC open space inventory may be useful in this review.

Utilities and Communication is being reviewed by Selin. The need for a Broadband buildout to parts of the Town needs to be added. There is currently inadequate information about pipelines in the Comprehensive Plan. Beeners and others offered resources for information about planning around pipelines. Best practice includes devising an overlay buffer zone to limit development in pipeline right-of-ways. Buffer zones are seen as a hazard mitigation effort for pipeline blast zones. There are concerns about existing pipelines in the highly developed areas near the highly erodible steep slopes of Buttermilk Creek. There are also questions about the age of existing pipelines.

Next Steps/June Agenda

There will be further updates at the next meeting regarding other sections of the Comprehensive Plan (Historic/Cultural Resources, Housing/Transportation, Economy, Land Use). Beeners suggested that the PB consider where highly qualified interns could be useful for review and editing and that this consideration be part of the next meeting's discussion.

There will be a discussion regarding drafting set of proposed zoning changes related to a possible Hamlet Plan, for presentation to the Town Board. This will include mapping areas which are unavailable for a hamlet due to various constraints.

Adjournment

The Work Session/Meeting was adjourned at 9:03 pm.

Pamela S Goddard, Planning Board Secretary