

**Danby Planning Board
Minutes of Meeting
June 28, 2012**

Present:

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

Absent:

Steve Selin

Others Present:

Secretary	Pamela Goddard
Code Officer	Sue Beeners
Town Board	Leslie Connors

The Planning Board Meeting was opened at 7:03pm

Town Board Report

Connors informed the PB of recent actions by the Town Board, including approval of a lease agreement with Solar Liberty (for solar electric installation at the Town Hall) and a presentation by the Finger Lakes Land Trust at the most recent Town Board meeting. A Special TB meeting and public hearing was held on June 20 in West Danby, regarding grants for improvements to the West Danby Water District. Installation of the solar panels will be complete by May 2013 and will be in place for a 15 year lease.

Connors also shared information about continuing problems between the Oasis Dance Club and adjacent neighbors. The Board held a short, preliminary discussion about a possible Noise Ordinance in relation to such problems and to high impact industrial activity. The Planning Board expressed interest in reviewing the current noise ordinances of Town of Ithaca and Town of Dryden. These ordinances were cited as “workable” by the Sheriff.

Support West Danby Water District Grant Applications

Beeners gave an update on environmental review and current grant applications regarding needed improvements to the West Danby Water District. A rather thorough state and federal level environmental review was completed. The National Heritage Program listed three rare species possibly in the area: Blunt-Lobe Grape Fern, Northern Harrier, and Bog Turtle. Beeners said that it is highly unlikely that these species would be impacted by the water tank improvements. Land disturbance should be confined to less than an acre.

Two grants are being applied for simultaneously, from the Appalachian Regional Commission and the Community Block Grant Program. There was a short discussion about the options available to the District if these grants are not awarded to the Town. Beeners noted that an income survey, required by the Community Block Grant Program, is good for two years and could be used for housing improvement grants.

RESOLUTION NO. 15 OF 2012 - IN SUPPORT OF THE APPLICATION TO THE APPALACHIAN REGIONAL COMMISSION FOR FUNDING FOR THE WEST DANBY WATER DISTRICT IMPROVEMENT PROJECT

WHEREAS, the West Danby Water System is in great need of improvements to ensure a safe and reliable water supply to the residents within the Water District; and

WHEREAS, the West Danby Water Storage Tank Replacement and Water Conservation Improvements Project is proposed to include replacement of the existing, deteriorated water storage tank, replacement of flushing assemblies and household meters, a leak detection survey, and an automated reading system, at an estimated cost of \$404,800; and

WHEREAS, application is being made to the Appalachian Regional Commission for a grant for this project;

NOW, THEREFORE, IT IS

RESOLVED, that the Planning Board supports the application of the Town for funding through the Appalachian Regional Commission recognizing that such funding is essential to making the project affordable; and it is

FURTHER RESOLVED, that the Planning Board finds that the Project would enhance opportunities for housing rehabilitation and new affordable housing within the West Danby Hamlet, in accordance with the Town Comprehensive Plan.

Moved by Gagnon, Second by Kruppa.

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

RESOLUTION NO. 16 OF MAY 24, 2012 – IN SUPPORT OF THE APPLICATION TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FUNDING FOR THE WEST DANBY WATER DISTRICT IMPROVEMENT PROJECT

WHEREAS, the West Danby Water System is in great need of improvements to ensure a safe and reliable water supply to the residents within the Water District; and

WHEREAS, the West Danby Water Storage Tank Replacement and Water Conservation Improvements Project is proposed to include replacement of the existing, deteriorated water storage tank, replacement of flushing assemblies and household meters, a leak detection survey, and an automated reading system, at an estimated cost of \$404,800; and

WHEREAS, application is being made to the Community Development Block Grant Program for a grant for this project;

NOW, THEREFORE, IT IS

RESOLVED, that the Planning Board supports the application of the Town for funding through the Community Development Block Grant Program, recognizing that such funding is essential to making the project affordable; and it is

FURTHER RESOLVED, that the Planning Board finds that the Project would enhance opportunities for housing rehabilitation and new affordable housing within the West Danby Hamlet, in accordance with the Town Comprehensive Plan.

Moved by Gagnon, Second by Strichartz.

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

Member Items

Klingensmith reported that she and about a half dozen Danby residents attended a protest about hydrofracking at Talisman offices in Elmira. Approximately 150 people from all over the state were there.

Gagnon reported on two meetings he attended: the Finger Lakes Land Trust presentation to the Town Board and a meeting sponsored by Tompkins County Planning. The County Planning meeting was an update on proposed nodal development plans. Gagnon reported on a proposed housing development for county-owned property in the Town of Ithaca near the hospital, therefor nearby a major employer.

Roe reported on a proposed five year deer management plan through the DEC. One of the deer management areas corresponds to the Town of Ithaca and Upper Buttermilk Park. The proposal includes measures to control deer populations, including expanded harvesting (up to two deer a day in all deer seasons). This proposal has not yet passed the legislature. He also reported on measures to control the movement of feral pigs in the State.

Approve Minutes

RESOLUTION NO. 17 OF 2012 - APPROVE MINUTES

Resolved, that the Planning Board of the Town of Danby approves the minutes of May 24, 2012.

Moved by Gagnon, Second by Klingensmith.

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

Hamlet Zoning

Chairman Roe presented a potential resolution regarding proposed zoning changes in the Central Danby Hamlet Area. Roe suggested that this be forwarded to the Town Board for an indication of interest and support.

Klingensmith suggested adding a “whereas” that, based on information presented regarding state and local health laws, reducing lot size is not an effective way to increase density. Cluster development is not possible without a shared water and septic system with a responsible management area. Klingensmith and Krupp drafted the additional “whereas” which was approved by other members of the PB.

There was an extensive discussion about the distance component in the resolution. The Planning Board discussed whether a quarter or half mile distance should replace “15 minute walking distance” in the resolution. It was decided to send this to the Town Board as is.

RESOLUTION NO. 18 OF MAY 24, 2012 – RECOMMENDING THAT THE TOWN BOARD OF THE TOWN OF DANBY AMEND THE ZONING REGULATIONS OF THE TOWN OF DANBY TO ALLOW MIXED USE VERTICAL DEVELOPMENT IN THE HAMLET OF DANBY

WHEREAS, the residents of the Town of Danby have expressed a desire for the availability of locally situated amenities offering services and commercially available products; and

WHEREAS, professional review of the commercial potential of the hamlet of Danby strongly indicates that factors such as population density and traffic flow through the Hamlet are insufficient for the support of viable single use commercial establishments; and

WHEREAS, State and Local Sanitary Code establishes a minimum lot size in the absence of public water systems; and

WHEREAS, the legislative power to amend and enact zoning regulations lies with the Town Board of the Town of Danby;

NOW, THEREFORE, IT IS

RESOLVED, that the Planning Board recommends that the Town Board of the Town of Danby amend the Zoning Regulations of the Town of Danby to allow for the vertical mixed use of structures both existing and planned in the Hamlet of Danby. For the purpose of this recommendation vertical mixed use is defined as the use of the ground floor of a structure for commercial activity, home business, and the provision of services such as, but not restricted to, beauty salons, instructional classrooms and studios, cafes and coffee shops, and medical offices or other professional services and the use of the first and subsequent floors for residential applications. For the purpose of this recommendation the Hamlet of Danby shall consist of the existing structures and the developable parcels located within a 15 minute walking distance of the Town of Danby Town Hall located at 1830 Danby Road, Ithaca NY; and it is

FURTHER RESOLVED, that the Planning Board of the Town of Danby also recommends that all applications submitted under the amended Zoning Regulations be subject to review and approval by the Planning Board of the Town of Danby and that the review process include at least SEQRA review, a site plan review, and a public hearing prior to possible final approval.

Moved by Strichartz, Second by Klingensmith.

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

The PB characterized this as a first step recognizing that the Board will have more work defining the hamlet area and other details, should this find favor with the Town Board.

Beeners advised the PB that building code is very specific and strict about mixed use zoning, including the need for fire separation, sprinkler systems, etc. She thought it might be a modest change to create minimum one acre lot sizes to increase some density.

Beeners initiated a discussion about correcting the low density zoning currently in place on the East side of Danby Road. The West side is zoned at a higher level. Klingensmith recommended that the PB review maps showing physical constraints, hydrologic soils, and current zoning in light of a possible change to one acre lot size.

Comprehensive Plan Work Session

The PB continued discussion of a work plan for reviewing the Comprehensive Plan and Hamlet Plan. The board discussed strategies and tools for editing the existing Comprehensive Plan. The resulting document will be a revised Comprehensive Plan, rather than a stand-alone amendment. There was specific discussion of the *Natural Resources* and *Housing* sections of the plan.

Beeners suggested reviewing the draft update of the Town of Ithaca Comprehensive Plan as a possible model for Danby's review. This draft is available on the Town of Ithaca web site.

There was a short discussion of a time-line for this review and target dates for public presentations. The PB has set a target of November and December 2012 for substantial revisions and public presentations.

Adjournment

The Work Session/Meeting was adjourned at 8:33 pm.

Pamela S Goddard, Planning Board Secretary