

**Danby Planning Board  
Minutes of Public Hearing and Regular Meeting  
April 25, 2013  
Draft**

**Present:**

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

**Absent:**

Robert Roe

**Others Present:**

|                  |  |
|------------------|--|
| Acting Secretary | Anne Klingensmith  |
| Code Officer     | Sue Beeners  |
| Town Board       | Kathy Halton   |
| Public           | Ronda Roaring, Jan Pfleiderer (interested in secretary position), Rebecca Morgenstern Brenner (interested in secretary position), Margaret Corbit, Wesley Blauvelt, Todd Pavek, Christi Diamond, Nancy Lazarus |

**The Public Hearing of the Planning Board was opened at 7:00 pm**

PUBLIC HEARING to consider granting a Special Permit for a home occupation with external visible evidence and for a second dwelling on one lot, being the proposed construction of an art studio with living quarters at 143 Howland Road, Town of Danby Tax Parcel 28.-1-17.2, 76.84 acres total. Margaret Corbit and Wesley Blauvelt, Owners/Applicants.

Ronda Roaring spoke to the issue of low density residential zoning and the agricultural nature of low density zoning. She cited the trout stream on the property and the possibility of increased traffic. She stated objection to the project.

Nancy Lazarus spoke and said that she sees no problem with the proposal. She lives at 63 Howland Road.

**The Public Hearing Closed at 7:12pm**

**The Regular Meeting of the Planning Board was opened at 7:12 pm**

**Consider Special Permit**

Sue Beeners addressed the zoning issues raised.

Margaret Corbit was asked a question about how much her new use would change traffic on the road. She says the proposed art studio would be on Art Trail two weekends a year. And there would be increased traffic from the rental unit.

**RESOLUTION NO. 12 OF 2013 - SPECIAL PERMIT, BARN/STUDIO/DWELLING, CORBIT/BLAUVELT, HOWLAND ROAD - CONSIDER SEQR DETERMINATION**

**Whereas**, this action is to Consider Granting a Special Permit for a home occupation with external visible evidence and for a second dwelling on one lot, being the proposed construction of an art studio with living quarters at 143 Howland Road, Town of Danby Tax Parcel 28.-1-17.2, 76.84 acres total, Margaret Corbit and Wesley Blauvelt, owners/applicants; 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 draft Short Environmental Assessment Form and the recommendation of the Code Enforcement Officer that a negative determination of environmental significance be made, **Now, Therefore, it is**

**Resolved**, that the Town of Danby Planning Board, acting as Lead Agency in environmental review, makes a negative determination of environmental significance for this action.

**Moved by Gagnon, Second by Melchen.**

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

**Abstain: Selin**

**RESOLUTION NO. 13 OF 2013 - SPECIAL PERMIT, BARN/STUDIO/DWELLING, CORBIT/BLAUVELT, HOWLAND ROAD - CONSIDER APPROVAL**

**Whereas**, this action is to Consider Granting a Special Permit for a home occupation with external visible evidence and for a second dwelling on one lot, being the proposed construction of an art studio with living quarters at 143 Howland Road, Town of Danby Tax Parcel 28.-1-17.2, 76.84 acres total, Margaret Corbit and Wesley Blauvelt, owners/applicants; and

**Whereas**, this is an Unlisted Action for which the Town of Danby Planning Board, acting as Lead Agency in environmental review, has on April 25, 2013 made a negative determination of environmental significance; and

**Whereas**, the Planning Board has held a public hearing on the requested special permit on April 25, 2013; **Now, Therefore, it is**

**Resolved**, that the Town of Danby Planning Board grants a Special Permit to Margaret Corbit and Wesley Blauvelt for the construction of a building to house an art studio and a dwelling.

**Moved by Strichartz, Second by Gagnon.**

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

**Abstain: Selin**

**Privilege of the Floor**

We heard from a non-resident, Christi Diamond, who is researching property for a wildlife rehabilitation and retreat center. She is considering also holding some classes and workshops plus a Bed and Breakfast to raise funds. She needs a minimum of 20 acres of at least partially wooded land. Some of her questions about Danby zoning were answered. She would need a special permit from the Planning Board in order to do as she plans.

**Town Board Report**

Kathy Halton was present from the Town Board. We discussed the plan to hold a joint meeting between Planning Board and Town Board at the May Planning Board meeting.

Planning Board needs to set aside a sizable amount of time for this during the May meeting. Regarding the draft Aquifer Protection Ordinance, there is the issue of whether or not there should be zones, and what should be on the list of prohibited uses. Sue Beeners has a list of comments and questions and there are comments from Guy Krogh on the document. How does what Todd Miller found out about our water affect how we should manage development in Danby?

Melchen asked about speed limit restriction on Comfort Road. Kathy said that letters were received about this and that she would share them.

## **Planning Board Secretary**

We heard from both applicants for the position of secretary.

### **RESOLUTION NO. 14 OF 2013 - CREATE HIRING COMMITTEE FOR PLANNING BOARD SECRETARY**

**Resolved**, that the Town of Danby Planning Board will create a hiring committee of Kruppa and Roe to get together with each applicant and interview them individually and privately. (Contingent upon Bob Roe agreeing to be on the committee). If Bob doesn't agree Ted Melchen will join the committee.

**Moved by Gagnon, Second by Selin.**

**In Favor: Gagnon, Klingensmith, Kruppa, Melchen, Selin, Strichartz.**

## **Joint Town Board/Planning Board Meeting - Aquifer Protection Ordinance**

The Aquifer Law has been sent to Planning Board members by Sue Beeners with comments in margin by Krough and Beeners to everyone. This must be read for next meeting so that we can discuss it with the Town Board. Klingensmith made contact with Hilary Lambert at the Cayuga Lake Watershed network and may be able to meet with people in other towns working on aquifer laws.

Beeners talked about some of her reservations about the ordinance as it stands now. For example, how much of a chemical is actually a threat. She also brought up stream corridor, surface water protection and suggests looking at stream corridor protections in Town of Ithaca.

## **Comprehensive Plan Review Recommendations**

Klingensmith needs material from Todd Miller's final draft report to finish her section (Natural Resources). Should we add a section on Climate Change? Selin suggests that we all pass our finished sections to another PB member to read and review.

Economic section needs input about what new businesses (not home occupations) are present. New businesses: Book Auction, Aromatherpy, Waldorf School, expansion of Stork Industries.(not a complete list).

There was discussion about what sections are done, which need more work, when to set public hearing. Also discussion about the possibility of hiring PB secretary to do final formatting on the final revised Comprehensive Plan.

We discussed the need to sometime address home occupations, and Planned Development Zones.

## Approve Minutes

The board discussed whether or not personal issues should be in the minutes. Strichartz stated that she believes that personal stuff should not be in the minutes. Kruppa spoke to keeping issues in the record. Gagnon mentions that he finds it unsatisfactory when things are selectively not included in the minutes. We discussed alternative language to that present in the draft February minutes.

### RESOLUTION NO. 15 OF 2013 -APPROVE AMENDED FEBRUARY 2013 MINUTES

**Resolved**, that the Town of Danby Planning Board approves the February 28, 2013 minutes with the substitution in italics below (proposed by Steve Selin) for the 3rd sentence of Gagnon's redo of the Privilege of the Floor section in the February minutes, and with Gagnon's language for the rest of the Privilege of the Floor section:

#### **"Privilege of the Floor**

Secretary Goddard announced her resignation, following this meeting of the Planning Board. The Planning Board will need to engage a new Secretary for future meetings.

*Crane addressed the Board referring to the apparent personal conflict between the Planning Board secretary and the Planning Board chair. He also suggested that the PB Chair had unfairly characterized the Danby Land Bank Cooperative by suggesting that its activities would deplete the soil. Gagnon replied, noting that Roe's concern was shared by several other members of the Board. Crane suggested that the Board invite Danby Land Bank representatives to address the issue, which suggestion was embraced by the Board."*

**Moved by Gagnon, Second by Strichartz.**

**In Favor: Gagnon, Klingensmith, Kruppa, Melchen, Selin, Strichartz.**

### RESOLUTION NO. 16 OF 2013 -APPROVE MARCH 2013 MINUTES

**Resolved**, that the Town of Danby Planning Board approves the March 28, 2013 minutes as done by Klingensmith and with formatting and corrections implemented by Goddard, which included Gagnon's suggestions.

**Moved by Gagnon, Second by Melchen.**

**In Favor: Gagnon, Klingensmith, Kruppa, Melchen, Selin, Strichartz.**

### RESOLUTION NO. 17 OF 2013 -APPROVE EXPENDITURE OF FUNDS FOR MINUTES

**Resolved**, that the Town of Danby Planning Board approves funds (at a rate of \$20/hr) to pay Klingensmith for doing the minutes for March and April.

**Moved by Gagnon, Second by Selin.**

**In Favor: Gagnon, Klingensmith, Kruppa, Melchen, Selin, Strichartz.**

## Adjournment

The meeting was adjourned at 8:51 pm.

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Anne Klingensmith, Acting Planning Board Secretary