

**Danby Planning Board
Minutes of Public Hearings and Regular Meeting
March 20, 2014
Draft**

Present:

Joel Gagnon
Anne Klingensmith
Frank Kruppa
Ted Melchen
Jim Rundle
Naomi Strichartz

Excused:

Steve Selin

Others Present:

Acting Secretary	Pamela Goddard
Code Officer	Sue Beeners
Town Board	Leslie Connors
Public	Andi Gladstone, Heather Boob, Eileen Sheehan, Anthony Augustine, Matt Ulinski, Daniel and Pamela Billingsley, Katharine Hunter, Carol Bushberg

The Augustine Public Hearing was opened at 7:04 pm

PUBLIC HEARING to consider a Proposed Subdivision of a 11.152 acre portion of Tax Parcel 6.-1-18.2 into three lots, modified from the former proposal heard on January 16, 2014 of three lots of 3.5 +/- acres each, and a 0.65-acre tract to be consolidated with the adjacent tax parcel 6.-1-18.12; to the presently-proposed two lots of 2.11 acres each, one lot of 6 acres, and a 0.93 acre tract to be consolidated with the adjacent tax parcel. The property is located on the southwest corner of Troy Rd. and Nelson Rd. Anthony Augustine, Owner/Applicant.

No Written Comments were received. Anthony Augustine had nothing new to add.

Code Officer Beeners gave an overview of the status of this proposal. There was some discussion regarding the placement of the construction envelope on the proposed six-acre lot, in consideration of wet soils, drainage, and sight-line safety on Nelson Road.

The Augustine Public Hearing was closed at 7:08

The Gladstone Public Hearing was opened at 7:08

PUBLIC HEARING to consider a Request for Special Permit for a second, detached dwelling on the same lot at 1042 Comfort Road, Tax Parcel 15.-1-12.6, Andrea Gladstone, Owner/Applicant.

No Written Comments were received. Gladstone reported that the Tompkins County Health Department has inspected the site. She had no additional comments, but referred the Board to the materials she had presented with her request.

Beeners commented that this is a large lot with plenty of room for this second dwelling. Gladstone will be the owner of both dwellings. Neighbor Billingsley stated he had no objections to this request. Gladstone reported that other neighbors were also OK with the proposal. She introduced the people who will be living in the second dwelling. These tenants are already living on Comfort Road.

The Gladstone Public Hearing was closed at 7:11 pm

The Regular Meeting was opened at 7:11 pm

Approval of Minutes

RESOLUTION NO. 20 OF 2014 - APPROVE MINUTES

Resolved, that the Town of Danby Planning Board approves the minutes of February 27, 2014.

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

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

Abstain: Klingensmith

Communication

The Board was informed about two pieces of correspondence from the NYS Department of Transportation. A letter was received on March 7, acknowledging receipt of a PB letter requesting a lower speed limit on Route 34/96 in the West Danby Hamlet. A formal investigation will be held and the Board will be informed of the determination. A second letter from the NYS DOT was received regarding a request for a school speed zone of 30mph of 950 +/- feet on Nelson Road and a school crosswalk in the area of the Waldorf School. This request was approved as appropriate and the Town may proceed.

Recognition of Robert Roe

Kruppa informed the Board that a certificate of appreciation for Robert Roe has been created and signed. There was a discussion about drafting an article for the Danby Area News, outlining Roe's service to the town through the Planning Board. Melchen agreed to talk with Roe and draft such an article.

RESOLUTION NO. 21 OF 2014 - RECOGNITION OF ROBERT ROE

Resolved, that the Town of Danby Planning Board recognize Robert Roe's participation and leadership of the Planning Board with a certificate of appreciation.

Moved by Kruppa, Second by Strichartz. The motion passed.

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

Consideration of Augustine Public Hearing

The PB had a discussion regarding this proposal. There was some Q&A between Augustine and the board on several issues. Klingensmith asked questions about the 0.93 acre tract to be consolidated with an adjacent tax parcel. Due to the topography, this parcel can not be used to develop the wooded area to which it will be consolidated.

RESOLUTION NO. 22 OF 2014 - SEQRA DETERMINATION, AUGUSTINE SUBDIVISION, EAST MILLER AND NELSON ROADS

Whereas, this action is to Consider Approval of the Proposed Subdivision of an 11.152 acre portion of Tax Parcel 6.-1-18.2 into two lots of 2.11 acres each, one lot of 6 acres, and a 0.93 acre tract to be consolidated with the adjacent tax parcel; with the property located on the southwest corner of Troy Rd. and Nelson Rd., Anthony Augustine, Owner/Applicant; and

Whereas, this is an Unlisted action for which the Town of Danby Planning Board is legislatively determined to act as Lead Agency for the proposed subdivision; and

Whereas, the Planning Board on March 20, 2014 has reviewed the Short Environmental Assessment Form and the Code Enforcement Officer's recommendation that a negative determination of environmental significance be made for this action,

Now, Therefore it is

Resolved, that the Town of Danby Planning Board, acting as Lead Agency in environmental review of the proposed subdivision as an Unlisted Action, makes a negative determination of environmental significance.

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

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

There was a discussion regarding changes which had been made to the SEQRA review during the Jan.16 PB meeting. Changes have been incorporated to the final review. There was an additional change/qualification to state that, "The applicant has, in deference to the Planning Board, varied the lot sizes in order to more fully achieve consistency with the Comprehensive Plan."

There was discussion regarding further conditions to be added to the approval of the proposed subdivision. An extensive discussion was held related to the possible location of a driveway for the six-acre parcel on Nelson Road. Members of the Planning Board had concerns about the safety of road conditions in that area.

RESOLUTION NO. 23 OF 2014 - CONSIDER APPROVAL, AUGUSTINE SUBDIVISION, EAST MILLER AND NELSON ROADS

Whereas, this action is to Consider Approval of the Proposed Subdivision of an 11.152 acre portion of Tax Parcel 6.-1-18.2 into two lots of 2.11 acres each, one lot of 6 acres, and a 0.93 acre tract to be consolidated with the adjacent tax parcel; with the property located on the southwest corner of Troy Rd. and Nelson Rd., Anthony Augustine, Owner/Applicant; and

Whereas, this is an Unlisted action for which the Town of Danby Planning Board, as Lead Agency in environmental review of the proposed subdivision, has on January 16, 2014 made a negative determination of environmental significance; and

Whereas, the Planning Board on March 20, 2014 has held a public hearing on the matter; **Now, Therefore it is**

Resolved, that the Town of Danby Planning Board grants Preliminary and Final Subdivision Approval for the proposed subdivision, with the following conditions:

- The Construction Envelopes shown on the sketch map (dated February 18, 2014), as approved by the Planning Board on March 20, 2014, shall be shown on the final survey map, and shall be the locations of the residences.
- All utility service lines shall be placed underground.
- The 6-acre parcel shall not be further subdivided, and a notation to the same shall be indicated on the final survey map. Traffic flow shall be considered in the location of a driveway on this parcel.

Moved by Kruppa, Second by Strichartz. The motion passed.

In Favor: Klingensmith, Melchen, Strichartz, Kruppa

Opposed: Gagnon, Rundle

Consideration of Gladstone Public Hearing

During discussion of this proposal Klingensmith asked what precedent there has been for a second detached dwelling on a property. Beeners reported that such requests have almost always been approved. Those which have been approved have been owner/applicants, as in this case. There was a discussion about such special permits in relation to density. Beeners noted that, in this case, the second building is a small cottage and the owner occupies the main dwelling.

RESOLUTION NO. 24 OF 2014 - CONSIDER GRANTING SPECIAL PERMIT FOR SECOND, DETACHED DWELLING AT 1042 COMFORT ROAD

Whereas, this action is to Consider Granting a Special Permit for a second, detached dwelling on the same lot at 1042 Comfort Road, Tax Parcel 15.-1-12.6, Andrea Gladstone, Owner/Applicant; and

Whereas, this is a Type II action which require no further environmental review, pursuant to Town of Danby Local Law No. 2 of 1991; and

Whereas, the Planning Board on March 20, 2014 has held a public hearing on the matter;

Now, Therefore it is

Resolved, that the Town of Danby Planning Board grants a Special Permit for the for a second, detached dwelling on the same lot at 1042 Comfort Road, Tax Parcel 15.-1-12.6, Andrea Gladstone, Owner/Applicant.

Moved by Gagnon, Second by Rundle. The motion passed.

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

Planning Board Secretary Job Description/Advertising

Kruppa offered edits of a draft job description, compiled by Goddard and Beeners, directed toward focusing the description on the primary duties of a Recording Secretary. There was a discussion about the current work flow of meeting preparation ahead of meetings. This work flow has been working well for the Planning Board Chair. The Recording Secretary will focus on meeting preparation. There was a discussion of what an appropriate amount of time and appropriate pay should be for this position.

The job will be published in the April Danby Area News, posted on the Town bulletin boards, and otherwise solicited. A subgroup of three PB members, including Chair Kruppa, Strichartz, and either Selin or Melchen will interview applicants.

Comprehensive Plan - Plan Scoping Meeting Review

The Board reviewed the March 19 Comprehensive Plan Scoping Meeting. Kruppa will consult with Comprehensive Plan Assistant Brenner regarding a timeline for progress on the plan revision. Additional meetings, with "hot topics," should draw more public participation/reaction.

There was an extensive discussion regarding the process of plan section revisions. Part of this discussion included the duties of Brenner as Comprehensive Plan Assistant and, at the same time, as a Town Board member. Kruppa will include this question in his meeting with Brenner.

There was a discussion regarding the process of Ithaca College interns interviewing people involved in agriculture in Danby. Gagnon reported on a discussion with Deb Teeter of Cooperative Extension regarding the quality of land for different types of agriculture. The Board is interested in having input into the questions which are asked by the interns. They reviewed the questions, as presented at an earlier meeting, and made some suggestions for changes/additions. Strichartz will share these thoughts with Brenner. Beeners asked that the interns be strongly encouraged to be in contact with Cooperative Extension for their data about Danby agriculture.

Beeners made a suggestion that the Natural Resources section be adapted as a "standalone" digest document as a "natural resource inventory" to be a resource for such things as creating Critical Environmental Areas, mapping locations to be targeted for Conservation Easements, and possible zoning changes. There was a general discussion about this idea in relation to land and natural resource pro-

tection. Klingensmith offered to present draft CEA information to an upcoming meeting of the Conservation Advisory Council.

Town Board Report

Connors made a short report on recent actions by the Town Board. She reported on complicated issues related to disputed property on Deputron Hollow and a request for road reclassification on a section of Marsh Road. She reported on information which had been given to the TB by the Town Attorney. Melchen added information regarding offers from the property owner which would be of benefit to the Town.

Members of the PB asked several questions about the Deputron Hollow property in dispute. There is a ten acre parcel on the north side of Deputron Hollow Road to which the Town has clear title, and a 14 acre parcel to which it has unclear title. This issue has come up, in part, due to a required management plan through the Conservation Advisory Council.

Adjournment

The meeting was adjourned at 8:53pm.

Pamela Goddard, Interim Planning Board Secretary