

Town of Danby Planning Board
Minutes of Regular Meeting
Thursday January 21, 2016

DRAFT

PRESENT:

Joel Gagnon
Anne Klingensmith
Frank Kruppa
Ted Melchen
Jim Rundle
Steve Selin

ABSENT:

Naomi Strichartz

OTHER ATTENDEES:

Town Planner	C.J. Randall
Town Board	Leslie Connors
Community Council	Susan Franklin
Recording Secretary	Kelly Cecala
Public	Colleen Strong, Kevin Lacey, Edward Shay, Nancy Kotmel, Nancy Medsker and Thomas Seaney

The meeting was opened at 7:03 pm.

(1) CALL TO ORDER/AGENDA REVIEW:

Frank Kruppa handed out the agenda to the Planning Board for comment and review, nothing was added or deleted.

(2) PRIVILEGE OF THE FLOOR:

There were no comments from the public during Privilege of The Floor.

(3) APPROVAL OF MINUTES:

There was a discussion about whether or not Ted Melchen could vote since his term expired in December 2015 and he was an interim member of the Planning Board. Gagnon said that there were no provisions in town law regarding seats on the Board that have been appointed in the interim. Kruppa suggested that Melchen refrain from voting until the Planning Board gets clarification from the Town Board. Gagnon said that the Town Board was not given sufficient notice to get applications in to appoint a replacement. Connors agreed that the Town Board needs more time to complete the process of finding/appointing replacements.

MOTION - Approve December Minutes

Moved by Gagnon, Second by Rundle

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

Abstain: Klingensmith

The motion passed

(4) PRE-SUBMISSION CONFERENCE: Redevelopment of former Danby Market, 1774 Danby Rd. Board Action(s) in December: No Action - Discussion Only. Tax Parcel 10.-1-13. Applicant, Nancy Medsker; Owners, Nancy Medsker and Thomas S Seaney.

Applicant/Owner, Nancy Medsker, handed out copies of the building's elevation and planing view from the street and blueprints of the proposed new layout. Medsker commented that the original building had been gutted and that three unique spaces now exist. The largest area, which is approximately 1,800 sq. ft., will be used as both an auto fabrication "shop" and an art studio "space" and will be more or less hobby related and not operating as a business. Medsker said that the other space is approximately 900 sq. ft. and that they are currently looking for a tenant to run a small cafe and/or market in this commercial space. Medsker is planning to have an open house in April 2016.

The backyard of Colleen Strong's home, located at 8 Gunderman Rd., is adjacent to the former Danby Market parking lot. Strong raised a concern about losing privacy in her backyard, where her children play often, once the new building was complete and the parking lot was full. Strong wanted to mention her concerns to the owner now, while the building was still in the construction phase, so her privacy issue can be considered during site plan review.

(5) TOWN BOARD LIAISON REPORT:

Leslie Connors reported that the Town Board is busy reviewing the documents and information for PDZ 10. Connors reported that the Danby Community Council made connections with the former school district about sharing some of their space for children's activities. The old school, located on Gunderman Rd., is owned by the school district and is currently being used as a meeting space. Susan Franklin, from the DCC, said that the school district is open to having the gym used as an additional meeting and/or a play space.

Connors said that the deadline to receive applications for vacancies on the Planning Board was March 1st. Kruppa commented that Rebecca Brenner requested job descriptions for both the Planning Board and Board of Zoning Appeals members. Melchen requested of Connors that the Town Board find a permanent replacement for him. Melchen agreed to stay on the Planning Board in the interim, but does not want to be appointed to another seven (7) year term with the known intention to resign early. Klingensmith added that every December someone's term ends but that no one plans for it. Klingensmith added that advance notice needs to be given to the Town Board so they can plan ahead to find replacements. Gagnon said that there have been times when the Planning Board have been without a member and/or members have been appointed late. Connors said that a replacement for Melchen should have been advertised back in October 2015. Melchen agreed to stay on the Planning Board until April 2016. Gagnon commented that a term should expire at the end of the year OR until a member is replaced so they can continue until a new appointed was made. Gagnon suggested clarifying this rule with the town law.

MOTION - SUGGEST to the Town Board that open vacancies be advertised in October; or two months before the term ends

Moved by Klingensmith, Second by Kruppa

In Favor: Unanimous

The motion passed

(6) PLANNING & ZONING REPORT:

Randall reported on Work Plan 2016 and handed out copies to the Planning Board for discussion. She provided thorough details of the plan by section and reported on her research and work efforts in putting the plan together. Randall mentioned the "Comprehensive Plan Work Program" and said that she has condensed all of her research and would have additional information on this section next month.

Randall discussed the "Area Planning and Hamlet Design Work Program" and said that the Town had applied for the Design Connect Award through a student organization at Cornell. She said that if Danby was awarded it would help bring some of the "Hamlet Revitalization" to life in the form of illustration. Randall also gave examples on how to apply for funding for projects that have an economic development angle. Randall also suggested writing rules for what the town wants in place and as parcels become available let owners buy and "fulfill" the town's vision. She added that getting the public's buy in for PDZ is the key to success.

Randall said that her audit was almost complete and that the Work Plan was the preliminary piece to the audit. Randall has allocated 180 hours in the Work Plan to just Planning and Zoning. Klingensmith asked for an update on the Groundwater Protection Law and said that the Town Board was supposed to vote, pass and implement it. Randall said that she allocated hours towards the new law and would get it wrapped up ASAP. Randall mentioned the town's Emergency and Recovery Plan had not been updated since H1N1 and that it was on the Work Plan to get updated.

Randall also reported on "Growing Danby Greener" and said that the county has authorized several tax deductions for building LEED (and other green building certifiers alike) homes. Randall said that Danby could come up with building and construction incentives for builders if supported by the Town. She added that the county authorizes the tax abatement as the assessor, but that it would need to pass the Town Board and that the Town of Danby would need to adopt it locally. Randall added that Paul Hansen was also working in tandem with HERD (Home Energy Rating Disclosure Program) and that they will be giving a presentation to the Town of Danby this year. Randall said that HERD could be the retrofit and revitalization piece of existing buildings to accompany the new construction of greener buildings. Randall also commented that all applicants are now required to print and provide copies of studies, maps, applications, etc., for the Planning Board before the meeting.

Randall also distributed copies of Part 1 of SEQR for PDZ 10 and invited the Planning Board members to provide comments as either individuals, or as a Board, to her or the Town Clerk. She said that Part 2 of SEQR for PDZ 10 would be started in February.

Gagnon raised concerns about the Work Plan's timeline and said that interim measures have been discussed over the past year but nothing is resolved. Rundle suggested to revisit the idea of a moratorium. Randall said that zoning amendments are a challenging and time consuming process and added that the audit will have a lot of useful information to consider. Gagnon replied...but what about in the meantime? Gagnon said that a moratorium on site plan review would be of no help at all and a moratorium on building permits could cause problems. Kruppa said that there are also

problems with a moratorium. He said that there is a process to make it happen which includes public hearings for both the PB and TB, which is also time consuming, so the potential exists to rush into subdivision.

MOTION - REVISIT ZONING ORDINANCE RECOMMENDED CHANGES

Moved by Gagnon, Second by Selin

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

The motion passed

Connors said that the biggest issue is the cutting up of the lots. Randall is recommending that the minimum lot size be increased to 20 acres or more in rural areas and that conservation subdivision will be mandatory. Gagnon said, that in light of trying to craft a passing moratorium, wouldn't it be easier to implement the short-term fixes that were suggested to the Town Board a year ago? Gagnon suggested getting rid of Land Division by Permit. Klingensmith agreed and said that it was not perfect but that it would be more effective than a moratorium.

RESOLUTION NO.1 OF 2016 - DELETE LAND DIVISION BY PERMIT

WHEREAS, this action is to ask the Town of Danby to consider a quick pass of deleting land divisions by permit; and

WHEREAS, the Planning Board has considered this issue on several occasions and understands the potential of additional work load during this interim time while zoning is being review and until the amendment process is completed; and

WHEREAS, the Planning Board had made previous recommended zoning changes to the Town Board; and

WHEREAS, the Planning Board is willing to take on extra work of seeing applicants at Public Hearings; and

WHEREAS, this is an interim solution until the audit is done and the zoning changes are complete as part of Work Plan 2016.

NOW, THEREFORE IT IS

RESOLVED, That the Town of Danby Planning Board recommend to the Town Board to delete Article II, Section 201(B)-LAND DIVISION BY PERMIT, of the Subdivision and Land Regulations of the Town of Danby.

Moved by Gagnon, Second by Selin

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

The motion passed

(7) COMPREHENSIVE PLAN REPORT:

The Comprehensive Plan Report will be updated in conjunction with the Work Plan 2016 timeline.

(8) ADJOURNMENT

The meeting was adjourned at 8:40 pm.

Kelly Cecala, Planning Board & Board of Zoning Appeals Recording Secretary