

Town of Danby Planning Board
Minutes of Regular Meeting
Thursday October 20, 2016

DRAFT

PRESENT:

Joel Gagnon
Anne Klingensmith
Jody Scriber
Steve Selin
Naomi Strichartz
Frank Kruppa

ABSENT:

Jim Rundle

OTHER ATTENDEES:

Town Planner	C.J. Randall
Town Board	Leslie Connors
Recording Secretary	Kelly Cecala
Public	Ted Crane, David Hall, Charles Tilton, Pat Woodworth, Cindy Ceracche, Renada Wadsworth, Robert Brenner, Rachel Clare.

The meeting was opened at 7:04 pm.

(1) CALL TO ORDER/AGENDA REVIEW:

C.J. Randall provided copies of the agenda. Kruppa requested to add an executive session at the end of the meeting to discuss a personnel matter.

(2) PRIVILEGE OF THE FLOOR:

David Hall provided an update that he did not get everything completed on his Blue Sky Learning Center proposal and that he is a month behind.

(3) APPROVAL OF MINUTES:

MOTION - Approve August Minutes
Moved By Gagnon, Second By Scriber
In Favor: Gagnon, Klingensmith, Scriber, Selin, Strichartz, Kruppa
The motion passed

MOTION - Approve September Minutes
Moved By Gagnon, Second By Scriber
In Favor: Gagnon, Klingensmith, Scriber, Selin, Strichartz, Kruppa
The motion passed

(4) TOWN BOARD LIAISON REPORT:

Leslie Connors confirmed that the joint scoping meeting with the Town Board, Planning Board, and Board of Zoning Appeals will be held on November 29th at 7 pm. Connors also stated that the budget meeting was on November 14th at 7 pm.

Connors reported on a Site Plan Review and Planned Unit Developments training that she attended in Dryden and handed out copies of the presentation's slideshow.

Connors said that the Finger Lakes Land Trust has requested to purchase 145 acres off (Hizee Road?) which includes one mile of the Finger Lakes Trail.

Connors reminded Steve Selin that his term was up at the end of the year and said that he would be getting a request from the Town Board to see if he was interested in another term.

(5) ACTION ITEMS:

Action Item A:

Project: Verizon Wireless Telecommunications Facility

Location: American Legion Post No. 221, 1231 Danby Road

Applicant: Robert J. Brenner for Verizon Wireless

Anticipated Board action(s) this month: Review Part 2 of Full Environmental Assessment Form (FEAF), including Visual Addendum and photos from balloon test; Declaration of Environmental Significance

Project Description: The Applicant proposes to construct a large telecommunications facility at the American Legion Post No. 221. The facility will consist of a 109' monopole tower with additional 1' lightning rod, a 12' x 22' equipment platform, and other associated site improvements. The project is in the Low Density Residential Zoning District. This is a Type I Action under the Town of Danby Local Law 3 of 1999 Regulating the Siting of Wireless Telecommunications Facilities and an Unlisted Action under the State Environmental Quality Review Act, and is subject to environmental review.

Robert Brenner Esq., who is an attorney for the law firm Nixon Peabody, addressed the board as the representative for Verizon Wireless. Brenner apologized for the delay in getting the photo simulation images to the Board. Brenner reported that three (3) balloons were flown on October 4th at a height of 90', 110' (approximate tower height) and 130'.

Brenner said that pictures were taken from 23 different vantage points around the area. He reported that the center balloon (simulating the tower) was only visible from four (4) locations. These images can be found on photos #14 (Waldorf School) #15 (Comfort) #20 (Nelson) and #23 (1317 Danby Rd.) Klingensmith asked if there was an actual image of the tower itself. Brenner said only the simulated image was available. Ted Crane asked what happens when the leaf cover comes down. Brenner said there could be additional visible locations.

Action Item B:

Project: Standard Subdivision

Location: 326 Gunderman Road, Tax Parcel #8.-1-32.1

Applicant: Joseph Cheng

Anticipated Board action(s) this month: Declaration of Lead Agency, Review Part 1 and 2 of Environmental Assessment Form (EAF), and Review of Preliminary Plat application

Project Description: The applicant proposes to subdivide the existing 31.49-acre property into three parcels: Parcel A, measuring 5.009 acres, with 202.69 feet of frontage on Gunderman Road, 1037.48 feet of depth, with an existing 1,960 square foot house; Parcel B, measuring 5.005 acres with 202.70 feet of frontage on Gunderman Road, 1036.53 feet of depth, and undeveloped; and Parcel C, measuring 21.476 acres and undeveloped. The property is in the Low Density Residential Zoning District, requiring a lot area minimum of 2 acres, frontage of 200 feet, and lot depth of 300 feet. This is an Unlisted Action under the Town of Danby Environmental Review of Actions and the State Environmental Quality Review Act and is subject to environmental review.

PLANNING BOARD RESOLUTION NO. 12 OF 2016 - DECLARATION OF LEAD AGENCY, STANDARD SUBDIVISION, 326 GUNDERMAN ROAD, TAX PARCEL NO. 8.-1-32.1

Whereas, an application has been submitted for review and approval by the Town of Danby Planning Board for a Standard Subdivision at 326 Gunderman Road, Town of Danby Tax Parcel No. 8.-1-32.1, by Joseph Cheng, Owner and Applicant;

and **Whereas**, the Applicant proposes to subdivide the existing 31.49-acre property into three parcels: Parcel A, measuring 5.009 acres, with 202.69 feet of frontage on Gunderman Road, 1037.48 feet of depth, with an existing 1,960 square foot house; Parcel B, measuring 5.005 acres with 202.70 feet of frontage on Gunderman Road, 1036.53 feet of depth, and undeveloped; and Parcel C, measuring 21.476 acres and undeveloped; and

Whereas, the property is in the Low Density Residential Zoning District, requiring a lot area minimum of 2 acres, frontage of 200 feet, and lot depth of 300 feet; and

Whereas, this is considered a Standard Subdivision in accordance with the Town of Danby Subdivision and Land Division Regulations, Article II, § 201 C.1. Standard Subdivision, any division of land resulting in three or more lots, of any size, at one time, which such division of land is and remains at all times subject to the requirements and terms of the Stormwater Local Law, if and as applicable; and

Whereas, 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) and Section IX of Local Law 2 of 1991 Environmental Review of Actions in the Town of Danby, require that a Lead Agency be established for conducting environmental review of projects in accordance with local and state environmental law; and

Whereas, State Law specifies that for actions governed by local environmental review, the Lead Agency shall be that local agency which has primary responsibility for approving and carrying out the action; and

Whereas, the Planning Board is the local agency with primary responsibility for approving the action; and

Whereas, this is an Unlisted Action under the Town of Danby Environmental Review of Actions and the State Environmental Quality Review Act and is subject to environmental review;

Now Therefore, be it

Resolved, that the Town of Danby Planning Board does hereby declare itself Lead Agency for the environmental review for the action of Standard Subdivision approval for Town of Danby Tax Parcel No. 8.-1-32.1, by Joseph Cheng, Owner and Applicant.

Renada Wadsworth, at 379 Gunderman Road, wants to purchase 10 acres of property from Joseph Cheng. Wadsworth said that Cheng owns all 30 acres as one parcel. She said that she asked him for the subdivision so that the 10 acres can be subdivided into two (2) five acre lots. Wadsworth said that she will reside in the existing house on one lot and that she will eventually sell the other five acre lot to her mother so she can build a new home. She added that she can not buy the home and property until the subdivision is approved.

Klingensmith asked C.J. if the 20 acre Lot C was further subdividable. Randall said that it could be subdivided again (at least once) but that the applicant had to wait three years. Randall added that our subdivision regulations rules to whatever yields the most lots, whether it's road frontage or acreage. Gagnon said that the road frontage was a requirement.

**Moved By Gagnon, Second By Strichartz
In Favor: Gagnon, Klingensmith, Scriber, Selin, Strichartz, Kruppa
The motion passed**

Short Environmental Assessment Form - Part 1 Discussion

After reviewing the document the Planning Board made the following recommended changes:

- (4) Add rural, Agriculture, Commercial, Residential, and Forest.
- (10) Change to N/A (does not apply to subdivision)
- (11) Change to N/A (does not apply to subdivision)
- (14) Add Agricultural/Grassland, and Early mid-successional
- (17) Change to N/A (does not apply to subdivision)

Klingensmith asked Randall to check the map for any state listed species. Randall said that no restricted or rare plants and animals in the area.

Short Environmental Assessment Form - Part 2 Discussion

After reviewing the document the Planning Board made no recommended changes.

Randall said that she will set a Public Hearing for next month's meeting where preliminary, final approval, and determination of environmental significance will be decided. Klingensmith requested to know what kind of subdivided configurations (total build out) could be done on Lot C. Randall said two lots maximum.

(6) PLANNING & ZONING REPORT:

Randall reported that the Town is moving forward on the power purchase agreement for the large solar-ray at the highway department.

Randall said that she will have the PDZ report completed before the joint scoping meeting in November.

Randall reported that since the Town Board passed the climate smart community certification the Town can now seek out different levels of certification that will open up various pots of money. She said that the CCE gave the Town a dedicated intern who is collecting information for an inter-municipal energy plan.

Randall said that there will be one (maybe two) more subdivisions to review next month.

Randall said that the Town submitted an application for technical assistance for a preliminary design and planning for the street scape improvements along 96B. She added that an application has also been submitted to the NY State DOT for funding that will help pay (up to 80%) for the sidewalks along 96B between Gunderman Road and Bald Hill Road. Randall said that the highway department has committed to maintaining the sidewalks. Randall said that the DOT wants to re-stripe the lanes (make them narrower) and reduce the speed from 40 MPH to 30 MPH.

Randall added that a request was also made to add a bike shelter at the park-n-ride near the fire district as well as a striped walk way and pedestrian signage. Scriber asked if all of this included ADA accessibility. Randall said yes it was required by law. Connors said that most of the people actually cross over 96B near the bus shelter.

Scriber raised concerns about having new ADA curb ramps designed correctly. She said that some of the ADA curb ramps and sidewalks in downtown Ithaca do not meet the needs of people in wheelchairs. Scriber said they are what they should be, ADA compatible, but they are not functional.

Randall said that she provided a draft agenda for the joint scoping meeting to the Planning Board.

She said she is working on establishing stream set backs because people are building too close to streams.

Randall reported that the county is going to fund the Brown Road analysis project to fix the area along Brown Road that flooded last year. The Brown Road improvements will include Station Road.

Randall said that the South Hill Recreation Way is getting ready to announce its expansion of the trail from Ithaca to Caroline/Dryden. She said there will be a community kick off meeting on November 15th at the Coddington Road Community Center to discuss the expansion project.

Randall discussed the local SEQR law amendments that she is proposing and provided a hard copy of the draft amendments to the Planning Board as well as via email. She said the major substantive changes would be; recommending to the Town Board that they lower the threshold for a Type 1 action that would require review, making amendments to the Groundwater Protection Law, and having a more robust fee structure to charge applicants/developers.

Klingensmith mentioned that the vehicle traffic change (reduction from 2,000 to 200 cars per day) is still too high for those people that live near the road. Klingensmith recommended lowering it further. Klingensmith also said that some people move to Danby and are not used to getting water from a well. She said the language in SEQR of "2,500 gallons per day" can imply that there is enough water in the ground to withdraw that much, but there is actually no guarantee. Klingensmith suggested to include an informational sheet that discusses the water shortages in the area and to include a map so people are aware before the build. Randall said that the first thing she does when someone calls the office is to look into the GIS system.

Randall said that the county just completed a very robust housing needs assessment study and that there is a housing summit on November 30th through December 1st. She said that on November 30th there will be a speaker from Smart Growth America at 7:30 pm.

(7) EXECUTIVE SESSION

Kruppa request to have a short executive session at the end of the regular meeting.

Moved By Strichartz, Second By Klingensmith

In Favor: Unanimous

The motion passed

(8) ADJOURNMENT

The meeting was adjourned at 8:26 pm.

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