

Town of Danby Planning Board  
Minutes of Regular Meeting  
January 17, 2019

**PRESENT:**

Ed Bergman  
Scott Davis  
Bruce Richards  
Jody Scriber  
Joel Gagnon (Acting Chair)

**ABSENT:**

Jim Rundle (Chair)  
Naomi Strichartz

**OTHER ATTENDEES:**

Town Board liaison	Leslie Connors
Recording Secretary	Alyssa de Villiers
Public	John Barber, Ted Crane, Earl Ekdahl, JoAnn Ekdahl, Erik Frank, Barbara Miller Fox, Mike Morris, Ralph Nash, Ben Rosenblum, Lisa Trust, Matt Ulinski, Olivia Vent

*The meeting was opened at 7:01pm.*

**(1) CALL TO ORDER / AGENDA REVIEW**

Approval of the November 6<sup>th</sup>, 2018 special meeting minutes was added to the agenda.

**(2) PRIVILEGE OF THE FLOOR**

No comments were made during privilege of the floor.

**(3) APPROVAL OF MINUTES**

**MOTION:** Approve Nov. 6, 2018 meeting minutes  
Moved by Richards, seconded by Bergman  
**The motion passed.**

In favor: Bergman, Davis, Richards, Scriber, Gagnon

**MOTION:** Approve December minutes

Moved by Bergman, seconded by Scriber

**The motion passed.**

In favor: Bergman, Davis, Richards, Scriber, Gagnon

#### **(4) TOWN BOARD LIAISON REPORT**

Leslie Connors shared the following information:

- Jim Rundle was reappointed as Chair of the Planning Board. Bruce Richards has been appointed for a new term beginning January 2019.
- Residents raised concerns about the condition of Updike Road; the Highway Department is looking into it.
- Horse signs have now been ordered; their locations are still to be determined. This action follows horse-owning residents in the Nelson/Hornbrook/Muzzy Roads area voicing concerns about cars speeding, not slowing down, and not stopping fully at stop signs.
- The Town Board will now be meeting on the first and second Mondays of the month.
- Some towns in Pennsylvania are banning CAFOs (concentrated animal feeding operations) and big box stores; it will be interesting to see how that plays out.

#### **(5) ACTION ITEMS**

**Project:** Minor Subdivision

**Location:** Durfee Hill Road, Tax Parcel # 13.-1-1.22

**Applicant:** Ralph W. Nash, Esq. for Barbara Miller Fox

**Owner:** William F. Farrell

**Anticipated Board action(s) this month:** Public Hearing; Determination of Environmental Significance; Preliminary and Final Approval

**Project Description:** The Applicant proposes to subdivide the existing 132.37-acre property into two parcels: Parcel A, measuring 129.30 acres and undeveloped; and Parcel B, measuring 3.07 acres with existing telecommunications tower. Area Variances from the Town of Danby Board of Zoning Appeals from Zoning Ordinance Section 600(5) and 600(6)(b) requirements that new lots created in the Low Density Residential Zoning District have frontage of 200 feet and that minimum side yard width of fifty feet were granted on December 18, 2019. This is an Unlisted action under the Town of Danby Environmental Review of Actions and an Unlisted action under the State Environmental Quality Review Act and is subject to environmental review.

*The public hearing was opened at 7:09pm.*

Ted Crane pointed out that the portion of land that does not have the cell tower on it, Parcel A, is not a very usable property. He mentioned this with regard to past decisions by the Planning Board regarding division of property.

It was noted that the missing date at the bottom of Resolutions No. 1 and 2 of 2019, in the eighth and fourteenth whereas clause respectively, should be September 13, 2018.

**MOTION: Make a Negative Declaration of Environmental Significance**

Moved by Bergman, seconded by Davis

**The motion passed.**

In favor: Bergman, Davis, Richards, Scriber, Gagnon

**PLANNING BOARD RESOLUTION NO. 1 OF 2019 - DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE, MINOR SUBDIVISION, DURFEE HILL ROAD, TAX PARCEL NO. #13.-1-1.22**

**Whereas** an application has been submitted for review and approval by the Town of Danby Planning Board for a Minor Subdivision of Town of Danby Tax Parcel No. 13.-1-1.22, by William F. Farrell, Owner and Ralph W. Nash, Esq. on behalf of Barbara Miller Fox, Applicant; and

**Whereas** the Applicant proposes to subdivide the existing 132.37-acre property into two parcels: Parcel A, measuring 129.30 acres, with 276.5 feet of frontage on Durfee Hill Road, 2907.64 feet of depth, and undeveloped; and Parcel B, measuring 3.07 acres with 36.63 feet of frontage on Durfee Hill Road, approximately 1300 feet of depth, with existing telecommunications tower; 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** an Area Variance from Town of Danby Zoning Ordinance Section 600(5) required frontage of not less than 200 feet and an Area Variance from Town of Danby Zoning Ordinance Section 600(6)(b) required minimum side yard width of 50 feet is required for the creation of Parcel A; and

**Whereas** the aforementioned Area Variances were both granted by the Town of Danby Board of Zoning Appeals on December 18, 2018; and

**Whereas** this is considered a Minor Subdivision in accordance with the Town of Danby Subdivision and Land Division Regulations, Article II, § 201 B.2. Minor Subdivision, Option #2 – A small-lot minor subdivision is permitted, where the division results in a lot or lots of less than 8 acres, provided that the following criteria are met:

- a. No other division(s) or subdivision(s) involving the parcel being divided except for Land Annexation have taken place within the previous three (3) consecutive years;
- b. The subdivision results in no more than two lots, including the parcel being divided;
- c. Both lots resulting from the subdivision have frontage on a public road maintained year-round;
- d. Both lots resulting from the subdivision meet all other pertinent zoning requirements;
- e. No extension or improvement of an existing, or creation of a new public road, significant public utility infrastructure, or significant stormwater improvements, or extension of public benefit districts is involved;
- f. Compliance with the Stormwater Local Law, if applicable, has been demonstrated, including, but not limited to, the preparation and approval of SWPPPs, the obtaining of Stormwater Permits, and the design, planning, installation, construction, maintenance, and improvement of temporary and permanent Stormwater Management Practices, as each and all of such capitalized terms are used within such Stormwater Local Law; 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; and

Whereas this Board, acting as Lead Agency in environmental review, did on November 29, 2018 and January 17, 2019 review and accept as adequate: a Short Environmental Assessment Form (SEAF), Part 1, submitted by the Applicant, and Part 2, prepared by the Planning Administrator; a survey map entitled "Subdivision Plat Showing Lands of William F. Farrell," prepared by T.G. Miller, P.C., and dated 9/13/2018 and other application materials;

Now Therefore, be it

Resolved that the Town of Danby Planning Board determines the proposed Minor Subdivision will result in no significant impact on the environment and that a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be filed in accordance with the provisions of Part 617 of the State Environmental Quality Review Act.

*The public hearing was closed at 7:12pm.*

**MOTION:** Grant Preliminary and Final Approval

Moved by Scriber, seconded by Richards

**The motion passed.**

In favor: Bergman, Davis, Richards, Scriber, Gagnon

PLANNING BOARD RESOLUTION NO. 2 OF 2019 - PRELIMINARY AND FINAL APPROVAL, MINOR SUBDIVISION, DURFEE HILL ROAD, TAX PARCEL NO. #13.-1-1.22

Whereas an application has been submitted for review and approval by the Town of Danby Planning Board for a Minor Subdivision of Town of Danby Tax Parcel No. 13.-1-1.22, by William F. Farrell, Owner and Ralph W. Nash, Esq. on behalf of Barbara Miller Fox, Applicant; and

Whereas the Applicant proposes to subdivide the existing 132.37-acre property into two parcels: Parcel A, measuring 129.30 acres, with 276.5 feet of frontage on Durfee Hill Road, 2907.64 feet of depth, and undeveloped; and Parcel B, measuring 3.07 acres with 36.63 feet of frontage on Durfee Hill Road, approximately 1300 feet of depth, with existing telecommunications tower; and

Whereas the property is located 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 an Area Variance from Town of Danby Zoning Ordinance Section 600(5) required frontage of not less than 200 feet and an Area Variance from Town of Danby Zoning Ordinance Section 600(6)(b) required minimum side yard width of 50 feet is required for the creation of Parcel A; and

Whereas the telecommunications tower was granted two previous Area Variances by the Board of Zoning Appeals from Town of Danby Zoning Ordinance Section 600(8) requirement of a maximum height of thirty-six feet on September 16, 1996 and July 28, 1999; and

Whereas the Planning Board approved antennae improvements to the existing telecommunications tower by Resolutions No. 7 of 2001 and No. 4 of 2003; and

Whereas the Planning Board is required per New York State Town Law §§ 277(3) and (6) to issue a written recommendation to the Board of Zoning Appeals regarding the Appeal for an Area Variance; and

Whereas the Planning Board did on November 29, 2018 recommend that the Board of Zoning Appeals grant the Area Variances with the condition prohibiting any future improvements to Parcel B other than an eligible facilities request per Spectrum Act § 6409 for modifications to the existing

telecommunications tower that do not substantially change its physical dimensions as per Nationwide Collocation Agreement, 47 C.F.R., Part 1, App. B and Telecommunications Act, 47 U.S.C. § 332(c)(7); and

Whereas the aforementioned Area Variances, including the recommended condition, were both granted by the Town of Danby Board of Zoning Appeals on December 18, 2018; and

Whereas this is considered a Minor Subdivision in accordance with the Town of Danby Subdivision and Land Division Regulations, Article II, § 201 B.2. Minor Subdivision, Option #2 – A small-lot minor subdivision is permitted, where the division results in a lot or lots of less than 8 acres, provided that the following criteria are met:

- a. No other division(s) or subdivision(s) involving the parcel being divided except for Land Annexation have taken place within the previous three (3) consecutive years;
- b. The subdivision results in no more than two lots, including the parcel being divided;
- c. Both lots resulting from the subdivision have frontage on a public road maintained year-round;
- d. Both lots resulting from the subdivision meet all other pertinent zoning requirements;
- e. No extension or improvement of an existing, or creation of a new public road, significant public utility infrastructure, or significant stormwater improvements, or extension of public benefit districts is involved;
- f. Compliance with the Stormwater Local Law, if applicable, has been demonstrated, including, but not limited to, the preparation and approval of SWPPPs, the obtaining of Stormwater Permits, and the design, planning, installation, construction, maintenance, and improvement of temporary and permanent Stormwater Management Practices, as each and all of such capitalized terms are used within such Stormwater Local Law; 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; and

Whereas legal notice was published and adjacent property owners within 500 feet notified in accordance with the Town of Danby Subdivision and Land Division Regulations, Article VI, § 601 II.H. Hearing and Notices; and

Whereas the Planning Board held the required Public Hearing on January 17, 2019; and

Whereas this Board, acting as Lead Agency in environmental review, did on November 29, 2018 and January 17, 2019 review and accept as adequate: a Short Environmental Assessment Form (SEAF), Part 1, submitted by the Applicant, and Part 2, prepared by the Planning Administrator; a survey map entitled “Subdivision Plat Showing Lands of William F. Farrell,” prepared by T.G. Miller, P.C., and dated 9/13/2018; and other application materials;

Whereas the Planning Board did on January 17, 2019 make a Negative Declaration of Environmental Significance for the project; and

Whereas excepting the aforementioned Area Variances granted by the Board of Zoning Appeals on December 18, 2018, the Planning Board recognizes that information received and reviewed for this Subdivision indicates the resultant parcels conform to area requirements in the Low Density Residential Zoning District;

Now Therefore, be it

Resolved that the Town of Danby Planning Board does hereby grant Preliminary and Final Subdivision Approval to the proposed Minor Subdivision of Town of Danby Tax Parcel No. 13.-1-1.22, by William F. Farrell, Owner and Ralph W. Nash, Esq. on behalf of Barbara Miller Fox, Applicant, subject to the submission of the final approved plat, having a raised seal and signature of a registered licensed surveyor, filed with the Tompkins County Clerk within six (6) months.

**Project:** Minor Subdivision

**Location:** 14 Makarainen Rd, Tax Parcel No. 4.-1-29.2

**Applicant:** Erik P. Frank

**Anticipated Board action(s) this month:** Public Hearing; Determination of Environmental Significance; Preliminary and Final Approval

**Project Description:** The Applicant proposes to subdivide the existing 8.73-acre property into two parcels: Parcel A, measuring 2.00 acres with existing house and Parcel B, measuring 6.73 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 an Unlisted action under the State Environmental Quality Review Act and is subject to environmental review.

*The public hearing was opened at 7:15pm.*

Erik Frank, owner, spoke briefly to explain that he will be selling the larger parcel, Parcel B, to his neighbors Mike Morris and Lisa Trust to be eventually added to their existing property; they tried to do this without subdividing, but it was not possible. Mike Morris added that they are interested in a conservation easement and have emailed Joel Gagnon regarding the matter.

It was noted that the total acreage of the property to be divided should be 8.73 acres on both Resolutions No.3 and 4 of 2019 in the second whereas clauses.

**MOTION:** Make a Negative Declaration of Environmental Significance

Moved by Richards, seconded by Scriber

**The motion passed.**

In favor: Bergman, Davis, Richards, Scriber, Gagnon

PLANNING BOARD RESOLUTION NO. 3 OF 2019 - DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE, MINOR SUBDIVISION, 14 MAKARAINEN ROAD, TAX PARCEL #4.-1-29.2

Whereas an application has been submitted for review and approval by the Town of Danby Planning Board for a Minor Subdivision of Town of Danby Tax Parcel No. 4.-1-29.2, by Erik P. Frank, Owner and Applicant; and

Whereas the Applicant proposes to subdivide the existing 8.73-acre property into two parcels: Parcel A, measuring 2.00 acres and vacant and Parcel B, measuring 6.73 acres with existing house; 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 Minor Subdivision in accordance with the Town of Danby Subdivision and Land Division Regulations, Article II, § 201 B.2. Minor Subdivision, Option #2 – A small-lot minor subdivision is permitted, where the division results in a lot or lots of less than 8 acres, provided that the following criteria are met:

- a. No other division(s) or subdivision(s) involving the parcel being divided except for Annexation have taken place within the previous three (3) consecutive years;
- b. The subdivision results in no more than two lots, including the parcel being divided;
- c. Both lots resulting from the subdivision have frontage on a public road maintained year-round;
- d. Both lots resulting from the subdivision meet all other pertinent zoning requirements;
- e. No extension or improvement of an existing, or creation of a new public road, significant public utility infrastructure, or significant stormwater improvements, or extension of public benefit districts is involved;

f. Compliance with the Stormwater Local Law, if applicable, has been demonstrated, including, but not limited to, the preparation and approval of SWPPPs, the obtaining of Stormwater Permits, and the design, planning, installation, construction, maintenance, and improvement of temporary and permanent Stormwater Management Practices, as each and all of such capitalized terms are used within such Stormwater Local Law; 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; and

Whereas this Board, acting as Lead Agency in environmental review, did on March 15, 2018 and January 17, 2019 review and accept as adequate: a Short Environmental Assessment Form (SEAF), Part 1, submitted by the Applicant, and Part 2, prepared by the Planning Administrator; a survey map entitled "Subdivision Plat No. 14 Makarainen Road," prepared by T.G. Miller, P.C., and dated 10/4/2018; and other application materials;

Now Therefore, be it

Resolved that the Town of Danby Planning Board determines the proposed Minor Subdivision will result in no significant impact on the environment and that a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law be filed in accordance with the provisions of Part 617 of the State Environmental Quality Review Act.

*The public hearing was closed at 7:20pm.*

**MOTION:** Grant Preliminary and Final Approval

Moved by Bergman, seconded by Davis

**The motion passed.**

In favor: Bergman, Davis, Richards, Scriber, Gagnon

PLANNING BOARD RESOLUTION NO. 4 OF 2019 - PRELIMINARY AND FINAL APPROVAL, MINOR SUBDIVISION, 14 MAKARAINEN ROAD, TAX PARCEL #4.-1-29.2

Whereas an application has been submitted for review and approval by the Town of Danby Planning Board for a Minor Subdivision of Town of Danby Tax Parcel No. 4.-1-29.2, by Erik P. Frank, Owner and Applicant; and

Whereas the Applicant proposes to subdivide the existing 8.73-acre property into two parcels: Parcel A, measuring 2.00 acres and vacant and Parcel B, measuring 6.73 acres with existing house; 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 Minor Subdivision in accordance with the Town of Danby Subdivision and Land Division Regulations, Article II, § 201 B.2. Minor Subdivision, Option #2 – A small-lot minor subdivision is permitted, where the division results in a lot or lots of less than 8 acres, provided that the following criteria are met:

- a. No other division(s) or subdivision(s) involving the parcel being divided except for Land Annexation have taken place within the previous three (3) consecutive years;
- b. The subdivision results in no more than two lots, including the parcel being divided;
- c. Both lots resulting from the subdivision have frontage on a public road maintained year-round;
- d. Both lots resulting from the subdivision meet all other pertinent zoning requirements;
- e. No extension or improvement of an existing, or creation of a new public road, significant public utility infrastructure, or significant stormwater improvements, or extension of public benefit districts is involved;
- f. Compliance with the Stormwater Local Law, if applicable, has been demonstrated, including, but not limited to, the preparation and approval of SWPPPs, the obtaining of Stormwater Permits,

and the design, planning, installation, construction, maintenance, and improvement of temporary and permanent Stormwater Management Practices, as each and all of such capitalized terms are used within such Stormwater Local Law; 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; and

Whereas legal notice was published and adjacent property owners within 500 feet notified in accordance with the Town of Danby Subdivision and Land Division Regulations, Article VI, § 601 II.H. Hearing and Notices; and

Whereas the Planning Board held the required Public Hearing on January 17, 2019; and

Whereas this Board, acting as Lead Agency in environmental review, did on March 15, 2018 and January 17, 2019 review and accept as adequate: a Short Environmental Assessment Form (SEAF), Part 1, submitted by the Applicant, and Part 2, prepared by the Planning Administrator; a survey map entitled "Subdivision Plat No. 14 Makarainen Road," prepared by T.G. Miller, P.C., and dated 10/4/2018; and Whereas the Planning Board did on January 17, 2019 make a Negative Declaration of Environmental Significance for the project; and

Whereas the Planning Board recognizes that information received and reviewed for this Subdivision indicates the resultant parcels conform to area requirements in the Low Density Residential Zoning District;

Now Therefore, be it

Resolved that the Town of Danby Planning Board does hereby grant Preliminary and Final Subdivision Approval to the proposed Minor Subdivision of Town of Danby Tax Parcel No. 4.-1-29.2, by Erik P. Frank, Owner and Applicant, subject to the submission of the final approved plat, having a raised seal and signature of a registered licensed surveyor, filed with the Tompkins County Clerk within six (6) months.

**Project:** Minor Subdivision

**Location:** 329 Nelson Rd, Tax Parcel No. 4.-1-32.22

**Applicant:** John R. Barber

**Anticipated Board action(s) this month:** Review of Preliminary Plat

**Project Description:** The Applicant proposes to subdivide the existing 12.02-acre property into two parcels: Parcel A, measuring 10.02 acres and undeveloped and Parcel B, measuring 2.00 acres with existing house. 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 an Unlisted action under the State Environmental Quality Review Act and is subject to environmental review.

The applicant, John Barber, explained to the Board why the proposed property division was shaped the way it is. He lives in the Town of Ithaca and his brother lives in the house located at 329 Nelson Rd.; his brother wants to purchase the house but not the land and so he would like to subdivide the property. His son lives at 339 Nelson Rd. and it is expected that he will purchase this property from his mother when his mother moves out of state. The proposed subdivision would allow Barber's brother to purchase the house at 329 Nelson Rd. now, and then later his son can add the wood lot located behind 339 Nelson Rd. to that property. The narrow strip to the east of Parcel B has been left purposely as the driveway of 339 otherwise would pass onto the property at 329; rather than doing a right of way, when Barber's son purchases the wood lot it will include this strip, thus sorting out the issue. After his son acquires the house at 339 and the woodlot, Barber will be left with a parcel that could be sold, possibly to neighbors, partially or in its entirety.

In response to a question from the Board, Randall clarified that if the woodlot behind 339 Nelson Rd. is merged with the property at 339 Nelson Rd. there would likely not need to be a further subdivision to separate it from the proposed Parcel A due to the possibility of a lot line adjustment.

A public hearing will be set for next month.

**Project:** Commercial Corridor

**Location:** 1839-1849 Danby Rd., Tax Parcel Nos. 10.-1-42 and 10.-1-49.2

**Applicant:** Ben Rosenblum Studio for Olivia Vent, Owner

**Anticipated Board action(s) this month:** Review of Sketch Plan

**Project Description:** The applicant is proposing a Sketch Plan of a phased commercial corridor with two new commercial spaces, 1 seasonal food market, and 15 bedrooms on tax parcels 10.-1-42 and 10.-1-49.2. The project is located in the Low Density Residential Zone.

Randall explained that a sketch plan is an opportunity for an informal conversation to take place between the Board and the Applicant before more time and money is invested into a project. This is the applicant's take on a project that would fit with Danby's Sustainable Hamlet Revitalization Plan given the site constraints and benefits.

### **Applicant's presentation**

Olivia Vent, owner, introduced herself and the architect she is working with, Ben Rosenblum. She gave a brief history of her time in Danby as a resident and landlord, and shared memories of previous businesses. She has long had an idea of developing her properties at 1839 and 1849 Danby Rd. together, while restoring the older parts of the historic houses. This plan is the culmination of more than 25 years imagining and working towards a revitalized hamlet. She described how the Planning Board had been focused on minimizing sprawl and preserving open spaces, but as the need to look at hamlet revitalization became more pressing, a baseline study was conducted and the Danby Hamlet Revitalization Plan was created. This plan showed that Danbyites wanted walkable/hikeable spaces, places to buy essentials, and places to meet friends for coffee that were in keeping with Danby's historic character. When the recession hit, momentum on this slowed down. She met Rosenblum about a year and a half ago and has finally been able to develop her current plan.

Ben Rosenblum spoke next, describing some of his recent work at the printing press building next to the Argos Inn on State St. in Ithaca. The goal was a vibrant, mixed-use space; he was the architect for the project. He also did sustainability consulting for the Argos Inn.

Rosenblum then walked the Board through a PowerPoint presentation describing the sketch plan that he and Vent have created. The plan intends to start with smaller to medium density residential with mixed use commercial, the hub being a new Danby Market, a la Brookton's Market. The broad plan would be to keep

the existing residence at 1839, a portion of a building at 1849, and the barn; the residence at 1839 would be converted to a 5-bedroom bed and breakfast, and the barn into a seasonal food/local market, separate from the new Danby Market. Four 2 to 3-bedroom residences would be added as well as up to two commercial buildings. This makes for 15 proposed bedrooms, as compared to the 12 total bedrooms currently present. The goal is to keep the most historic portions of the existing construction.

He pointed out that there are two different sides of the property to be taken into account: the busy road, and Dotson Park; it is important for the development to work with both. The residential units would have variations and not all be of the same design. Sustainability is a focus of the project. He explained that John Andersson, P.E., a consulting environmental engineer, has done a preliminary site review including an evaluation of sewage treatment and water supply on site, and that this report fed into the plans being presented.

In terms of water, wastewater treatment would need to be on-site; there is currently the potential for a 2,000 gallons per day on-site wastewater treatment system (OWTS). There are two existing wells currently. It is anticipated that the development would need new wells. Low-flow fixtures, rain water collection, and a constructed wetland are all being considered. Water management will also need to take into account stormwater management along the perimeter.

Currently the plan proposes a cul-de-sac to accommodate the four new 2 to 3-bedroom houses, which creates a residential niche. The plans presented left open the possibility of a Phase 2 where the properties could be further developed into a density approaching seven houses per acre if there was expansion of the Danby commercial corridor. Randall added that in terms of transportation planning, this is the threshold for transit-oriented development. Rosenblum stated that the goal would be to have a walkable center with the church and Town Hall nearby as anchors, and the Park neighboring; it will also be located directly on a bus route.

Vent stressed that she does not have the funds to execute this project herself and would begin looking for a suitable developer or partner if the plan seemed feasible and desired. In response to a question by Ted Crane regarding ownership structure, Rosenblum said that ideally the commercial structures would be under one ownership and the houses would be on their own properties; Vent pointed out that the simplest solution is that a developer or group of developers owns it and the houses are rented. Rosenblum added that in the first stages, Vent's solution is the most likely one.

In response to the presentation, Davis brought up a neat market in King Ferry that he felt was worth looking at; Scriber had also been to that market and felt they did a nice job. Gagnon mentioned the idea of using the barn as an event space, as well as the possibility of a nearby community garden. Ted Crane pointed out that in the past when the business viability of a Danby Market was looked at, the results were unfavorable, and that the Brookton's Market is in a denser community. Davis felt that if the business was attractive, people would come from surrounding areas and there would be enough traffic and population.

Gagnon brought up the aggregation of uses to enhance the draw to the area, and Rosenblum spoke to the idea of destination places.

### **Board discussion**

The proposal was well-received by the Board. Richards asked what the Board could do to encourage the project; Scriber said she supported the project, particularly if the applicant included concepts of universal design for the buildings; Bergman pointed out that rezoning to encourage hamlet development was something the Board had discussed through the zoning audit; Strichartz, although not present, had voiced her support to Joel Gagnon. Given this, Gagnon asked at what point in the process the Board would draft a supporting resolution; Randall said that typically the Planning Board could choose to draft a resolution recommending rezoning to the Town Board after there is a pending application.

Randall said that at the current juncture, zoned as low density residential, the applicant's options would be to go through the Board of Zoning Appeals for use variances, which is not advised, or create a planned development zone (PDZ). She felt that this is one instance where a PDZ might make sense as it involves multiple parcels and is meeting an established Town objective; it is slightly less than five acres, but the Town Board could still consider it. She added that PDZs are good for adaptive reuse when there are existing site conditions. If this was the desired next step, the applicant would come back with a draft PDZ and site plan, which would then move to the Town Board for rezoning. It would also go to County Planning for review because it is on a state highway. Public hearings would be held at the appropriate points during the process. Coordination would also be needed with the Danby Community Park Association.

Gagnon pointed out that with any development with increased housing density, the issue of wastewater disposal looms large; considering off-site possibilities might also be worthwhile. As many pointed out, this is a recurring obstacle. If multiple dwellings are under the same ownership, it is easier than with realty subdivision. Gagnon pointed out that the lack of water and sewer infrastructure is not unique to Danby and is a problem that many rural communities face if they want to add hamlet density. He suggested that at the State level legislation could be passed to make it easier to do this. Randall added that she would bring these issues to the Tompkins County Planning Advisory Board as the new rural representative. She pointed out that one option, used by White Hawk, is to set up a transportation corporation that holds the interest in the water and wastewater systems on the commonly held land through a home ownership piece such as an HOA, homeowners association.

Bergman asked where the Town is on the rezoning that was discussed through the zoning audit. Not just for this project, but for any of this type of development, he suggested it might be better to rezone the area first so that applicants would be less restricted. Randall mentioned that if an applicant approaches the Town about rezoning it is at the Town Board's discretion; if the Planning Board initiates a rezoning, the onus of preparing the zoning is on the Town rather than the applicant.

## **(6) PLANNING AND ZONING REPORT**

C.J. Randall, Town Planner, reported the following:

- The draft NRI (Natural Resource Inventory) is with the Conservation Advisory Council (CAC) awaiting feedback.
- The final draft of the full zoning audit is complete.
- Randall is now on the Tompkins County Planning Advisory Board as the rural representative; they meet once a month. County Planning is offering a grant workshop for municipalities next week that she be will attending.
- FEMA's (Federal Emergency Management Agency) risk map program, as part of the flood plain delineation, will be doing field surveys now through March. If someone comes to your property from FEMA, they ask that you allow them access to get as accurate data as possible. This is primarily in the north part of Danby.
- The Town executed the NYSERDA contract for Highway Department upgrades. The energy audit is getting rolling now and new wash bay plans are being finalized.
- The Brown Rd. stabilization project is moving along. The U.S. Fish and Wildlife Service is furloughed so they cannot weigh in on the plans. It had been hoped that the project could dovetail with the BRIDGE NY awards for culvert replacement, but they will probably now be done as two separate projects.
- Members of the Planning Board could please give feedback before the Joint Scoping Meeting on the draft 2019 proposed work plan they received.
- Paul Hansen, the Code Enforcement Officer, is retiring.
- HealthlinkNY in Binghamton is offering a free Age-Friendly workshop series on age-related topics.

## **(7) REVIEW OF 2019 WORK PLAN**

Randall handed out the draft Planning and Zoning 2019 work plan to the Board to review before the Joint Scoping Meeting.

## **(8) ADJOURNMENT**

*The meeting was adjourned at 9:00pm.*

---

Alyssa de Villiers – Recording Secretary