

**Danby Town Board  
Minutes of Regular Meeting  
July 20, 2015  
DRAFT**

**Present:**

Supervisor: Ric Dietrich  
Councilpersons: Rebecca Brenner, Leslie Connors, Jim Holahan, Jack Miller

**Others Present:**

Town Clerk Pamela Goddard  
Code Officers CJ Randall  
Public Ted Crane, Ronda Roaring, Garry Huddle, Lewis Billington, Michael Casper, Jill Marie, John Van de Mark

**The Danby Town Board Meeting was opened at 7:05pm**

**Privilege of the Floor**

John Van de Mark raised several concerns regarding road repair and property flooding. He expressed concern on behalf of a resident at 19 Gunderman Road whose home and property has flooded several times in the past several years. He believes that the problem may be a partial result of an inadequate sluice pipe/culvert at White Hawk Lane. Dietrich responded that White Hawk Village is aware that the culvert system under their road requires redesign. An engineering report has been received that supports the rebuild of the system. Van de Mark also noted an increase in problems after a redesign of the Jennings Pond dam. Van de Mark asked who would be paying for the damages to this property?

Dietrich responded, describing serious drainage problems and resulting catastrophic losses across the Town. Danby experienced at least \$400,000 worth of damage to infrastructure, not including damage to private property. This did not meet the FEMA threshold for damage support. Therefore, there is no funding support for private property repairs. The cost of repairs for Town roads will have to come from the Town budget. Funding repairs will be a challenge for the upcoming budget cycle. The Town has written letters to the State to see if aid is available. Dietrich stated that he is meeting with the Highway Department on reassessing several roads and putting together a plan for triage on the worst damage.

Dietrich noted that Stormwater Management is a top issue in Tompkins County and the Town of Danby. Efforts are underway to better understand drainage problems and to assess where remediation is needed. He invited Planner CJ Randall to add information. She described projects underway through the Stormwater Coalition to understand and address the situation in a holistic manner.

Van de Mark also expressed concerns regarding potholes which have not been fixed in months. He asked whether the Highway Department budget was sufficient for needed repairs? Dietrich noted that the Board is not holding up funds for road repairs. He suggested that Van de Mark send a list of specific concerns to the Highway Department.

**Comfort Road, Southern section**

Dietrich opened the floor for discussion of a request for a speed reduction on the southern, dirt portion of Comfort Road. Michael Casper expressed support for the petition to reduce the speed limit and maintain the rural character of the southern/dirt portion of Comfort Road.

Van de Mark asked why not have a speed limit on the rest of Comfort Road? Dietrich explained that the Board had previously attempted to have a speed reduction for the entire length of Comfort Road. This request was denied by the County and State Departments of Transportation. At that time (circa 2013), the current speed limit (55mph) was found to be appropriate for the road as a whole. Dietrich noted that there

are a number of Town roads, particularly dirt roads, on which speed limits may be reduced. For this section of road, the Board has a petition in hand.

Lewis Billington expressed support for the request to lower the speed limit to 30mph. He reported a particular problem with school busses driving too fast on this section of road. He stated that some of the busses are empty while traveling down Comfort Road. Billington has contacted the school district without success. Dietrich offered to send a letter to the school district making this request from the Town. He noted that an increase in traffic and traffic speed is a recognized program.

Councilperson Brenner reported a conversation with Highway Superintendent Seamon. The Highway Department is in support of lowering the speed on Danby's dirt roads. Seamon expressed a concern that enforcement is problematic. Brenner stated that knowing the speeding culprits is good and important. She further expressed support for speed reduction on Town roads as a general principle, particularly on dirt roads.

Dietrich noted that enforcement on the state highways has increased, but that there is limited enforcement on Town roads. There was a general discussion of ways to increase compliance and enforcement. Dietrich reported conversations with the Sheriff's Department, requesting increased police presence on Town roads. Dietrich suggested that the Town might work with the Sheriff's Department to prioritize enforcement in different areas of the Town.

Connors presented a draft resolution, based on previous requests for speed reduction on roads and the points raised in the citizen petition. Clerk Goddard reported, on behalf of the Highway Department, that the process for review and reduction of speed limits on Town roads has not changed since the time when speed was reduced on Nelson and Yapple Roads. Connors suggested that this would be an appropriate time for a review of speed safety on all of the Town roads.

Miller and Holahan asked for clarification as to "why not all of Comfort Road?" Dietrich and Connors reviewed the history of a previous attempt to reduce the speed on the entire length of Comfort Road. They suggested that a strategy of speed reduction addressing smaller sections, and focusing on the Town dirt roads, at this time may be more successful.

Dietrich suggested a special meeting between the Town Board and Highway Department to review appropriate speed limits on Town roads. This meeting could also address flood devastation and road maintenance issues. The Board supported this suggestion.

Ted Crane stated that, given the current condition of both the dirt and paved sections of Comfort Road, driving 30mph feels fast. He supported requesting a speed reduction to 30mph on the dirt section of road.

The Board asked Planner Randall to provide some information regarding minimum speeds allowed. In NYS, a Town can post as low as 30mph, but a lower limit requires action by the State Legislature. Randall noted that this might be an appropriate time to update the Town of Danby Highway map and review the design standards on Town roads for the speeds desired in different areas. She stated that there are ways to slow speed via design.

Ronda Roaring urged the Town to review County roads, such as South Danby Road. in Danby as well as Town Roads. She reported people driving at excess speed on South Danby Road.

Miller indicated that, while he voted yes, he would prefer to have a speed reduction on all of Comfort Road.

## **RESOLUTION NO. 71 OF 2015 - RECOMMENDATION TO REDUCE SPELL LIMIT ON COMFORT ROAD, BETWEEN LIEB ROAD AND BALD HILL ROAD, TO 30MPH**

**Whereas**, people who live on that section of Comfort Road believe that traffic speed is excessive and do not feel safe walking or biking on the road, and

**Whereas**, the community and Town Board believe that Comfort Road, between Lieb Road and Bald Hill Road, has characteristics that limit visibility and pose safety concerns:

- shaded, forested landscape
- unpaved, dirt surface, often extremely dusty during dry weather
- narrow road width
- hidden driveways
- much of the section serves as the Finger Lakes Trail, attracting hikers and recreation seekers, and

**Whereas**, a majority of persons residing on that section of Comfort Road have signed a Petition requesting speed reduction,

**Now, Therefore be it**

**Resolved**, that the Town Board of Danby recommends to the County of Tompkins and the NYSDOT that the speed limit be reduced from 55mph to 30mph on Comfort Road between Lieb Road and Bald Hill Road.

**Moved by Connors, Second by Brenner. The motion passed.**

**In Favor: Brenner, Connors, Holahan, Miller, Dietrich**

## **Proposed Subdivision and Zoning Changes Update**

Planner CJ Randall gave an update on the discussion which took place at the most recent Planning Board meeting regarding proposed changes to Subdivision and Zoning Local Laws. Randall advised that administrative subdivision by permit should, “go the way of the Dodo.” She reported that a recommendation to this effect (that subdivision by permit be removed from the Local Law) was provided by the Town Attorney and Planners Beeners as well as Planner Randall. The preferred process, according to NYS Planning law, has all subdivision requests going for review by the Planning Board. This has the full support of the Danby Planning Board.

Randall described the proposed amended definitions for “Minor and Major Subdivisions.” A minor subdivision would involved is a one-step plat for a lot line adjustment or financing approval on a phased project. A major subdivision is a land division of two or more lots, subject to Planning Board review. Randall said that there will be a very clear procedure for how development applications will be implemented. The Planning Board agreed that this would be a good process. This process will provide time and a system for dialogue between the applicant and the Planning Board.

Brenner and other members of the Board expressed support for this revision in the subdivision practice in Danby. This is the standard process in New York municipalities. Dietrich noted that the the Town Attorney has been steering Danby in this direction for some time. Holahan asked what needs to take place for this change to happen? Randall is working on language to amend the Subdivision Regulations. It is anticipated that this will be available for Planning and Town Board review in August.

## **Van Woert Road - Recommendation to Abandon**

Planner CJ Randall gave an update, referring to comments from the Town Attorney. The Attorney’s finding is that if a road has not been maintained for six years or more it is, in fact, abandoned. This road has not been maintained by the Town of Danby in over 20 years. Randall has sent a map, draft resolution, support documents, and SEQR review to the Town Board. The recommendation is to pass a resolution restating that this road has been abandoned and formalizing that understanding.

Randall suggested that there is not a time sensitive matter. She will be sending letters to the surrounding neighbors. The request that this be formally abandoned has come from the adjacent land owners. So, it is not anticipated that there will be any objection regarding this action.

## **Aquifer Protection Ordinance/Water Resources Update**

The next meeting with Steve Winkley will take place on August 13.

## **Community Council/Youth Program Report**

Brenner reported on observing a summer Youth program with the new DCC program manager, Travis Judd. This program manager lives in Danby. He has managed programs for the Coddington Community Center and has an excellent reputation. Brenner joined DCC president Alison Christie and fifteen area youth for a program with the Cayuga Floating Classroom. Brenner gave the program a very high review.

## **Gunderman Road PDZ Proposal**

Miller asked for an update on the status of the new proposal for Gunderman Road PDZ#10. Dietrich reported that there will be a meeting with Hall, the Town Attorney, and Planner Randall later this week. Still waiting for traffic reports, water study, etc. Information will be sent to the Board when it is available.

## **Adjourn**

The meeting was adjourned at 8:08 pm

---

Pamela Goddard, Town Clerk