

**Danby Town Board, Planning Board,  
and Conservation Advisory Council  
Minutes of Special Meeting  
November 29, 2016**

**Present:**

Councilpersons: Rebecca Brenner (Deputy Supervisor), Leslie Connors, Jim Holahan, Jack Miller  
Planning Board: Frank Kruppa (Chair), Naomi Strichartz, Anne Klingensmith, Steve Selin, Jim Rundle, Jody Scriber  
CAC: Joel Gagnon (Chair), Dan Klein, Bill Evans, Don Schaufler, Mary Woodsen, Matt Ulinski

**Excused:**

Supervisor: Ric Dietrich

**Others Present:**

Town Clerk Pamela Goddard  
Code Officer/Planner Paul Hansen, CJ Randall  
Public Ted Crane, Ronda Roaring, Olivia Vent.

**Meeting Opened at 7:05pm**

**Conservation Advisory Council Work Plan**

There was discussion of the CAC work plan for 2017, based on the Purpose and Authority of the Conservation Advisory Council, as outlined in Resolution #82 of 2010. The CAC was asked the status of tasks (a)–(f) in that resolution, particularly items (d) and (e) related to inventories and maps of natural areas, open space, and wetlands. Brenner stated the TB’s interest in having a completed Natural Resources Inventory. The complete NRI will be a valuable tool in making critical decisions for the Town of Danby. The NRI would also be useful in various grant applications.

CAC Chair Gagnon stated that the CAC believed that tasks (a)–(f) were “substantially done” but that depth takes time. Gagnon stated that the CAC had determined to add depth to these inventories on a parcel by parcel basis as review was needed. Gagnon further stated that Planner Randall had urged the CAC to add to the resources database and that the CAC was happy to do so.

Klein asked about whether additional items (g)–(p), particularly those related to conservation easements, were a priority at this time. Klein was under the impression that researching potential easements was the CAC’s most important task. Deputy Supervisor Brenner stated that these are additional items for CAC consideration, and while conservation easements are quite valuable for land protection, tasks (a)–(f) are highlighted in the law as primary tasks.

There was a discussion of what databases and inventories are already available through other sources. For example, Klingensmith was aware of regional databases of plants from the Finger Lakes Land Trust and the E-bird lists through the Lab of Ornithology. Planner Randall distributed a sample table of suggested Inventory Components and recommended data for a Natural Resources Inventory. (This table was generated in the Hudson Valley.) A similar table of inventory components could be generated for Tompkins County and the Town of Danby. Randall estimated that 60-70 percent of this information has already been collected. However, the final 20 percent of the data will involve 80 percent of the compilation work. This would include field work in the Town of Danby.

There was discussion of the CAC’s collaboration/involvement in Planning Board review of development proposals. Gagnon stated that the CAC was glad to do so. Brenner noted that the NRI would be useful in such review.

Gagnon stated that the status of CAC tasks will be reported in the 2016 CAC annual report.

## **Environmental Quality Review Local Law**

Randall presented an information/overview of the proposed amendments to the Town of Danby SEQR law related to water withdrawals, etc. Randall noted that information compiled in a NRI would be extremely valuable in reviewing projects under this local law. The amendments to the Town of Danby SEQR law are related to protections enacted in the Groundwater Protection law earlier in 2016. These amendments also clarify the application and review process, including fees related to review. Randall answered questions regarding thresholds permitted through the EQR process. A Public Hearing related to this law will take place during the December 12 Town Board meeting.

## **Planned Development Zones**

There was discussion of examination, review, and potential actions related to Town of Danby Planned Development Zones. Randall distributed preliminary maps and information to the Boards. Randall noted that the information presented is still incomplete. Documentation for some PDZs is hit and miss. This information needs review and some corrections. Klingensmith noted incorrect information regarding a PDZ on Muzzy Road. Comments and corrected information may be sent to Planner Randall.

Randall stated that property owners of some dormant PDZs have contacted her regarding zoning changes. The current development zone status is hampering their use of their property. Randall suggested that such input might help inform future action on those PDZs.

There was a brief discussion of the legal process of dissolving a PDZ. Randall noted that this would be legislative zoning action. Some were passed by local law and others were passed by resolution. There was a related discussion regarding appropriate action for inactive and active PDZs. Some will not need any change. Some will be easy to revert to the surrounding zoning. Some will need more careful consideration.

The information will go to the Planning Board for full review and recommendations. Randall suggested that this would be the most appropriate board for prioritizing the areas for different levels of action. It is hoped that a preliminary prioritization of these PDZs may be complete by the end of the first quarter of 2017. The Town may want to hold a PDZ public information session sometime in the spring of 2017. Members of the TB confirmed that this is a priority for 2017.

## **Natural Resources Inventory**

There was further discussion of the importance and value of a full Natural Resources Inventory. Planner Randall provided detailed information. One element of interest and importance is that a complete NRI would allow the CAC to become a Conservation Board. Conservation Board status would mandate its involvement, as an involved agency, in project development review. Randall noted the value in the level of environmental knowledge in this Board.

In addition, the Town of Danby could establish Conservation Subdivision rules. A formalized NRI would be an essential tool in this process and could be used to deny development in inappropriate places and/or direct development to where it makes more sense. Finally, a formalized NRI could be useful in making a case for funding purchase of environmentally sensitive areas for protection.

There was a related discussion of Critical Environmental Area designation. CEA designation carries more legislative power than Unique Natural Area designation. Work has already begun to research potential CEAs in the Town of Danby.

## **Resource Management Plans**

Discussion of item (o) in the CAC charge; develop and implement management plans for Town-owned conservation land. Currently there are two such parcels, on Deputron Hollow Road (10 acres) and the Water District land (24 acres) on Sylvan Lane in West Danby. A three page memo, prepared by members of the CAC, was distributed to the Town Board. This memo outlined arguments for and against cutting trees on the Water District property in West Danby. The memo includes estimated market value of timber on that property. The CAC asked the TB to make a decision on this management plan, whether to cut timber or not. Public input is required prior to the TB adopting management plans for Town-owned conservation land. In addition, the plan would trigger an environmental quality review.

## **Climate Smart Communities**

An update on the Climate Smart Communities initiative was given by Randall and Holahan. They have begun the process of reviewing a checklist of actions and baseline information recognizing things that have already been done to meet “Climate Smart” goals/certification. Holahan informed the boards that there will be several resolutions to come before the Town Board for consideration. The Town may be eligible for followup energy audits on the Town buildings. Once Danby is certified as a Climate Smart Community, major grants funds become available to further future initiatives such as replacing street lights with more efficient bulbs, install charging stations, incentives for energy efficient municipal vehicles, etc. Various inter-municipal projects are being explored in Tompkins County.

Holahan provided related information about a TCOG “Community Choice” group which is in the beginning stages of exploring and drafting a plan for municipal bulk purchase of electricity. A local law would need to be put in place to make this possible.

## **Hamlet Development**

There was a substantial discussion regarding potential development opportunities in the main Danby Hamlet and related zoning changes which would be required. Randall explained that Danby and Tompkins County is experiencing a demand for increased housing. Tompkins County has identified the potential of 80–100 new housing units in the Danby Hamlet, a development focus area. She informed the boards that there is funding which can be applied for to install wastewater systems and a water district. This might be appropriate for the Danby Hamlet.

There was a discussion of previous Hamlet planning efforts, prior to 2010. Klein stated that he was “not excited” about Hamlet planning as he did not think that it, “would change anything.” Gagnon noted that the element which had support was the “cottage cluster” behind the Danby church. He wondered if there was community consensus as to what is wanted. Connors remembered a mixed use proposal which she found exciting. Development with streetscape changes might improve community perception of a proposed project.

There was a preliminary discussion of what types of housing would be desirable in Danby. Several people expressed support for inclusionary housing that would be affordable to various income brackets and would also be accessible, through “universal design,” to the elderly and disabled. Having housing available on an accessible public transportation route was seen as a plus.

There was a discussion regarding what obstacles may be in the way of such development happening at this time. Zoning constraints were discussed. Olivia Vent described her unsuccessful attempts to develop property across from Danby’s Town Hall some years ago. In her words, “All conditions need to be together.” There was a preliminary discussion regarding possible financial incentives which might facilitate development in the Hamlet area.

Randall asked the Town and Planning Board for its views as to how to move forward. There was general support for Hamlet development. This will be an on-going discussion between the boards. Members of the Planning Board stated that, prior to further consideration on their part, they needed specific guidance from the Town Board as to where to focus energy regarding zoning changes to be considered, what incentives might be possible, and what the next steps would be.

## **Rural Design Standards**

Planner Randall provided information about Basic Rural Design standards/guidelines. Such standards might include types of setbacks, required plantings or vegetative screening, or other measures to retain the rural character of Danby. There was discussion of the same.

Selin asked if this is just, “about what things look like?” He and others advocated for rural design standards that would better preserve open space and farmland. Others agreed and advocated for placing houses and structures closer to the road in order to preserve open space and farm land. Klein stated a view that “experience from the car” is valuable. Connors and others disagreed. Several people noted that the two standards need not be mutually exclusive. Brenner and Randall noted that a Natural Resources Inventory would be useful in setting policy and rural design standards for Danby.

## **Green Buildings Initiative**

Information was provided about possible Green Building incentives. Randall distributed information about possible tax breaks through Real Property Law. Randall noted that this might not be the right time to address this, due to new standards coming in the building energy code. Randall noted that there are various green building standards, in addition to LEED, being developed for older homes as well as new homes. The boards held a preliminary discussion regarding what standards should look like for Danby and what incentives might be offered.

Hansen noted that the new building code addresses energy efficiency for new construction. What to do for drafty older homes is a more tricky question. It was noted that using LEED certification for older homes is not cost effective. There was discussion of other incentives which might be used. This will be an ongoing discussion for the boards.

## **Wind and Solar Zoning**

Randall provided information regarding Wind and Solar Zoning being considered in other local municipalities. Other municipalities are currently drafting stringent site plan measures for large ground-mounted solar arrays. Preliminary work on Zoning for large scale wind and solar installations had been started some years ago. Randall suggested that it would be good for Danby to get ahead of the curve regarding large scale wind and solar installations. Brenner expressed support for a process which would increase local power of environmental and site plan review for installations of over three megawatts. Members of all three boards/councils agreed that it was timely to review Danby’s options.

## **Stream Setbacks**

Randall provided information regarding a program to establish stream setbacks based on stream order. She distributed a map of named/numbered streams in Danby. She noted that the Town of Ithaca has put a good program in place. There is concern regarding siltation runoff during the construction phase of developments. Randall stated that this would be a good time to consider stream setbacks, due to potential flooding issues from increased precipitation. (Such flooding was experienced in 2015.) New zoning local laws and/or amendments would be needed to establish stream setbacks. Such a law would be in support of the Danby Stormwater Protection Law.

### **Board Chair Rotation**

There was a brief discussion of whether it would be a good idea to rotate Board Chairs? Brenner asked, on behalf of the Board, whether long-term chair-ship is a burden? Members of the Planning Board expressed happiness with the current leadership. Gagnon stated that the CAC might benefit from a new chair.

### **Adjournment**

The meeting was adjourned at 9:00 pm.

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Pamela Goddard, Town Clerk