

**Danby Town Board  
Minutes of Regular Meeting  
April 1, 2019, 7pm, Danby Town Hall**

**Present:**

Councilpersons: Leslie Connors, Ric Dietrich (Supervisor), Jim Holahan, Jack Miller, Matt Ulinski

**Others Present:**

Town Clerk Pamela Goddard  
Code & Planning John Norman, John Czemanske  
Bookkeeper Laura Shawley  
Justice Garry Huddle  
Public Ted Crane, Bruce Richards, Ronda Roaring, Katharine Hunter, Pat Woodworth, Alexandra and Mark Pfeifer, Gladys Verona Lacy, Danny Eastman, Susan Franklin, Ben Rosenblum, Olivia Vent, Shane Martin, Melissa Baxter-Martin, Garry Huddle.

**Meeting Opened at 7:10 pm**

**Presentation - Preliminary Development Plan 1839-1849 Danby Road**

Supervisor Dietrich introduced Olivia Vent, owner of the properties at 1839-1849 Danby Road. He noted that her concept for rezoning these properties in the Central Hamlet has been developing over many years. Vent presented her current vision to the Danby Planning Board during its January 2019 meeting. The Planning Board passed a resolution, recommending that a Planned Development Zone might be the best option for the Town Board to consider for multi-use development.

The history of property, and vision statement for its development, was presented by Olivia Vent. Vent is basing her development concept on experiences with European, particularly Swiss, villages which are centered around a central pedestrian square. Vent additionally has local experience in historic preservation and reuse of old structures. She was involved in Danby Hamlet planning and revitalization efforts circa 2008/2009 and served on the Danby Planning Board for a time.

Vent has hired an engineer, to research limiting factors such as water resources. She also engaged Ben Rosenblum as an Architectural and Planning consultant. Vent emphasized that the concepts presented at this meeting are not a formal application for rezoning, but rather a sharing of ideas.

Ben Rosenblum presented the key elements of the development proposal including core concepts, the state of the existing site, on-site water treatment requirements, proposed use of existing structures and demolition of some additions and accessory buildings, proposal site plan, and potential future expansion. Rosenblum and Vent see this project as working with the Dotson Community Park, particularly in the area of sustainable water treatment. Planning for a future, walkable, downtown Danby, residential in scale is core to their concept. They propose the demolition of non-historic structures and the creation of a residential neighborhood on the northern property and a commercial “plaza” making use of an existing barn on the southern property. Potential future expansion would increase both residential and commercial properties, using additional property in the neighborhood.

Dietrich asked about what obstacles there may be to this development and what the next steps would be? Vent said that this depends on additional discussions with the Planning Board and approval of a Planned Development Zone. At that point, they would move ahead with identifying funding and finding the right business partners. Rosenblum added that attracting the right developers will be easier if there is support from the Danby boards.

Dietrich asked about potential conflicts with the Community Church, Dotson Park, and other adjacent property owners. Vent stated that this is her vision, but not her execution. She does not have the resources to make this a reality. She is looking for support from the Town in order to attract developers.

Ulinski asked about water and septic plans. Rosenblum provided details regarding design intentions. The engineer has estimated that the water resources in the property could serve up to 2,000 gallons a day. It is estimated that this is sufficient for the first stage design plan as presented. 2,000 gallons a day would “max out” the system. Potential further development would require municipal water and a larger water treatment system.

There were several questions, from the Board and from residents, about the proposed water treatment system in the north-east section of the property, adjacent to the Community Park. As designed, this should not have negative impacts on adjacent wet lands.

Ted Crane had questions about health department requirements for water resources related to residential properties. Rosenblum confirmed that conversations have been held with the County Health Department. The plan is based on standard calculations. Assumptions regarding commercial use are built into the plan, based on types of uses and seasonal use.

Melissa Baxter-Martin asked about protections for water resources of neighboring properties? Rosenblum asserted that the water treatment systems built into the north-east section of the property should not have a negative impact and may work to the advantage for protecting her property and the property of the Community Church.

Ulinski asked how renewable energy systems are addressed in the plan? Rosenblum said that both passive solar and roof mounted solar panels are an option for the residences. There is not space for a ground mounted solar collection system.

Katharine Hunter asked for clarification about a group septic system. Is this a plan for rental units or owned homes? This has not been determined. Vent said that it is her understanding that a shared septic system fits better with rental units. Rosenblum confirmed that the shared water treatment system is for both the residential and commercial properties.

Planner Czemanske gave an overview of the next steps in consideration of the proposal. The project would go for further review to the Planning Board and Town Board. The Town and Planning Boards would prepared a combined SEQR review. The Town Board considers rezoning. Once a formal proposal is submitted (following rezoning), there would be on-going site plan review and permitting processes.

Vent repeated that this proposal is just an idea. A first step pulling together her idea of a village center. Nothing is set in stone. She agreed that water issues need to be addressed in ways that work for the neighbors and for the town. And, a developer needs to be found.

Bruce Richards asked whether there was local support for this increased density? Crane asked whether a feasibility study has been done regarding the viability of such a commercial center in Danby? Rosenblum and Vent stated their belief that good design and creating a place where people want to go then creates a destination. Vent believes that this site has good potential, due to the traffic on Route 96B and a growing population. Vent further confirmed that this sort of development needs to be done by the right people.

Jack Miller asked about parking resources for the commercial center. Rosenblum responded that this is a preliminary design. They haven't gotten as far as a formal parking plan.

## **Privilege of the Floor**

Ted Crane announced upcoming events sponsored by the Danby Community Council, including a concert by local musicians taking place on Sunday April 7.

## **Warrants**

### **ABSTRACT #4 OF 2019:**

#### **GENERAL FUND**

#110-148 for a total of \$44,673.69

**Moved by Ulinski, Second by Holahan. The motion passed.**  
**In Favor: Connors, Holahan, Miller, Ulinski, Dietrich**

#### **HIGHWAY FUND**

#71-102 for a total \$68,958.52

**Moved by Connors, Second by Miller. The motion passed.**  
**In Favor: Connors, Holahan, Miller, Ulinski, Dietrich**

#### **WEST DANBY WATER DISTRICT FUND**

#6-8 for a total \$281.49

**Moved by Holahan, Second by Ulinski. The motion passed.**  
**In Favor: Connors, Holahan, Miller, Ulinski, Dietrich**

## **Approve Minutes**

### **MOTION - APPROVE MINUTES**

Moved, That the Town Board of the Town of Danby approves the minutes of March 4 and 11, 2019.

**Moved by Dietrich, Second by Holahan. The motion passed.**  
**In Favor: Connors, Holahan, Miller, Ulinski, Dietrich**

## **Increase membership size of Conservation Advisory Council**

A resolution presented by Matt Ulinski. He stated that there is more interest in participation in the Conservation Advisory Council and the CAC would like to accommodate that interest.

### **RESOLUTION NO. 37 OF 2019 - INCREASE THE NUMBER OF DANBY CONSERVATION ADVISORY COUNCIL MEMBERS TO FIVE - NINE**

**Resolved**, That the Town Board of the Town of Danby increases the number of Danby Conservation Advisory Council members to a range of 5 to 9 (current is 5 to 7).

This resolution is to amend the Town of Danby, NY Resolution No. 82 of 2010, AUTHORIZING CREATION OF A CONSERVATION ADVISORY COUNCIL, Adopted 14-Jun-2010.

The resolution changes Section II, Structure and Membership,

(a)The Council shall consist of 5 to 7 members, all appointed by the Town Board to

(a)The Council shall consist of 5 to 9 members, all appointed by the Town Board.

**Moved by Ulinski, Second by Holahan. The motion passed.**  
**In Favor: Connors, Holahan, Miller, Ulinski, Dietrich**

## **Allocate Funds, Highway Barn Renovation Project**

A draft resolution was presented by Bookkeeper Laura Shawley. She explained that the renovations at the Highway Barns, moving offices to a second floor location, have created the need for an emergency fire exit. This access will also be used for vendors and other visitors to the Highway and Bookkeeping offices. While the stairs and door will be used as a second entrance, it is primarily required for fire safety.

The Highway Department has gathered three quotes for the construction. All were in the same cost range and factor in prevailing wage. The project is under the \$35,000 threshold for bidding requirements related to public works projects. Shawley reported that there was \$538,000 in the General Fund Balance bank account at the end of fiscal year 2018. The Building Reserve currently has \$258,000.

The Highway Department is familiar with the work of Jeff Rockwell and has used this contractor for previous projects.

### **RESOLUTION NO. 38 OF 2019 - TO APPROVE THE SELECTION OF JEFF ROCKWELL/WOODWORKERS COMPANY TO INSTALL A FIRE ESCAPE DOOR AND STAIRS IN THE HIGHWAY DEPARTMENT BUILDING**

**Whereas**, the Highway Department has renovated the office space at the highway garage and are in need of a second exit out of the building; and

**Whereas**, having a second entrance that goes directly into the office space on the second floor would be of great convenience for sales representatives and employees to communicate with the Highway Superintendent and his staff; **Now Therefore, be it**

**Resolved**, that the Town Board approves the installation of a fire escape door and a set of stairs leading to the ground level. The cost of this project shall not exceed \$30,000. This approval is contingent on the Code Enforcement Officer's review and approval of the specifications of the project; and be it

**Further Resolved**, that the Town Board approves the transfer of \$30,000 from the General Fund's Fund Balance to cover the cost of the project.

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

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

## **Executive Session**

The Board had a brief discussion regarding entering Executive Session to discuss a pending legal matter, as per recommendation of the Town Attorney.

### **MOTION - ENTER EXECUTIVE SESSION**

Moved, That the Town Board of the Town of Danby enters Executive Session to discuss a pending legal matter.

**Moved by Dietrich, Second by Ulinski. The motion passed.**

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

## **Executive Session Opened 8:30pm**

## **Executive Session Closed 8:50pm**

### **RESOLUTION NO. 39 OF 2019 - APPROVE CONCILIATION AGREEMENT AND AUTHORIZE EXECUTION AND DELIVERY**

**Resolved**, Pursuant to Town Law 64 and 68, the Town Board of the Town of Danby has reviewed and hereby approves a conciliation agreement prepared by the NYS DHS entitled "Pre-Determination Conciliation Agreement and Order After Conciliation" in Case No. 10198361, in the form as presented to the meeting, and the Town Supervisor be and hereby is authorized to execute and cause delivery of the same by, for, and in the name of the Town of Danby.

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

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

## **Energy Audit Project Report**

Ulinski reported that action on awarding the Highway Barn energy audit project was “imminent.” He deferred a more complete report until the next TB meeting. He assured the Supervisor that the project is moving ahead and will be undertaken this spring.

## **Recreation Partnership Representative, Currently Vacant**

Dietrich reported that the position of Danby representative the to Recreation Partnership is currently vacant. This position had previously been held by Rebecca Brenner. She needed to step down from this role as she has stepped down from her role as Deputy Supervisor. Dietrich noted that the Rec. Partnership is a significant organization and program for the Town. He made a request that the Board help find nominees for this representative. Preferably, this representative would be a Danby resident with school age children.

## **Code and Planning Report**

John Norman introduced himself as the Code Enforcement officer. He presented a code report for the month of March. No new building permits were issued during the transition from Paul Hansen to John Norman. John Norman is working on inspections and certificates of compliance for existing renovation projects. He is also continuing fire safety and violation inspections.

John Czemanske reported on various sub-division and potential development requests. More details will be forthcoming at future meetings. Responsibility for Stormwater ponds in Beardsley Lane was unresolved at the time of development. Work to designate authority over those ponds, possibly by the Town, is underway so that this ambiguity will be fixed. Czemanske reported on the status of his office hours. Eventually, he will have regular office hours. He’s been meeting with the several people, including the previous Planner (CJ Randall), the Town Attorney, and Town Supervisor. He is attending meetings of the Planning Board and Conservation Advisory Council. Czemanske is working with the Town Attorney on training for the Planning and Zoning Board of Appeals.

## **Adjournment**

The meeting adjourned at 9:07 pm.

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Pamela Goddard, Town Clerk