

**Danby Planning Board  
Minutes of Meeting  
July 26, 2012**

**Present:**

Joel Gagnon  
Anne Klingensmith  
Ted Melchen  
Naomi Strichartz  
Robert Roe

**Absent:**

Frank Kruppa  
Steve Selin

**Others Present:**

Secretary	Pamela Goddard
Code Officer	Sue Beeners
Town Board	Leslie Connors
Public	Melissa Stephenson, Kenny Makosch

**The Planning Board Meeting was opened at 7:02pm**

**Member Items**

Roe expanded on the report he gave in June regarding a proposed five year deer management plan through the DEC. The Tompkins County deer management focus area has been approved. This area extends from the Town of Ithaca into Danby as far south as Nelson Road to Comfort, Jersey Hill Road and Blakeslee Hill Road. The proposal includes measures to control deer populations, including expanded harvesting (up to two deer a day in all deer seasons). This area will have an extended season from October 1 through the end of January. Roe reported that this is the only deer management focus area currently approved by the state.

Roe expressed disapproval for this plan, noting that this could amount to up a potential “harvest” of 240 deer per participating hunter. He expressed the view that this would simply move the deer concentration problem further south into Danby. Planning Board members expressed concern about the recreational impact of this extended hunting season. Klingensmith also expressed concern about the impact deer over population has on forest regeneration.

**Approve Minutes**

**RESOLUTION NO. 19 OF 2012 - APPROVE MINUTES**

**Resolved**, that the Planning Board of the Town of Danby approves the minutes of June 28, 2012.

**Moved by Gagnon, Second by Strichartz.**

**In Favor: Gagnon, Klingensmith, Melchen, Strichartz, Roe**

**Sketch Plan Review**

Beeners presented a proposed subdivision on Howland Road for sketch plan review for a proposed subdivision of Tax Parcel 28.-1-17.1, 29.41+/- acres total, located on Howland Road with frontage also on the seasonal portion of Brenda Lee Lane, into three lots. Melissa Stevenson, NY Land Quest, applicant. Beeners answered general questions from members of the Planning Board.

Beeners explained that the fact that there are two lots less than eight acres each triggers the need for Planning Board review, rather than being allowed through permit. Melissa Stephenson, a co-owner of the property, also answered general questions. The co-owners wish to divide the land in order to facilitate its sale. Stephenson explained that the NY Land Quest group often gets calls from people who want to buy five acres or less. NY Land Quest is a real estate company helping people to sell all sorts of properties. The proposed subdivision was set up to meet the road frontage requirements. The sellers have interested parties but no commitments at this time. They hope to put these parcels on the market by September.

Beeners noted that five acres is often the upper limit for first time mortgages. She also noted that the property has neighboring land owners and is also near state forest land. Klingensmith noted that the current subdivision requirements were enacted in order to slow down development.

The PB held concurrent discussions of when to set a public hearing and whether to hold an August PB meeting. Members of the PB had considered not meeting during the month of August. Several members and the PB secretary are unable to attend a meeting on the standard fourth Thursday, August 23. August 16 had no conflict with other groups.

#### **RESOLUTION NO. 20 OF 2012 - RESCHEDULE AUGUST PLANNING BOARD MEETING**

**Resolved**, that the Planning Board of the Town of Danby will move it's August meeting from August 23 to August 16, 2012.

**Moved by Gagnon, Second by Klingensmith.**

**In Favor: Gagnon, Klingensmith, Melchen, Strichartz, Roe**

#### **RESOLUTION NO. 21 OF 2012 - SET PUBLIC HEARING**

**Resolved**, that the Planning Board of the Town of Danby will hold a public hearing for a proposed subdivision of Tax Parcel 28.-1-17.1, 29.41+/- acres total, located on Howland Road with frontage also on the seasonal portion of Brenda Lee Lane, into three lots. Melissa Stevenson, NY Land Quest, applicant, to be held at 7:00pm on August 16, 2012.

**Moved by Strichartz, Second by Gagnon.**

**In Favor: Gagnon, Klingensmith, Melchen, Strichartz, Roe**

The PB considered using Joel Gagnon as secretary, as Goddard could not serve on that date. Goddard offered to ask Deputy Town Clerk, Susan McLellan to serve as secretary for that meeting so that Gagnon would be able to fully participate in the meeting.

#### **Community Park Report - Food Vendor Proposal**

Makosch gave a report of recent activities and plans by the Danby Community Park Association. Approximately 20 people attended the most recent DCPA annual meeting, the first one held in the park grounds. The DCPA has a new board which is trying to focus on realistic, feasible activities with a low set up cost. For example, Makosch reported that the Disk Golf Course is being used regularly, with up to four groups a day playing the nine "hole" course. A multi-purpose trail system has been established and the DCPA hopes to expand on it using volunteer labor. The DCPA would also like to improve a flat field for multi-purpose sports events and build a larger open-air pavilion for community concerts, picnics, and as a location for a Danby Farmer's Market. Makosch stated that anything developed on the park property should have a multi-purpose design, in order to get the most use out of the park with minimal expense.

The DCPA is attempting to do a better job at communicating its activities and recruiting volunteers. A new communications coordinator has joined the DCPA and is building on the DCPA list serve and Facebook account. Informational articles will appear in the Danby Area News.

The DCPA's only source of income are fundraisers and donations. The new board has dramatically reduced its expenditures. The DCPA board is trying to come up with creative methods of raising the money needed to stay viable.

Makosch reported on preliminary discussions with a food vendor truck to set up and sell from the Community Park property 2-4 times a month. The DCPA would receive a portion of the income from those food sales. Makosch sees this as “win” for the vendor (expanding his market) and a “win” for the community (pre-cooked meals would be available to eat there or take out). Vegetarian and standard smoked BBQ would be available. There was a short Q&A regarding this proposal between Makosch and the PB. The vending truck would be a stand-alone, self-sufficient operation. The vendor in question is licensed to sell food within Tompkins County. The task of the DCPA will be to advertise the concession.

There was clarification from Beeners that no action is required by the Planning Board. Activities of this sort are included in the original special permit granted to the DCPA. Members of the PB expressed general approval of the concept and plan. There was a suggestion that the concession be held on a regular, consistent basis and that there be an attractive sign.

### **Consider Presentation from Tompkins County Planning**

The PB considered a possible presentation at future meeting by Scott Doyle, Tompkins County Planning Department, regarding stream buffers and a pending Buttermilk Creek Watershed Assessment project. The PB approved the presentation, with a preference for the September 27 meeting.

#### **RESOLUTION NO. 22 OF 2012 - SCHEDULE PRESENTATION**

Resolved, that the Planning Board of the Town of Danby authorizes Sue Beeners to arrange a presentation by Scott Doyle (Tompkins County Planning Department) for either its August 16 or September 27 meeting, with a preference for the September meeting as more board members will be in attendance.

**Moved by Gagnon, Second by Klinengsmith.**

**In Favor: Gagnon, Klingensmith, Melchen, Strichartz, Roe**

### **August Planning Board Secretary**

Goddard informed the PB that she would not be able to serve as secretary in August, due to personal commitments. The PB considered appointing Joel Gagnon as temporary secretary for that meeting. Goddard offered to ask Deputy Town Clerk, Sue McLellan to serve in her stead, so that Gagnon would be able to participate fully in the August 16 public hearing and meeting. Gagnon expressed a preference for McLellan to serve if possible. Others agreed. Gagnon will be a back -up, and the meeting will be recorded.

### **Town Board Report**

Connors gave a brief update on the Town Board’s consideration of the June PB resolution regarding a proposed change in Hamlet to allow/encourage multi-use vertical development. A copy of the Town Board discussion and resolution in response, from the July 16 TB minutes, was distributed to the PB. There was a preliminary discussion about implications of the Town Board response to Hamlet Planning and zoning change.

Beeners reported that the West Danby income survey, conducted for a Community Block Grant application, was successful and proved that the area qualifies as low-moderate income for the purpose of the CBG program. The survey is good for two years. Beeners will research a possible grant proposal for West Danby for 2013.

### **Critical Environmental Areas Report**

Anne Klingensmith provided additional information about the status of draft proposed Critical Environmental Areas descriptions and boundaries. Three areas, Buttermilk Creek, Michigan Hollow (from Jennings Pond to the Southern border of Danby), and the West Danby Pinnacles (from Station Road to nearly the Southern and Western borders of Danby) are close to complete. These areas are important as contiguous habitat for protected species and as critical water resources. There was a discussion about the steep slopes in the area of the Buttermilk Creek Watershed where stream banks are

already eroding badly. Boundary modifications may be made once the Danby Aquifer Study is complete.

There was a discussion about the power of CEAs to prevent major commercial or industrial development. Beeners clarified the type of SEQRA review required for proposed development in a CEA. Any unlisted action in a CEA is subject to a Type I review. As compared to a "Unique Natural Area," Critical Environmental Areas have "legal teeth."

Klingensmith proposes a series of Autumn public information sessions on CEAs in general and these particular proposed areas. The intent of the meetings is to inform residents about the concept of Critical Environmental Areas and invite specialists to speak about what's special in these places. Public hearings are required prior to any CEA being adopted. These public informational sessions may over-lap with informational sessions on the Natural Resources section of the Comprehensive Plan.

### **Hamlet Zoning**

The PB held a lengthy discussion of potential zoning changes in the Central Danby hamlet area. This discussion was predicated on the Town Board's response to PB Resolution #18 of 2012. There is a question as to whether this issue is a priority for the TB at this time and whether the PB should expend time and effort on researching zoning changes which may not have TB support. There is concern that there seems to be no clear way forward. There is also concern that planning for hamlet development is central to the future of Danby.

There was a lengthy discussion of revising the proposal for mixed-use zoning and/or revised zoning in a smaller area of Central Danby. There was agreement that a "15 minute walking distance" from a central point near the Town Hall was too large an area. A revised proposal may define some sort of enhanced home occupation for a more narrow area.

The PB discussed the history of low density zoning on one side of Route 96B with high density zoning on the opposite side. The Board also discussed review of unfulfilled planned development zones in the area of Central Danby. There was a discussion about the process for removing unfulfilled planned development zones. That determination needs to be made by the Town Board, on the recommendation of the Planning Board.

The PB reviewed maps showing physical constraints, hydrologic soils, and current zoning in light of a possible zoning changes. Several suggestions were discussed, including a potential boundary of a narrow strip on both sides of the Route 96B (500-600 feet from the center of the road) from Gunderman to Bald Hill or Michigan Hollow, and the review and removal of some planned development zones in the hamlet area. More research and discussion will be needed prior to any recommendations to the Town Board.

### **Comprehensive Plan Work Session**

The PB had a short discussion regarding developing a work plan for reviewing the Comprehensive Plan with specific deadlines. Klingensmith strongly advocated for developing a schedule for when different portions would be completed and when public information sessions and public hearings would be held.

### **Adjournment**

The Meeting was adjourned at 9:11 pm.

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Pamela S Goddard, Planning Board Secretary