

Town of Danby Planning Board
Minutes of Regular Meeting
June 15, 2017

PRESENT:

Scott Davis
Joel Gagnon
Jody Scriber
Naomi Strichartz
Frank Kruppa

ABSENT:

Anne Klingensmith
Jim Rundle

OTHER ATTENDEES:

Town Planner	C.J. Randall
Town Board	Leslie Connors
Recording Secretary	Kelly Cecala
Public	Katherine Hunter, Jasmina Petrovic, Evan Perin, Ted Crane, Josh Brekaw and Karel Hilversum.

The meeting was opened at 7:02 pm.

(1) CALL TO ORDER/AGENDA REVIEW:

There were no additions or changes made to the agenda that C.J. Randall provided.

(2) PRIVILEGE OF THE FLOOR:

Jasmina Petrovic commented that she would like to keep her house and provided a list of signatures from the neighbors whom support her. Petrovic also provided a letter from her lawyer stating that a family has purchased the 7.5 acre lot with the intention to build a home and that all of the taxes have been paid for. Katherine Hunter made a statement to the Board to continue doing a really good job for planning for rural Danby.

(3) APPROVAL OF APRIL AND MAY MINUTES:

MOTION – APPROVE APRIL MINUTES

Moved by Strichartz, Second by Gagnon

In Favor: Davis, Gagnon, Scriber, Strichartz, Kruppa

The motion passed

MOTION – APPROVE MAY MINUTES

Moved by Strichartz, Second by Gagnon

In Favor: Davis, Gagnon, Scriber, Strichartz, Kruppa

The motion passed

(4) TOWN BOARD LIAISON REPORT:

Leslie Connors reported that there were some preliminary plans to redo the front and side areas around Town Hall to make safety and ADA improvements to the building as well as to gain access to the balcony. Connors said that the Town Board would be discussing the details of the proposed changes and showing pictures during the second meeting in July.

Connors reported that Bill Evans attended a recent Town Board meeting and gave an EMC report and talked a lot about lighting in Town as well as the lights on our personal electronic equipment. Connors stated that there was a Public Hearing on Monday June 19th to amend the zoning ordinance related to solar rays. Connors spoke briefly about the natural resource inventory and that the data collected was being reviewed.

(5) ACTION ITEMS:

Project: Standard Subdivision

Location: 119 West Miller Road, Tax Parcel # 7.-1-65.2

Applicant: Jasmina Petrovic

Anticipated Board action(s) this month: Public Hearing, Declaration of Lead Agency

Project Description: The Applicant proposes to subdivide the 9.39-acre property into two parcels: Parcel 1, measuring 2.37 acres, with 200 feet of frontage on West Miller Road, 416.36 feet of depth; and Parcel 2, measuring 7.04 acres with 210.87 feet of frontage on West Miller Road, and 924.30 feet of depth. 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.

Randall stated that last month the Planning Board reclassified this as a standard subdivision and that preliminary approval would be voted on tonight and that a final decision can be made at the July 20th meeting. Gagnon asked whether or not the two meetings could have been combined. Randall said yes but that she would have needed to know that before the public hearing announcement went out and that she had not seen the minutes beforehand. Randall added that the second public hearing in July could be waived at the Planning Board's discretion. Kruppa said that the main concern was the timing of final decision for the applicant.

The Public Hearing opened at 7:13 pm

Evan Perin has lived in Ithaca for 38 years and has known Petrovic for close to 20 years. He came to the hearing to show his support for Petrovic and is in favor of the subdivision. Perin spoke highly on her behalf and said that she is a good person and a good citizen to the community. Perin commented that Petrovic has a physical disability and that she has friends that will help her take care of the property. Perin said that Petrovic has a plan regarding the house and a means to pay the taxes. Karel Hilversum is the Director at Cornell Team & Leadership Center and also showed his support for Petrovic.

PLANNING BOARD RESOLUTION NO.29 OF 2017 - DECLARATION OF LEAD AGENCY, STANDARD SUBDIVISION, 119 WEST MILLER ROAD, TAX PARCEL NO. 7.-1-65.2

Whereas an application has been submitted for review and approval by the Town of Danby Planning Board for a Standard Subdivision of Town of Danby Tax Parcel No. 7.-1-65.2, by Jasmina Petrovic, Applicant and Owner; and

Whereas the Applicant proposes to subdivide the 9.39-acre property into two parcels: Parcel 1, measuring 2.37 acres, with 200 feet of frontage on West Miller Road, 416.36 feet of depth, with existing house; and Parcel 2, measuring 7.04 acres with 210.87 feet of frontage on West Miller Rd, and 924.30 feet of depth, and undeveloped; and **Whereas** approximately 4.5-acres of the property are 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** within 600 feet of the centerline of W Miller Road this property is located in the High Density Residential Zoning District, requiring a lot area minimum of 1 acre, frontage of 150 feet, and lot depth of 200 feet; and **Whereas** this is considered a Standard Subdivision in accordance with the Town of Danby Subdivision and Land Division Regulations, Article II, Section 201 C.1. Standard Subdivision, as the application does not meet the standards of Article II, Section 201 (B); and **Whereas** 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) and Section IX of Local Law 2 of 1991 Environmental Review of Actions in the Town of Danby, require that a Lead Agency be established for conducting environmental review of projects in accordance with local and state environmental law; and **Whereas** State Law specifies that for actions governed by local environmental review, the Lead Agency shall be that local agency which has primary responsibility for approving and carrying out the action; and **Whereas** the Planning Board is the local agency with primary responsibility for approving the action; 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;

Now Therefore, be it Resolved, that the Town of Danby Planning Board does hereby declare itself Lead Agency for the environmental review for the action of Standard Subdivision approval for Town of Danby Tax Parcel No. 7.-1-65.2, by Jasmina Petrovic, Applicant and Owner.

MOTION - DECLARATION OF LEAD AGENCY

Moved by Gagnon, Second by Strichartz

In Favor: Davis, Gagnon, Scriber, Strichartz, Kruppa

The motion passed

The Public Hearing will remain open until the July 20th meeting.

(6) PLANNING & ZONING REPORT

Randall handed out a map of a proposed subdivision in Danby and asked for the Planning Board's input on whether or not the map was clear. The members unanimously agreed that the map did not show specifically what was being subdivided nor did it show the entire lot in question. Randall agreed that it lacked the information needed to depict the proposed subdivision and that she would request additional information from the applicant. Kruppa added that the information was not sufficient enough (as is) for the Planning Board to take action.

Randall gave a brief overview of the monthly code report updates. She said that the natural resource inventory workgroup, which is a subcommittee of the CAC that includes Leslie Connors, has worked to get the data compiled and with the assistance of Sharon Heller from the county GIS the inventory project is almost complete.

Randall said that next month the consolidated funding applications are due, which is like the states "Hunger Games" where all the municipalities compete for funding. Randall said that the recommendation from the Town Board was to devote time towards two main applications (1) stream stabilization project for Brown Rd. and (2) natural resource inventory planning. Gagnon asked about the creek at Station Rd. Randall said that to her knowledge the funding for that was being managed by the DOT and that she would check with Laura.

Randall said that the Solar Zoning vote would take place by the Town Board after the Public Hearing on Monday June 19th and that a copy could be found online. She reported that on May 30th the Town Board passed a NYS Unified Solar Permit which allows anyone wanting to build a solar ray, that is under 25kW, will not have to pay a permit fee and it provides a free review of the building permit.

Randall added that systems over 25kW would be subject to a flat fee of \$150 plus an additional \$5 per kW. Randall said that this is one of the higher fees in the area, but that it is warranted when you consider the impact of the larger scale solar facilities. Gagnon asked about wind. Randall said that wind could be next and that she would like to pursue it. Randall commented that Town Historian MaryAnn would be scanning and uploading historic maps of the area.

Randall spoke about two state programs (1) My Service Clean Energy Communities Program and (2) DEC Climate Smart Communities Program that she learned about while attending the TCOG energy taskforce. Randall reported that Danby has completed 3 of the 4 high impact actions, which includes Solarized Program, Unified Solar Permits, Code Enforcement Training, and the Building Benchmarking Project, and that with the completion of these actions Danby is now eligible for a \$100,000 grant to be used towards energy projects.

Randall said that one of the suggestions for the funding was to remedy the poor heating and bad boiler situation over at the Highway Dept. Randall commented that Danby is getting close to becoming the first municipality in Tompkins County to have the Clean Energy Community designation.

Randall reported on zoning and said that a draft of the PDZ repeal would be available by mid-summer and that Guy Krogh endorsed the approach to a wholesale repeal of "rouge" PDZ throughout town, which is about 12. Randall also said that there may be a wholesale repeal of almost anything by special permit. Davis added to change the parameters of the special permits. Randall said yes, to remove some key clauses and make the criteria stricter.

Gagnon asked what happened to the idea, which Guy proposed, to address all the inadequacies of the zoning ordinance at once instead of a stop-gap. Randall said that a review of the zoning extensive rewrite will start this summer and that most of it is already done. She said that the Town could consider form based zoning, or at least put form on the same par as the use. Randall added that what "it" looks like is as important as what it is used for.

Randall shared visual examples of "planned communities" in Florida and FBC as well as use regulation and building type tables. *"Form-Based Codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle, with a lesser focus on land use, through municipal regulations. A FBC is a regulation, not a mere guideline, adopted into city, town, or county law and offers a powerful alternative to conventional zoning regulation"* – Wikipedia. Randall said that zoning has always had a long emphasis on use and that she would like to put a draft example of FBC before the Planning Board sometime in the fall.

Gagnon asked if he Planning Board should be focusing on zoning changes or revising the Comprehensive Plan. Strichartz said that the zoning should come first. Scriber agrees. Gagnon said that "we" never revised the zoning to match the previous revision of the C.P. Randall said that PDZ and special permit review would occur this summer and zoning review in the fall.

(7) ADJOURNMENT

The meeting was adjourned at 8:25 pm.