

Town of Danby Planning Board
Minutes of Regular Meeting
August 17, 2017

FINAL

PRESENT:

Scott Davis
Joel Gagnon
Jim Rundle
Jody Scriber
Naomi Strichartz
Frank Kruppa

OTHER ATTENDEES:

Town Planner	C.J. Randall
Recording Secretary	Kelly Cecala
Public	Julie Clougherty, Ted Crane, Arthur Rawlings, Thomas Kisloski, Rebeka Livingston, Mike McLaughlin Jr., Brooke Greenhouse, Esther Greenhouse, Peter Fraissinet, Alison Christie, Mary Grace O'Connor, David Werns, Katharine Hunter, and Karen Kudej.

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. Kruppa mentioned that he had a hard stop at 9 pm and asked Gagnon to fill in as chairman if the meeting went past 9 pm. Kruppa cited the statement found at the end of the agenda regarding public comments during privilege of the floor. Kruppa asked the crowd to direct all comments to the Planning Board as a whole, to remain respectful, and to keep comments to three minutes.

(2) PRIVILEGE OF THE FLOOR:

Alison Christie at 145 Brown Rd. asked the Planning Board to help intervene in the sale of the Hatch property. Christie represents the West Danby Community Association and the Danby Community Park Association who are engaged in a community wide effort to raise funds to acquire the property for public parkland. Christie said that the parcel has considerable social, historical, and financial equity. She said that the original parcel was modified with community labor and donations made from Cornell and that the backstop which exists was built and paid for by the community.

Christie stated that West Danby does not have any other open space that can be used as public parkland and as a gathering space. Christie presented to the Planning Board 130 signed signatures of residents who support keeping the property as a parkland versus developed land. Christie said that the Associations have talked with the Hatch family about the community's interest in acquiring the property and requested that they consider a right of first refusal to West Danby but that the Hatches did not want to impinge on their ability to sell the property. She said that the community was in the process of making an offer to the Hatch family when they learned of the competing bid and interest.

Christie said that it takes time to build these collaborations as a volunteer-led community effort. Christie said they have raised some funds in the community and that they currently have \$2,200 in pledged funds with an additional 30 families

who have pledged unspecified financial support and two larger donors. She said that they will also be asking the Town Board for financial support. Christie read aloud some of the supportive comments made by residents.

Ted Crane at 888 Comfort Rd. commented on the differences between the two proposals being considered tonight. Crane echoed some previous remarks that had been made to the Planning Board which is that getting ordinary things done in Danby is a long and difficult process. Crane said the Hatch proposal will affect a community resource that has been in use for decades and it will be lost because of the zoning ordinance and rules in Danby. Crane added that the rules fail to allow the Planning Board to have some say in what it is replacing and what it is achieving. Crane suggested weighing the existing use against the future one.

Julie Clougherty, President of the Danby Community Park Association confirmed the interest of the DCPA in acquiring the Hatch parcel. Clougherty urged the Planning Board to listen to the community and to consider what the town wants. She said that this piece of land is unique and that it would be wiped out forever.

Karen Kudej at 33 Valley View Rd. in West Danby said that aside from the Hatch Pavilion there are no other safe places to walk or bike ride to and that additional dwellings will only add traffic to the rural area. She expressed her concern for the community losing their gathering space. Kudej commented that there would be many additional cars since there is no bus line.

Tom Kisloski at 500 Brown Rd. said that he just learned about this tonight and that he is absolutely against putting a high number of residents in such a small space. He said that part of the allure is that the area is relatively rural but close enough to Ithaca. Kisloski would like the area to remain rural and safe for his kids to play in.

Peter Fraissinet at 6 Station Rd. is the co-founder of the West Danby Community Association which was established in 1994. Fraissinet was very saddened at the thought of losing the Hatch Pavilion. He stated that the location is used several times a year for multiple events. Fraissinet said that the community probably took for granted that the Hatch's would always own it and that the town could also use it. He said now there is a mad rush to protect/preserve it for the community. Fraissinet said that this proposal came before the Planning Board before the community knew about it.

(3) APPROVAL OF MINUTES:

MOTION – Approve July 2017 Minutes as Amended

Moved by Gagnon, Second by Strichartz. The motion passed.

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

Gagnon said that he made some minor edits to the minutes and would like to move the minutes as amended.

(4) TOWN BOARD LIAISON REPORT:

Leslie Connors was not in attendance but Kruppa reminded the Planning Board that there would be a special Informative Meeting at Town Hall on Thursday August 31st from 6-9 pm to discuss PDZ Zoning in Danby.

(5) ACTION ITEMS:

Project: Standard Subdivision, 704 East Miller Road

Location: 704 East Miller Road, Tax Parcel # 6.-1-25

Applicant: Arthur Rawlings for Richard Taft

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

Project Description: The Applicant proposes to subdivide the existing 7-acre property into three parcels: Lot 1, measuring 2.42 acres, with 270 feet of frontage on East Miller Road, 570.50 feet of depth, and previously developed (now vacant); Lot 2, measuring 2.18 acres with 275 feet of frontage on East Miller Road, 459.73 feet of depth; and Lot 3, measuring 3.45 acres, with 360 feet of frontage on East Miller Road, and 365.21 feet of depth. The property is 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. This is a Type I action under the Town of Danby Environmental Review of Actions and an Unlisted action under the State Environmental Quality Review Act and is subject to environmental review.

Kruppa asked the Board for comments on the FEAF long form which was completed by the applicant. Gagnon had a few minor suggested edits:

Pg. 3 C.3.
A – Change to yes and add low density residential
B – Change to no

Pg. 12 E.2.
P – Marked yes but it does not identify any species. Randall checked the nature explorer and said no species were listed.

PLANNING BOARD RESOLUTION NO. 34 OF 2017 DECLARATION OF LEAD AGENCY, STANDARD SUBDIVISION, 704 EAST MILLER ROAD, TAX PARCEL NO. 6.-1-25

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. 6.-1-25 by Arthur Rawlings, Applicant and Richard Taft, Owner; and

Whereas the Applicant proposes to subdivide the 7.9-acre property into three parcels: Lot 1, measuring 2.42 acres, with 270 feet of frontage on East Miller Road, 570.50 feet of depth, and previously developed (now vacant); Lot 2, measuring 2.18 acres with 275 feet of frontage on East Miller Road, 459.73 feet of depth; and Lot 3, measuring 3.45 acres, with 360 feet of frontage on East Miller Road, and 365.21 feet of depth; and

Whereas this property is 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 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; 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. 6.-1-25 by Arthur Rawlings, Applicant and Richard Taft, Owner.

MOTION – Declare Lead Agency

Moved by Gagnon, Second by Scriber. The motion passed.

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

Kruppa announced that Mr. Greenhouse and Mr. McLaughlin were both members of the Tompkins County Board of Health in which capacity they have some authority over his employment. For that reason, Kruppa stated that he would not be participating in the next discussion. Kruppa asked Gagnon to step in and read the sketch plan proposal for the Hatch parcel.

Project: Brown Road Pocket Neighborhood

Location: Brown & Short Road, Tax Parcel # 17.-1-2.2

Applicant: Brooke Greenhouse, Esther Greenhouse, and Mike McLaughlin

Anticipated Board action(s) this month: Sketch Plan

Project Description: The Applicant proposes to subdivide the 2.16-acre property under Cluster Subdivision. The property is in the High Density Residential Zoning District. Classification is anticipated to be a Type I Action under the Town of Danby Environmental Review of Actions and the State Environmental Quality Review Act and is subject to environmental review.

Esther Greenhouse provided a comprehensive power point presentation of their cluster pocket neighborhood proposal. Greenhouse is a Danby resident and has lived in Tompkins County for almost 30 years. She is an Environmental Gerontologist who specializes in building quality living environments for older adults. Greenhouse spoke about a cluster subdivision that is designed with respect for abilities across the lifespan. Greenhouse said that the rationale for this proposal is that the status quo for housing and community design is not benign. She commented that a built environment/home will impact people's behavior and functionality no matter how well or poorly they are designed.

Greenhouse said that the hope is to increase independence and high functionality through a good fit environment and formed design. Greenhouse referenced a disconnect between community features (housing) and the citizens' needs. She added that Tompkins county housing needs assessment shows that the county lacks housing that is designed for the entire life span as well as market rate affordable housing with \$175K to \$225K being the target market.

Greenhouse showed pictures of single family homes that were not designed for older adults to "age in place" successfully and commented that there are easy ways to fix or manage this through thoughtful design. Greenhouse said that some of the implications of having bad housing stock is an increase in dependency and the need for unnecessary renovations, all of which drain economic resources.

Greenhouse spoke about universal design solutions and thoughtful details, such as a zero step entry, lever door handles, smart flooring, practical lighting and zero step showers that are good for everyone. She spoke energy efficient and sustainable designs that reduce the energy footprint and energy consumption. Greenhouse said that there is a movement called "visitability" that comes out of the disability rights advocacy movement which focuses on individuals with mobility constraints and their inability to visit friends and family's homes. Greenhouse pointed out that there is an incentive program and a tax rebate available with the NY State Builders Association. She commented that she is concerned about those individuals who cannot afford an aid, or have the money to do renovations to their home.

Greenhouse said that they are designing this community so that people can age in place and that there are physical advantages to a cluster development. She commented that the zoning will allow the parcel to be subdivided into four lots and that a duplex could be placed onto each of those four lots. She added that the reason they are proposing a clustered subdivision as an alternative is because they feel that this type of approach is a lot more sensitive and respectful to the use of the land. She noted that it will also increase the possibility for interaction and minimize social isolation, which is as much of a public health issue as cigarette smoking. Greenhouse concluded by saying that we have the responsibility and opportunity to create enabling and sustainable communities and that putting a cluster development on the Brown road site is a step forward to achieve this.

Davis asked Greenhouse to elaborate on how it is more sensitive to the area. Greenhouse said the goal is to have smaller amounts of private land with shared open greenspace and to develop less of the land. She also added that there are different setback requirements for a cluster development with greater opportunity in terms of where the units can be placed. Davis asked Greenhouse to further explain what a sustainable community is. Greenhouse clarified that it would be green and energy efficient housing. Mr. Greenhouse further described this and highlighted that there would be a strong emphasis on durability (building green homes that will last) as well as building sustainable homes that a person can actually live and thrive in throughout all ages.

Scriber asked if the new housing would be for just the elderly. Greenhouse said that they will not be age restricted and that there is a great need for both workforce housing as well as appropriate housing for seniors. Scriber commented that there are also a lot of young people with disabilities that cannot find housing.

McLaughlin then spoke and said why Danby? He said that he is a resident of Newfield and feels that this is his community too. McLaughlin said that he has seen firsthand friends and family suffer and that there is a need for this type of housing. He said that he might be able to charge more in a different community (i.e. Lansing) but that this is home and this is where we need this.

Rundle commented and said that he really likes the idea of the proposal and what was presented but that he is also concerned for the West Danby community losing their open space. Rundle asked the investors what they thought when they heard the responses from the community who oppose this. McLaughlin said they stepped into something that appears to have conflicted interest. He said that this is a private piece of property and they have a signed binding contract. He said that land use has already been determined in the Comprehensive Plan and that this is a very useful piece of land in a water district, so how does Danby want to use their land? Greenhouse expressed her concerns about the community and is trying to remain neutral and doesn't want to be seen as a villain trying to make money. She said the question for the Planning Board is not in the use of the land.

Strichartz said that she thinks the idea of having cluster housing is something that Danby has expressed that they want. She added that as an older adult who may want to age in place, she thinks it is a wonderful idea. But due to the lack of public transportation in West Danby, this may not be the right place for it. Strichartz said this would be better off near Town Center or at least close to a bus line. She added that people want to go places. Strichartz asked how there could be a compromise, or divide it up, to satisfy both needs. Greenhouse said that part of the issue is that land found closer to bus routes is significantly more expensive.

Mr. Greenhouse said there is a broad mix of what people want and despite the lack of transportation, there are many people that still want to live in a rural setting. He said that the community can work together and having more people in one location will help improve having a Gadaabout type of car service available. Greenhouse said that it is unfair and inappropriate to suggest that "we" are taking something away from someone. He said the land was for sale and they are trying to do something good with it. Greenhouse commented that they would be willing to work together with the community to come up with a beneficial solution for everyone. Davis reiterated that no one on the Planning Board was vilifying anyone and that they respected them and their proposal.

Gagnon said that this is the first time that someone has wanted to actually maximize the density. Gagnon questioned the accuracy of the sketches. Greenhouse said that it was a quick sketch plan. Gagnon said that six (6) sellable units was more reasonable. Gagnon asked about the ownership structure of the land. Greenhouse said that the prime goal was to create individual lot ownership with HOA and some shared responsibility for the sewage system. McLaughlin said that the water district is a valuable asset and how is this asset best used.

Greenhouse said that once they engage the community then there would need to be some considerations on his limited time range to get things going and the expenses involved. Greenhouse asked how they can move forward with

getting the support from the community and gain momentum on the project. Gagnon suggested convening an interested group of people.

Davis suggested making a motion on getting a working group together that would include Planning Board members, the Town Planner, West Danby Community members and the Investors. Scriber added that there would need to be a very strict timeline on it. Gagnon suggested doing it within the next month and said that he feels there is enough expertise in the room to come up with a solution. Gagnon said that the goal would be to look at the assets of the property and how best to incorporate housing and best preserve and enhance what is already here. Scriber commented that the property has already been purchased and questioned if the Planning Board could even ask this of them.

Randall recommended establishing a temporary project review committee that meets separately from the Planning Board and is open to the public. She said the investors need to provide an accurate conventional plat anyway, so while the land surveyors are doing that, they can meet and bring ideas to the project review committee. Davis made a suggested motion for a closed meeting, however due to ex parte communication, Randall stopped the motion and said that the meeting needed to be open to the public. Randall said that typically the project review committee prepares comments on project review in a small setting and then forwards recommendations and notes onto the full board. She added that Planning Board members are often self-selected.

Greenhouse requested that the complete project team, Town Supervisor, and members of the West Danby Community Association also be invited to attend the meeting. McLaughlin commented that they would be happy to participate and requested that a Chair be appointed for the meeting. Davis moved to amend the motion to include language about the responsibility of the committee to apprise all relevant partners. Gagnon and Scriber offered to be members of the project review committee, with Gagnon proposing that he be chair.

MOTION – Create a public working group that would include Joel Gagnon, Jody Scriber, C.J. Randall, Ric Dietrich, and individuals from the following four groups: Developers, Danby Community Association, Danby Community Park Association, and the West Danby Water District. The responsibility of this project review committee is to explore mutually beneficial and agreeable joint uses of the property and identify strategies to implement them.

Moved by Davis, Second by Gagnon. The motion passed.

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

(6) PLANNING & ZONING REPORT was postponed to the next meeting.

(7) ADJOURNMENT

The meeting was adjourned at 9:16 pm.