

Town of Enfield Planning Board Meeting
July 7, 2007

Members Present: Virginia Bryant, Ann Chaffee, James McConkey, Rich Neno Sr., Calvin Rothermich, Debbie Teeter, Doug Willis

Guests: Peggy Hubble, Town Board liaison

Call to order 7:08 p.m.

Public Hearing: VanOstrand Road Subdivision

Comments and Questions:

- A couple from the community mentioned they were interested in learning more about the subdivision plans as they are putting in a purchase offer on a house next door to the property; they may have some questions.
- J. McConkey referred to the letter from the Tompkins County Planning Department outlining their recommendations and comments concerning the subdivision plans; highlights are:
 - Recommendations include:
 1. A 200' buffer from Robert Treman State Park plus restricting development to the front half of the lots
 2. Reconfiguration of the proposed subdivision to maintain seven lots for sale but to leave an additional lot, the area with steep slopes which borders the Finger Lakes Trail, undeveloped
 3. A 100' buffer from the top of an intermittent stream bank and restriction of development on National Wetlands Inventory areas.
 - Comments include:
 - A. An agricultural data statement needs to be completed.
 - B. Notice is required to the towns of Newfield and Ithaca, as there is adjacent land in both towns.
 - C. A suggestion that the town of Enfield have a discussion within with the town of Newfield regarding road maintenance.
 - D. A suggestion that the town of Enfield have a discussion with the NYS State Parks Office about development on their borders.
- Board members asked the developer his thoughts on these comments; he mentioned that item 3. will be addressed in a deed covenant and item 1. is partially addressed by a deed covenant which specifies a 100' setback from the back of the lots and 25' setbacks from the side and front. He believes the topography of the lot adjacent to the Finger Lakes Trail makes development of the steeper slopes impractical.
- There was curiosity as to why the County recommends 200', as no rationale was included.
- A community member mentioned that the Troy Road/East King Road subdivision above Ithaca College, which borders Nature Conservancy property, was approved by the Town of Ithaca with 60' buffers. He also provided another example of another recently approved Town of Ithaca subdivision, which borders forestland, with no setback requirements.
- A community member wondered who would own any buffer; the person who owns the lot.
- A board member asked what the DEC-recommended the setback is; 100'. A board member mentioned that item 1. seems conflicting; the recommendation is to require a 200' buffer from the back of the lots, but also recommends development be restricted to the front half of the lot. What is it that can occur between the end of the 200' buffer and the front half of the lot that wouldn't be development?
- A community member wondered if the lots could be further subdivided; no, a deed restriction will prohibit that.
- Board members discussed the variety of subdivision plans that could apply to this property, and concurred that it's fortunate for the community that the current proposal is well designed. Surrounding land use has been considered and the plans will result in low density, high-end housing. Overall, it looks like it will create a good neighbor situation for the park and adjacent trail.
- Board members discussed what will the new residents are likely to think about the current road condition; they may desire a better quality road, but perhaps not. Several examples were given where residents of high

priced homes prefer more rustic road conditions, as they are perceived to discourage high traffic use and speeding.

- The board reiterated that the developer is only selling lots, he is not actually constructing anything.
- A community member indicated they didn't want to hold up the process, but wished County Planning recommendations had included a rationale.
- A community member mentioned he has been in real estate for 20 years, and this developer is very reasonable and has a good reputation. People are generally interested in moving to Enfield do to the lack of zoning and other restrictions on what they can do when building a residence.
- Board members asked the developer what his rationale for the 100' buffer was; adherence to DEC guidelines.
- A community member asked if there are NYS Park trails near the back of the property; possibly, there are trails on the other side of the park adjacent to privately held land.
- A community member asked if purchasers could place a conservation easement on the buffer zone at the back of the property for a tax break; they could certainly place an easement on the property, but a resulting tax break is unlikely.
- A community member asked if the board's inclination is to let the seven proposed lots remain, in light of possible viewshed impacts; board members generally agreed with the developer that the steep topography would deter development near the Finger Lakes Trail.
- A community member asked if the board will recommend a 200' setback; board members generally agreed that DEC are sufficient.

Action

- Motion by C. Rothermich to grant preliminary approval for the VanOstrand Road Subdivision, seconded by D. Willis. J. McConkey would like to urge the developer to meet with the NYS Parks Office as suggested by County Planning. Teeter asked for clarification: was he suggesting that the developer do this before the board grants preliminary approval; yes. The question was called: V. Bryant-Yes, A. Chaffee-Yes, J. McConkey-No, R. Neno-Yes, C. Rothermich-Yes, D. Teeter-Yes, D. Willis-Yes; motion approved with supermajority.
- Consideration of Final Plat: Motion by C. Rothermich to approve Final Plat, seconded D. Willis. If no major issues have been raised during the public hearing for preliminary approval, the board can move to consideration of the final plat without an additional public hearing. The question was called: V. Bryant-Yes, A. Chaffee-Yes, J. McConkey-No, R. Neno-Yes, C. Rothermich-Yes, D. Teeter-Yes, D. Willis-Yes; motion approved without dissent.

Privilege of the Floor

- John Rancich introduced himself and thanked board members who were able to participate in the visit to the Fenner wind farm and urged other members to consider doing this as well. He mentioned that he spoke at a recent meeting of the Environmental Management Council, where they voted unanimously to support his proposed project. He would like to answer any questions anyone might have:
 - Teeter asked for the current setback for the proposed tower sites; with one exception, 500' to 600' from houses and roads, although many are 1000' away.
 - D. Willis asked where is NYSEG currently buying wind power; from the Fenner and Tug Hill Plateau projects, and also probably from Pennsylvania.
 - R. Neno asked if the wind data is still favorable; it is starting to fall off a bit and probably will continue to decrease through July and August and then increase.
 - Chaffee asked what is the minimum amount of data needed to determine turbine size and blade length to best use the resources; a ballpark estimate is 11 mph.
 - D. Willis asked what the estimated timeframe for construction is; Rancich would like to have the needed approval in place by the middle of 2008, with windmills starting to go up in late 2008 and early 2009 with 6 to 7 month construction phase.
 - V. Bryant asked what is the longevity of the towers; there are differing warranty periods, but the useful life of a maintained unit will be 30 years, although technology will probably result in earlier replacement.

June 6, 2007 Minutes: J. McConkey said that under “Privilege of the Floor”, the first item should read “this tour”, not “this to our”. Motion by R. Neno to approve the minutes with this correction, seconded by J. McConkey, approved without dissent.

May 2, 2007 Minutes: Tabled until the next meeting so members have a chance to review them.

Subdivision Regulations

- J. McConkey has some additional subdivision corrections:
 - Page 13: Section 203.1, Applicability; item a) should read “two or more **NEW** lots”
 - Page 27: Section 249.1, “Sections 250 through 258 above” should read “Sections 250 through 258 **BELOW**”
- As discussed at the previous meeting, we need to provide the form that is referenced in the subdivision regulations. J. McConkey will prepare a draft for the next meeting, using the Town of Dryden’s form as a model. A. Chaffee would like to see the original Dryden form as well as a reference. C. Rothermich would like paper copies, as opposed to electronic, if possible. It was suggested the Town of Caroline might also have a form we could reference.

Mobile Home Park Ordinance Recommendation

- At previous meetings it has been suggested that the current Mobile Home Park Ordinance be incorporated into the recently enacted Subdivision Regulations.
- J. McConkey agreed it makes more sense to incorporate the Mobile Home Park Ordinance into the Subdivision Regulations than into the Site Plan Review.
- There was some confusion about the discussion: is the board suggesting we no longer allow mobile home parks? College View is an example of what mobile home parks are more typically like today. The board is not recommending prohibiting mobile home parks. The issue is that now that the town has Subdivision Regulations, the Mobile Home Park Ordinance seems unnecessary and redundant. The board reviewed the Subdivision Regulations, and determined mobile homes fit into the Subdivision Regulations. Therefore, a separate mobile home park ordinance is not needed.
- Motion by D. Teeter to recommend it to the Town Board that the current Mobile Home Park Ordinance is obsolete in view of approved Subdivision Regulations and should be repealed, seconded by V. Bryant, approved unanimously.

Meeting adjourned 8:52 p.m.