

Town of Danby Town Board
Regular Second Monthly Board Meeting
Wednesday, 17 February, 2021 at 7:00 PM
via Zoom Video Conferencing

Meeting Minutes

Roll Call :

Town Board	Joel Gagnon, Supervisor Leslie Connors Jim Holahan Sarah Schnabel Matt Ulinski
Town Justices	Garry Huddle
Town Planner	David West
Town Bookkeeper	Laura Shawley
County Legislator	Dan Klein
Recording Secretary	Janice R. Adelman, Town Clerk

Public Attendees: Amanda James, Bruce Richards, Hayden Brainard, Ted Crane, Katharine Hunter, Ronda Roaring, Margaret Corbit, Earl, Jonathan Zisk, Jeremy Holmes, Jethro Forbes, Nancy & Tom

1. Call to Order at 1902
2. Public Hearing opened at 1903
 - [Management Plans for Town-Owned, Undeveloped, Forested Properties](#)
 - 2.1. Dan Klein spoke mostly in support but with a few caveats to language (see Exhibit 1, written comments submitted to Town Clerk).
 - 2.2. Ronda Roaring opposes the plan and recommends her own written plan.
 - 2.3. Jonathan Zisk, CAC member, acknowledged the work that he and George did to produce the document; they've incorporated 95% of the public comments received and continue to welcome comments as nothing is written in stone and the document can still be adapted.
 - 2.4 Public hearing closed 1913
3. Privilege of the Floor
 - 3.1. Ronda Roaring spoke out against Item 10.1 (a resolution calling for more local control of COVID-19 vaccine distribution).
 - 3.2. Ted Crane spoke about Item 10.2 (to initiate on open area development process at 250 Marsh Rd) suggesting that more time was needed for the option to be considered prior to bringing it to the Planning Board.
 - 3.3. Dan Klein spoke about Item 10.1 having read the letter for the first time after hearing Ronda Roaring's comments. Klein described what is happening in county legislature regarding a waiting list (not exactly what Item 10.1 is about). However, Klein pointed out that several county legislators have been asking to establish a waiting list, with Tompkins County responding that it is not legal to do so, despite that at least 3 other

counties in NYS have established a waiting list. Klein continues to argue in county legislature for a waiting list to be implemented.

- 4. Correspondence
 - 4.1. None.
- 5. Announcements
 - 5.1. [Engineering Planning Grant Application](#) submitted at the last minute for a \$10,000 award.
- 6. Additions/Deletions to Consent Agenda
 - 6.1. None.
- 7. Approval of Consent Agenda
 - 7.1. Warrants
 - 7.1.1. [General Fund Abstract 4: Vouchers 42–61 for \\$12,419.54](#)
 - 7.1.2. [Highway Fund Abstract 4: Vouchers 28–43 for \\$77,165.61](#)
 - 7.1.3. [Water District Abstract 4: Vouchers 9–12 for \\$493.50](#)
 - 7.1.4. [Danby Fire District 2021 Contract: \\$559,000.00](#)
 - 7.2. [CAC 2020 Annual Report](#)

Resolution 45 of 2021 To Approve Consent Agenda

Moved By: Schnabel **Seconded By:** Holahan

Vote:

Councilperson	Aye	No	Abstain
Connors	X		
Holahan	X		
Schnabel	X		
Ulinski	X		
Gagnon	X		

Resolution 45 approved.

- 8. Additions/Deletions to the Regular Agenda
 - 8.1. None
- 9. Old Business
 - 9.1. [Correspondence Policy, Revised](#)
 Discussion revolved around the intent of the policy, what is the goal, and how is it accomplished. Schnabel will be lead writer for revisions going forward.
 Item tabled until next meeting for review.
 - 9.2. [Amending Rules of Order: Agenda Creation and Distribution](#)

Resolution 46 of 2021 To Amend Rules of Order

Moved By: Gagnon **Seconded By:** Holahan

10.1. [Resolution 48 of 2021 Calling for More Local Control of COVID 19 Vaccine Distribution](#)

Moved By: Holahan **Seconded By:** Connors

Vote:

Councilperson	Aye	No	Abstain
Connors	X		
Holahan	X		
Schnabel	X		
Ulinski		X	
Gagnon	X		

Resolution 48 approved.

10.2. Initiate Open Development Area Process for 250 Marsh Rd — Refer to Planning Board for review and recommendation and declaration of lead agency in environmental review

10.2.1. This issue is a difficult one insofar as Supervisor Gagnon has been working to figure out a way to enable some development on this proposed subdivision without opening floodgates for further development throughout the town down the road. It is complicated because the property touches the road on the corner (about 20ft of road frontage) resulting in two of the three resulting lots becoming land-locked because of the road frontage. By right, this property could be subdivided by extending the road into the property by the abandoned section of Deputron Hollow, giving road frontage that would allow for subdivision. The current owners wish to keep the resulting center parcel running the road all the way to the center. This is an expensive option and would disrupt much of the trees. Alternatively, if the goal is to minimize environmental disruption, the way to do this would be by right of way and not by street, meaning creating an open development area. Town Attorney Guy Krogh suggested this because it allows access by right of way instead of frontage. Supervisor Gagnon proposes creating an open development area.

10.2.2. Discussion revolved around the suddenness of the proposal without having had time to review, consider, and walk the land; as well as the complexity around wanting to be protective of that area as the headwaters for 6-Mile Creek.

10.2.3. Gagnon is asking the Town Board if they are willing to create an open development area, which can be requested by the applicant or brought by the Town Board; either way, having an open development area would minimize the environmental impact.

10.2.4. The proposal from the buyers is to have the future ability for buyers' descendants to build homes; if buyers or descendants sell the property out of

the family, the new buyer is no longer able to build additional homes on the parcel.

10.2.5. The parcel cannot currently be subdivided because it does not have the road frontage. However, if the buyers create the frontage (which is within their rights to do), it will create an even larger impact to the area. All of the buyers' requests to date have been thought out over months to reduce impact to this area.

10.2.6. Gagnon asks how to deal with a parcel that will ultimately be subdivided so that the environmental impact is minimal. The rest of the Town Board are not prepared to make any decisions without doing more research.

10.2.6.1. The decision for open development rests with the Town Board with input from the Planning Board. This will give time to think about and research potential options. If the Board is willing to entertain the possibility of open development action, Gagnon recommends the TB be the lead agency on environmental review; the community can weigh in, the Planning Board can weigh in, and the Town Board will come back to it.

10.2.7. The Board's will is to not take this up now and table it until a special meeting can be held at least one week from today (Monday, March 1).

Resolution 49 of 2021 To Schedule Special Meeting for March 1, 2021 at 7pm

Moved By: Schnabel **Seconded By:** Holahan

Vote:

Councilperson	Aye	No	Abstain
Connors	X		
Holahan	X		
Schnabel	X		
Ulinski	X		
Gagnon	X		

Resolution 49 approved.

11. Discussion of Next Meeting Agenda

11.1. No discussion.

12. Adjourn at 22:04

Submitted by Janice R. Adelman
Town Clerk

Exhibit 1. Written Comments from Dan Klein re Property Management Proposal

I have a somewhat lengthy statement to make. Thank you in advance for listening to my remarks. I will be submitting these written comments to the Town Clerk for inclusion in the record.

In general, I am supportive of the plans, with one big exception and one small exception.

This phrase is used in the document: "Selective cutting if needed for tree health and disease management". At another point this phrase is used: "not to be logged, except for forest health". I would like to challenge these phrases, and the idea behind them.

What does it mean for a tree to be "healthy"? In a park or an orchard or a residential yard, what that probably means is "esthetically pleasing" or "producing a maximum amount of a specific product for humans". That is fine for those settings. But a forest can be a natural place, and esthetics and human-focused products are not particularly relevant factors if the goal itself is maintaining a natural place, as I feel it should be in this case. In a park, orchard, or residential yard, a dying or dead tree is something that probably needs management. But in a natural forest, no management of these trees is necessary. Just the opposite. They add value to the forest ecosystem in terms of nutrient recycling, habitat for insects, birds, fungus, and other organisms, and they perform a Darwinian role in that the survivors are those best adapted to the current conditions.

Similarly, the phrase "selective cutting for disease management" has little meaning to a forest ecosystem. Trees will get diseases. If the goal of having a given tree is to produce fruit, or provide shade, or look beautiful in front of your house, then yes, the tree may need to be cut to manage disease. But if the goal of the tree is simply to be part of a natural ecosystem, then selective cutting for disease management is counterproductive.

To put it another way, selectively cutting for something called "health" and "disease management" is a very human-centric way of looking at the forest. This human wants one thing for these particular publicly-owned forests: a forest in as natural a state as possible.

The term "old-growth" was eliminated as a goal for the Deputron Hollow parcel, and mentioned just once for the Sylvan Lane property. I would like to see this term made more prominent. It is a legitimate and professionally-accepted idea that one can manage for old-growth, and I think we should enthusiastically embrace this term. Except for the "health" management issue that I previously addressed, I think these plans are old-growth plans, and that is why I support them.

In my written remarks, I cite one scientific paper. If you have the time, I urge you to take just a few minutes to look at it. It is an easy-to-read, research-based, peer-reviewed, meta-analysis that provides the research unambiguously showing that leaving forests intact is the absolute best management tool in terms of carbon sequestration and biodiversity.

Old-growth is the rarest piece of biodiversity in Tompkins County, throughout the region, and throughout most of the country. We have a 30-acre piece of old-growth in Newfield, a 30-acre piece in Trumansburg, and that's about it for Tompkins County.

The Town of Danby is in a unique position to manage for old-growth for a few reasons. 1) We are not under any regulations to produce timber as are state and national forests. 2) We do not pay taxes on this land. And 3) the Town of Danby will, theoretically at least, exist forever. I challenge you to find another entity other than governments that meet those 3 conditions. We should not take lightly this special position we find ourselves in.

I would also point out that managing for old-growth is the easiest thing for a government to do. Virtually no staff time is required, no funds are required, and no decision-making is required.

There are a number of management tools that can be used in conjunction with managing for old-growth. The one that is not compatible with old-growth is commercial logging. Here is a list of some management techniques that are compatible with old-growth: invasive species management, control of deer, hiking and cross-country ski trail construction and maintenance, erosion control, selling of carbon-offset credits, seed collection, vernal pond installation, replanting, reintroduction of blight-resistant American Chestnut trees, research, education, recreation, hunting, and cutting of a small number of trees that may endanger a road, powerline, or other human infrastructure,

A person might look around at our landscape in Danby and think, "We have plenty of forests here, what's the big deal?" Forests live longer than humans do, so it is necessary, and a little difficult, to look at timespans of several hundred years when thinking about forests. If you went back 100 years ago, you would have seen far far fewer forests in Danby. There may still be plenty of forests in Danby in another 100 years, but maybe not. It should not be hard to imagine that with population growth, population migration, and increasing worldwide demands for natural resources, our forests 100 years from now might be only a fraction of what they are now. I am not aware of a single instance of an entity who preserved forests and later wished they had not done so. All of this goes double for old-growth. Managing for old-growth is a gift to the future, and you are in a unique position to be the stewards of this gift.

I believe that inspiration is one of the rarest things in the world. Protecting a forest so that it can mature into old growth is an act that will inspire people. We all could use a little inspiration.

A comprehensive, easy-to-understand, unambiguous study that makes the case for old-growth is:

"Intact Forests in the United States: Proforestation Mitigates Climate Change and Serves the Greatest Good"

William R. Moomaw, Susan A. Masino and Edward K. Faison

Frontiers in Forest and Global Change, 11 June 2019

| <https://doi.org/10.3389/ffgc.2019.00027>

There are literally hundreds of research papers that could be cited to support various aspects of the case for old-growth. The above-cited paper is a research-based, peer-reviewed, meta-analysis, meaning it examined more than 90 other research papers and reports and drew broad conclusions based on the specific research of others. It states unambiguously that leaving forests intact is the most effective management tool in terms of carbon sequestration and biodiversity.

Dan Klein
56 Durfee Hill Rd.
February 17, 2021