

## **10/23/07 Conservation Board Minutes**

TOWN of ELMA CONSERVATION BOARD  
1600 Bowen Road Elma, NY 14059

MINUTES OF REGULAR MEETING – October 23, 2007

I The Regular Meeting of the Town of Elma Conservation Board, hereinafter referred to as the ECB, was held on Tuesday, October 23, 2007 at 7:00 p.m. in the Conference Room at the Elma Town Hall, 1600 Bowen Road, Elma, NY.

### **PRESENT:**

Chairman Bryant Zilke  
Member Marc Schneckenberger  
Member Kenneth Schroeder  
Member William Massaro  
Alt/Recording Secretary Diane Rohl (Boy)

### **ABSENT:**

Member Raymond Boy  
Member William Jackson

### **II MINUTES OF September 25, 2007**

Motion to Approve Minutes as amended Made by William Massaro and Second by Kenneth Schroeder.

Ayes: 5. Nays: 0. Motion Carried.

### **III CHAIRMAN'S REPORT**

#### **A. Placement of Right-to-Farm Signs**

A copy of the proposed locations for the Right-to-Farm signs which was passed at the ECB April 24, 2007 Meeting, was given to Wayne Clark, Elma Highway Superintendent. Mr. Clark informed the ECB that it will be necessary to contact the Erie County Department of Highways for permission to place signs on State roads. He said he would keep the ECB informed of his progress.

#### B. Status of Land Inventory for Properties in the Town of Elma

Mr. Massaro indicated that he was still working on this assignment and expected to have it completed by the November Meeting.

#### C. Status of PDR Grants

Chairman Zilke reported that the Town Board had chosen an appraiser to perform the appraisal on the Leonard Janiga Farm as part of the 2006 PDR Grant. He stated that this is the next step in the process prior to negotiations with Mrs. Janiga for the purchase of development rights to his 60 +/- acre farm on Jamison Road.

An application for the next round of PDR Grant awards was submitted by the Town to the NYS Department of Agriculture and Markets. The ECB will be investigating potential farm properties during the coming months that could qualify for the next round of PDR Grants in 2008.

#### IV REPORT ON THE CRC MEETINGS

Chairman Zilke and Diane Rohl reviewed the progress being made by the members of the Code Review Committee in conjunction with Andrew Reilly, Consultant with Wendel Duchscherer. Chairman Zilke stated that there seems to be consensus that there be at least three commercial zones, possibly four. In working with current zoning maps, the Building Department has stated that past practice has been to include each zoning change directly onto the map as it occurs.

Concerns were expressed by the ECB regarding the preservation of agricultural lands as designated in the 2003 Regional Comprehensive Plan (RCP). A suggestion was made to review the public opinion survey which was conducted during the framing of the RCP in order to refresh everyone's memory regarding the support of maintaining open space. A request was made of Diane Rohl to reiterate at the next CRC meeting, the goals for land preservation as stated in the RCP, Section 5.0 Findings & Recommendations and as identified on the Vision Maps. She will also send copies of Section 5.0 RCP and of the Town of Elma Existing Zoning Map and Town of Elma Proposed Zoning Map as contained in the CRC Revised Summary Report prepared by Wendel Duchscherer prepared in September 2007.

#### V AD HOC COMMITTEE REPORT

Raymond Boy has been working on identification of costs to the Town of various programs to preserve open space. Since he was out of town for this meeting, it was decided to add this item to the November Agenda instead.

Marc Schneckenberger in consultation with Bryant Zilke, proposed a resolution to require the transfer of development rights when commercial or industrial properties are being requested for development. Diane Rohl presented an article from the NY Planning Federation Planning News entitled: TDR: A Case Study. A copy will be made for each ECB Member.

Motion to forward the following Transfer of Development Rights Resolution to the Town Board and to inform the CRC of this Resolution at its October 25th Meeting was Made by Diane Rohl and Second by William Massaro:

For all Commercial and Industrial Properties or Zones:

For each property that is proposed for development, the owner must extinguish the development rights, either for an adjacent property or for a non-adjacent property, of comparable acreage, prior to the beginning of any construction or development. Such property shall be located in the Town of Elma. For definition purposes, comparable acreage shall mean of similar quality frontage and of total acreage.

Ayes: 5. Nays: 0. Motion Carried.

#### VI STATUS OF BDR – SPRINGBROOK SHORES

The final draft of the 26-page Baseline Documentation Report was presented to the ECB for review prior to completion of the formal document. It contains accurate land and property maps obtained from the Erie County GIS Web Site, photographs of areas within the 160+- acres including parts of the newly constructed nature trail and a history of the property up until it was signed over to the Town of Elma in a Land Conservation Easement Agreement by Marrano/Marc Equity.

Due to the detail and length of the BDR, it was suggested that this item be tabled until the November Meeting. Diane Rohl will mail copies of the report to each of the ECB Members so that they will have ample time to review it. Subsequently the Board will adopt a BDR and forward it to the Town Attorney for review prior to its being filed in the Erie County Clerk's Office as part of the official property records attached to Springbrook Shores.

Motion to table discussion on the BDR for Springbrook Shores Made by Bryant Zilke and Second by Kenneth Schroeder.  
Ayes: 5. Nays: 0. Motion Carried.

#### VII RECOMMENDATION FOR NEW EPB MEMBER

Potential candidates to be considered for recommendation to the Town Board to fill the vacancy on the ECB as a result of Glenn Reinhardt's resignation will be discussed at the November meeting.

VIII MEETINGS – Previously distributed.

#### IX INFORMATION

Building Inspector's Report – September 2007

Minutes: Code Review Committee 9/26/07

Elma Planning Board 9/18/07

Elma Planning Board 9/27/07

Elma Town Board 9/19/07

Elma Town Board 10/3/07

Elma Planning Board Agenda 10/16/07

Motion to adjourn at 8:40 PM Made by Kenneth Schroeder and Second by William Massaro.

Respectfully Submitted,

Diane Rohl,  
Recording Secretary