

TOWN of ELMA CONSERVATION BOARD

February 8, 2006 – Minutes of Interim Meeting

The February Interim Meeting of the Town of Elma Conservation Board, hereinafter referred to as the Board, was held on Wednesday, February 8, 2006 at 8:00 PM in the Conference Room at the Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members present:

Chairman Fred Streif Absent: None
Member Raymond Boy
Member William Jackson
Member William Massaro
Member Glenn Reinhardt
Member Marc Schneckenberger
Member Bryant Zilke
Alternate Kenneth Schroeder
Alternate & Recording Secretary Diane Rohl

GUEST SPEAKER: John Whitney, formerly of the Western New York Land Conservancy, presented a variety of maps on the overhead projector regarding the Elma Farmland and Open Space Protection Program. He also distributed copies of some of these maps and *The Resource*, the newsletter of the WNY Land Conservancy.

ECEMC: He said the ECB should appoint a representative to the Erie County Environmental Management Council. They advise the County Executive and Legislature.

PRESENT PROGRAM: Mr. Whitney stressed that it is important for the ECB to properly present the Land Conservation Program to the press and the public; that “the ECB is not giving away tax abatements but trying to preserve green space”. He also suggested that the ECB practice explaining the cost of community services in a town and that providing them always costs more than the taxes they receive to support them.

OTHER TOWN’S PROGRAMS: Mr. Whitney reviewed the practices of surrounding towns in setting up their land conservancy programs. Clarence used a ranking criteria and passed a bond act to fund the program. Marilla set a target to include a certain amount of land. While Orchard Park is not sympathetic to Purchasing Development Rights Agreements (PDR), they did experience a large influx of applicants to the land conservation easement program due to an overall revaluation of town properties.

LEGAL CHALLENGES: Mr. Whitney stated that there are often legal challenges to the Land Conservation Easements, especially from children who have inherited the land or developers who seek to build within the Town. He suggested that developers should be required to set aside at least one-third of the total land for green space.

OTHER SUBJECTS: Mr. Whitney touched upon preserving corridors along the edges of streams which could be part of the Federal CREP Agency; Right to Farm and continuance of best management practices; Preserving wetlands and grasslands; Land conservancy and land trust programs; Purchasing development rights; Effect on the value of land with an easement when it came time to sell it; penalties if a land owner wanted to be released from his easement agreement.

QUESTIONS/CONCERNS POSED BY MR. WHITNEY:

- If someone is already under another easement program from somewhere else, could/should they be included in the tax abatement program?
- Should someone be monitoring the green spaces developers have agreed to set aside? ECB responsibility?
- Should there be guidelines for who will monitor properties under easements and how this will be recorded? ECB responsibility?
- Should the ECB be the custodian of land disks, maps and other media?
- What will be the fiscal impact on assessments due to conservation easements?
- What will be the estimated costs vs. savings?
- What are the potential penalty costs from breaking land easement agreements?
- What is the role of the Town Attorney?

NEXT MEETING FEBRUARY 28 AT 8:00 P.M.

Fred Streif will invite James Loesch of the Orchard Park Land Conservation Program. Marc Schneckenberger requested that the ECB members take time at the next meeting to give a brief biographical sketch of themselves.

MOTION TO ADJOURN AT 10:45 P.M.- Bryant Zilke; **SECOND –** William Jackson
Ayes – 7 Nays - 0