

TOWN OF ELMA CONSERVATION BOARD

July 25, 2006 – MINUTES OF REGULAR MEETING

I The Regular June Meeting of the Town of Elma Conservation Board, hereinafter referred to as the Board, was held on Tuesday, July, 25, 2006 at 7:00 p.m. in the Conference Room at the Elma Town Hall, 1600 Bowen Road, Elma, New York.

PRESENT:

Chairman Fred Streif
Member Raymond Boy
Member William Jackson
Member William Massaro, Substitute Recording Secretary
Member Glenn Reinhardt
Member Marc Schneckenberger
Member Bryant Zilke
Alternate Kenneth Schroeder
Absent: Alternate & Recording Secretary Diane Rohl

GUEST:

Connie Miner, Town Grants Writer

II MINUTES OF 6/27/06:

Motion to Approve as submitted by Bryant Zilke and Second by Glenn Reinhardt.
Ayes: 7 Nays: 0. Motion carried.

III PRESENTATION- Preserving Rural Character by Connie Miner:

The presentation was focused on the Farmland Protection Program (FPP) provided by New York State. The FPP is a purchase of development rights (PDR) program. The Town of Elma would supply 25% of the funds and the state would provide the other 75% to purchase the development rights from a private landowner. The purpose of this program is to protect the land from future development into perpetuity. Connie stated that the New York State version of the program was the best available because they picked up the major share of the PDR.

Connie spoke about the reasons to protect farmland. These are shown in the attached. (Slides #2-#3) She said that there has been some outreach in the past but more was needed. (Slide #4) Chairman Streif said that the Town of Elma would use New York State's Conservation Easement language. Connie said she will send a copy to Fred.

Connie stated that federal funds received could not be used to match state grant funds for the PDR program. She spoke of the rating system for the grants at the State level. (Slide #7) She showed the structured point system used to rate the applications. (Slides #8-#9) She also stated that at the current time there is a focus by New York State on county applications, potentially causing a problem for any individual towns who are applying.

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The first stage starts with an application from the landowner. There is no obligation to the landowner at this time. Chairman Streif requested that the Elma Conservation Board be added to the application letters of support. Connie advised that it would be better to keep this at the Chairman level (Supervisor, Erie County Representative, etc.)

The most recent application for the Town of Elma for the PDR Program was submitted by Connie Miner by the June 30, 2006 deadline. It proposed the Leonard and Mabel Janiga parcels of agricultural land totaling 61 acres. (Slide #10) None of the Town's past applications have been approved. Chairman Streif asked about the Elma Conservation Board's role in this process. Ms. Miner said that she not aware what it would be but that the ECB was free to add its letter of support.

Connie stated that up to three properties could be combined into one application. They should be near each other if possible. They would either be accepted or rejected in totality. Individual properties could not be singled out for grant approval. Typically when a grant is awarded, the Western New York Land Conservancy is used to monitor the PDR Easement. The grant would have to contain specific funds to pay for the monitoring fees, document fees and legal expenses incurred by the WNYLC.

Land used for the following purposes have the best chance of being awarded NYS PDR grants:

- Used for educational purposes
- Actively used for farming
- Adjacent to other protected properties
- Supported at the County level
- Small amount of funds needed to protect the land

POST PDR PROGRAM PRESENTATION DISCUSSION:

Chairman Streif suggested that The Town continue to apply for the grants even though it has been unsuccessful in the past. He also suggested that we use the grant applications to get the word out for land conservation. He believes that we need to improve the content and presentation of our grants, similar to those done by the Town of Amherst.

Bill Jackson stated that our past failures have proven that we are using the wrong methods to win grants and that maybe we need to look elsewhere for funding.

Bryant Zilke suggested that the PDR program is our best chance to protect land into perpetuity. Easements are just a short-term solution.

Marc Schneckenberger said that we should present the parcels in a different context, possibly in relation to the Town's size.

IV DRAFT: ECB BASELINE DOCUMENT POLICY

Bill Jackson used the Western New York Land Conservancy documents as a template for the Elma document. It was intended for discussion purposes. The purpose of the document was to establish an outline to be used as baseline for a property when it is granted a land conservation easement. Once the land is under an easement, the document may be used for future evaluations of the property.

Unanimous consent by all ECB members present to table the Baseline Document Policy for review and discussion until next month.

V DRAFT PAMPHLET: OPEN SPACE FOR TOWN OF ELMA

Bill Jackson revised the Town of Perinton's pamphlet to be used as a model for the Town of Elma.

Unanimous consent by all ECB members present to table the Draft Pamphlet for review and discussion until next month.

VI REVIEW OF REGIONAL COMPREHENSIVE PLAN

Unanimous consent by all ECB members present to table the Review of the Regional Comprehensive Plan for review and discussion until next month.

VII PRESS RELEASE

Chairman Streif agreed to re-write the press release for next month's review.

Unanimous consent by all ECB members present to table the Review of the Press Release for review and discussion until next month.

VIII SPRINGBROOK SHORES EASEMENT AGREEMENT

It was suggested that the Western New York Land Conservancy be considered as an agency to take over the monitoring of the 161 acres of open space designated in the Land Conservation Easement Agreement between Marrano/Marc Equity and the Town of Elma. It was felt that the size of the open space parcel would lend itself to better control by an experienced organization. **Marc Schnekenberger** suggested the ECB write a letter to the WNYLC to assess whether they are willing to take stewardship. **William Jackson** said he felt there would be little interest by the WNYLC in Springbrook Shores because it had all of its top soil removed, there was no historical significance to the property, it was flat, it had a drainage ditch cutting through the property and most importantly, the WNYLC does not take over easements without a fairly large contribution from a town to help defray the costs of monitoring the property in accordance with the conditions of the land conservation easement. **Chairman Streif** felt there would be no interest on the part of the Town to donate money to the WNYLC. He felt that it was the responsibility of the Conservation Board to inform the other Town Boards of the concerns expressed by the WNYLC attorney regarding the language in the current land conservation easement agreement with Springbrook Shores to prevent this from occurring again.

OTHER BUSINESS:

Marc Schneckenberger requested that there be a joint meeting set up between the Town Board, the Planning Board, the Zoning Board and the Conservation Board. **Chairman Streif** agreed to speak to Supervisor Mike Nolan about organizing a meeting with the various Town Boards.

Motion to adjourn

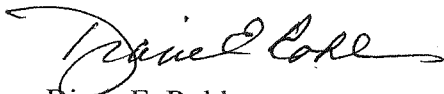
Motion to adjourn at 10:00 PM made by Bryant Zilke and seconded by Marc Schneckenberger.

Ayes: 7 Nays: 0. Motion Carried

Minutes recorded by:

William Massaro,
ECB Member and Substitute Recording Secretary

Minutes edited, reformatted and respectfully submitted by:



Diane E. Rohl,
Atlernate and Recording Secretary