

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

MINUTES OF MEETING –September 23, 2008

I The Regular Meeting of the Town of Elma Conservation Board, hereinafter referred to as the ECB, was held on Tuesday, September 23, 2008 at 7:00 PM in the Conference Room at the Elma Town Hall, 1600 Bowen Road, Elma, NY.

PRESENT:

**Chairman Bryant Zilke
Member Raymond Boy
Member Laurence Daley
Member Marc Schneckenberger
Member Kenneth Schroeder
Member/Recording Secretary Diane Rohl**

ABSENT:

Member William Jackson

I MINUTES OF August 26, 2008

Motion to Approve the Minutes of August 26, 2008 Made by Laurence Daley and Second by Bryant Zilke.

Ayes: 6. Nays: 0. Motion Carried.

II UPDATE ON LAND INVENTORY PROJECT (NCRS)

Diane Rohl reported that she and William Jackson have scheduled a meeting for September 26, 2008 at the Elma Water Department. John Whitney from the USDA/NCRS Office will be assisting in the setup and installation of files and maps that were developed earlier to help identify potential lands for conservation in Elma. Diane said that in order to learn how to use the software, it will be necessary for them to practice with GISArcView and Map. She also said that this is the software that the Town currently uses for the Water Department and will also use for the Building Department once the new commercial zoning map is adopted.

III CHAIRMAN'S REPORT

A. Update on PDR Grant 2006 - Bryant Zilke

According to Chairman Zilke the Town is still in the process of negotiating with Mr. Janiga for the Purchase of Development Rights (PDR) to his farm.

B. PDR Proposal to Town Board – Diane Rohl

A PDR Proposal was submitted to the Town Board. It would have required an expenditure of local funds. The Board responded that with the poor economy of the State and County governments, this would not be a prudent expenditure at this time.

C. Discussion of Cost Benefit Model - Raymond Boy

Raymond Boy developed a summary list of acreages for Elma property classifications ranging from the largest *Class 210 – Single Family Residential @ 7,421 AC* to the smallest *Class 474 - Billboard Use @.0.83 AC*. Some of the other classifications with larger acreages were *Class 311 – Residential Vacant Land @ 2,387 AC*, *Class 240 – Rural Residential @ 2,169 AC* and *Class 105 - Vacant Farmland @ 1,199 AC*. All told there were 99 classifications with a total of 29,866 AC. This information was gleaned from the Erie County GIS Tax Records and will be essential to the ECB when establishing a land inventory for the Town of Elma.

It was decided that further investigation is needed in so far as how we are impacted by State Aid to the School and the Town; by the tax incentives offered to businesses by the ECIDA; by the growth of commercial development and by our larger scale residential development.

IV REVIEW OF CRC

A. Commercial Zoning District Findings Report by environmental consultants Wendel Duchscherer was distributed to the ECB members. It was explained that this documents was prepared in response to questions from Erie County regarding how certain areas were defined in the three proposed codes; and how these decisions by the CRC were made using the Regional Comprehensive Plan as a guide.

V PROPOSED CONSERVATION EASEMENT LEGISLATION

A. New LCE Draft Legislation – Diane Rohl

Diane Rohl covered what was discussed with Mark Schroeder, NYS Assemblymen representing the Town of Orchard Park, at the meeting in Orchard Park on September 12, 2008. A new draft of legislation for land conservation easements was proposed, using the exemption category instead of the land assessment category to apply percentage reductions in taxes for landowners participating in this program. Mr. Schroeder was encouraged that this legislation should pass since it seemed to satisfy the previous objections raised by ORPS. He said it may be able to be introduced at the November Special Session but that it was more likely that it would not get on the agenda until January.

B. A Status of Legislation – Land Conservation Easements Memo was given to the Town Board, covering the history of this program and bringing them up to date as of the Orchard Park meeting.

VI STATUS BDR - SPRINGBROOK SHORES

A. Proposal to Town Supervisor – Still pending word from the Town Supervisor.

VII WORKSHOPS/EVENTS

The ECB was reminded of the Elma Pumpkin Fest on October 4th.

VIII INFORMATION ON NEW STORMWATER REGs

For the past few months the ECB has been examining the Stormwater Regulations and requirements at the local level. Due to the cooperation of Kerry Galuski, Bookkeeper, who has responsibility for the filing the final reports, the ECB was able to get samples of documentation for review. In addition, Mark Schneckenberger who has experience as an environmental consultant and is currently working with clients who are facing these challenges, assisted the ECB in understanding some of the responsibilities involved in this complex piece of legislation. He also explained that it has been on the books for some time but was never enforced until this year and that many businesses are currently facing difficulties in complying with the MS-4 regulations.

Motion Made by Marc Schneckenberger and Second by Bryant Zilke that because of the complexities of the Stormwater Regulations in the MS-4, the ECB believes that it does not have the qualifications to perform the work necessary to comply with this new law.

Ayes: 6. Nays: 0. Absent: 1. (William Jackson)

IX REVIEW OF SURVEYS

A. WNYLC and Town of Newstead

It was decided that the ECB would look at developing an updated survey for the Town of Elma. It will request a copy of the previous one and the results; also the survey conducted by Elma First. ECB members are to come to the October meeting with ideas for further development.

B. Elma Survey w/Recommendations by K. Siebold

A copy of a survey conducted by the Nature Conservancy in June 2008 was received by the ECB along with a number of suggestions regarding the development of an outdoor education program and center to be located behind the Town Hall. The ECB decided that while the program has merit, the ECB needs to focus on the education of the public in general first. A decision was made to table this item as worth further examination at a future meeting.

X FYI

ECB Recommendations on Commercial Codes
Building Inspector's Reports –August 2008
Code Review Committee Minutes – None
Elma Planning Board Minutes – Town Web Site
Elma Town Board Minutes – Town Web Site

XI ADJOURN

*Motion to adjourn at 9:10 PM Made by Raymond Boy and Second by Laurence Daley.
Unanimous.*

Respectfully Submitted,


Diane Rohl, Recording Secretary