

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

**MINUTES OF MEETING - August 26, 2008**

**I The Regular Meeting of the Town of Elma Conservation Board, hereinafter referred to as the ECB, was held on Tuesday, August 26, 2008 at 7:05 PM in the Conference Room at the Elma Town Hall, 1600 Bowen Road, Elma, NY.**

**PRESENT:**

**Chairman Bryant Zilke  
Member Laurence Daley  
Member William Jackson (arrived at 7:20 pm)  
Member Kenneth Schroeder  
Member/Recording Secretary Diane Rohl**

**ABSENT:**

**Member Raymond Boy  
Member Marc Schneckenberger**

**I MINUTES OF June 24, 2008**

***Motion to Approve the Minutes of June 24, 2008 Made by Kenneth Schroeder and Second by Laurence Daley.***

***Ayes: 4. Nays: 0. Motion Carried.***

**MINUTES OF July 22, 2008**

***Motion to Approve the Minutes of July 22, 2008 Made by Laurence Daley and Second by Kenneth Schroeder.***

***Ayes: 4. Nays: 0. Motion Carried.***

**II UPDATE ON LAND INVENTORY PROJECT (NCRS)**

**William Jackson reviewed with the ECB the events of the meeting held at the Elma Water Department on Thursday, August 21<sup>st</sup> involving Eugene Stevenson and Pat Jakubowski of the Elma Water Department, John Whitney of NCRS and USDA, Diane Rohl and himself. Subsequently it was determined that the GIS ARCView and ARC Map software is compatible with the software that was used to develop lists of properties and maps of Elma when Diane and William met on August 8th with John Whitney at his office. As a result the ECB decided it wished to proceed and passed the following motion:**

***Motion to request permission of the Town Supervisor to install a separate directory on the Water Department computer, for the purpose of developing land inventory maps and lists of potential available properties for land conservation, access to be limited to Mrs. Rohl and Mr. Jackson, Made by Laurence Daley and Second by Diane Rohl.***

***Ayes: 5. Nays: 0. Motion Carried.***

### III CHAIRMAN'S REPORT

A. Update on PDR Grant 2006 - Bryant Zilke reported that the next meeting with Mr. Janiga is supposed to be on August 27<sup>th</sup>. The ECB expressed concern regarding the length of time it is taking to complete negotiations and finalize submission of the Grant to the Department of Agriculture and Markets.

B. PDR Proposal to Town Board – Diane Rohl said that she had met with Supervisor Nolan to discuss the ECB's recommendation for purchase of property and ultimate resale after extinguishing development rights.

*Motion to have William Jackson and Diane Rohl meet with Supervisor Nolan to discuss the proposal Made by Kenneth Schroeder and Second by Laurence Daley. Ayes: 5. Nays: 0. Motion Carried.*

C. Discussion of Cost Benefit Model - Raymond Boy was out of town and unable to attend the meeting. This item was tabled until September.

### IV REVIEW OF CRC

A complete text of the proposed commercial codes and proposed zoning map were distributed to the ECB. Bryant Zilke and Diane Rohl touched upon what they considered to be the most important points, including the difference of opinion on the CRC regarding the size of buildings that should be allowed on Maple Road and certain areas of Seneca Street. The Non-Conforming 50% Expansion Rule was also reviewed. The ECB decided that it was important to issue a statement to the Town Board regarding its concerns with the new codes.

*Motion to issue a statement to the Town Board regarding certain regulations within the proposed Commercial Codes Made by William Jackson and Second by Bryant Zilke, to include:*

- 1. In favor of C-2 (7,000 square feet) zoning for Maple Road proposed as C-3.*
- 2. In favor of C-2 (7,000 square feet) for areas of Transit Road proposed as C-3.*
- 3. Include land conservation requirement such as TDR or PDR program.*
- 4. Clarify buffer area language for businesses backing residential properties.*
- 5. Propose Open Space Survey to determine public sentiment. ECB will participate.*

### V PROPOSED CONSERVATION EASEMENT LEGISLATION

Diane Rohl said that she has been working with the Town of Orchard Park in a joint effort to have enabling legislation passed to correct the Town's current Land Conservation Easement Law. She has been meeting regularly with Assemblyman Michael Cole to monitor the progress of proposed legislation. (The NYS Legislature was called back into Special Session on August 19<sup>th</sup> when it was hoped that the draft of the new bill would be introduced and passed.) She said that unfortunately only the State budget was on the Agenda and nothing else could be introduced. Therefore according to Assemblyman Cole it will be necessary to wait until November when another Special Session is scheduled. He felt confident it could be taken care of then. She will continue to keep track of the situation and report back.

**VI BDR - SPRINGBROOK SHORES**

At the request of the ECB, Diane Rohl met with Supervisor Nolan to review the Conservation Easement Monitoring Report on the two site visits made by the ECB to the Springbrook Shores 160 (+-) Land Conservation Easement parcel. A request was made to have members of the ECB meet with the Town Attorney to review the Report to be certain the Town's interests are being protected, and prior to making any recommendations to Marrano/Marc Equity and/or the Springbrook Shores Community. Mr. Nolan indicated he would investigate the matter.

**VII WORKSHOPS**

- A. TVGA – Sept, Oct and Nov – Warsaw, Sanborn, Springville
- B. EC Dept Envir & Planning – September 25th – Aurora Town Hall

**VIII INFORMATION ON NEW STORMWATER REGs (Tabled July)**

- A. Review of Regulations – Marc Schneckenberger was absent. Tabled.
- B. Compliance/Internal Procedures – Diane Rohl shared copies of reports on individual properties and photographs as provided by the Town Supervisor's Office. These reports indicated the conditions at designated outfalls – now required to be reported under the new Stormwater Regulations.

As a result of a recommendation by James Wzykiewicz to the Town Board, it will be necessary for the ECB at the September meeting to determine whether they will assume these responsibilities for the Town.

**IX FYI**

Open Space Preservation Surveys – WNYLC & Town of Newstead  
(To be reviewed at the September meeting.)  
Building Inspector's Report – July 2008  
Commercial Code Review – Public Hearing Scheduled 9/17/08  
Elma Planning Board Minutes – Elma Town Web Site  
Elma Town Board Minutes – Elma Town Web Site

**X WESTERN NEW YORK LAND CONSERVANCY MEMBERSHIP**

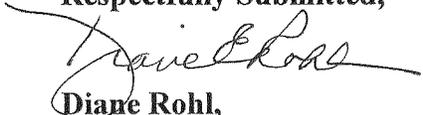
*Motion to renew membership in the WNYLC for another year for \$100 Made by Laurence Daley and Second by Kenneth Schroeder.*

*Ayes: 4. Nays: 0. Abstain: William Jackson, member of WNYLC Board*

**XI ADJOURN**

*Motion to adjourn at 9:45 PM Made by William Jackson and Second by Laurence Daley. Unanimous.*

Respectfully Submitted,

  
Diane Rohl,

Recording Secretary