

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

**MINUTES OF MEETING – January 22, 2013**

The Regular Meeting of the Town of Elma Conservation Board, hereinafter referred to as the ECB, was held on Tuesday, January 22, 2013 at 7:03 PM in the Conference Room at the Elma Town Hall, 1600 Bowen Road, Elma, NY

**PRESENT:**

Chairman Bryant Zilke  
Member Raymond Boy  
Member Michael Sobczak  
Member Eric Weaver  
Member Kenneth Schroeder  
Member Laurence Daley  
Member William Jackson  
Recording Secretary Kerry Galuski

**GUEST:**

Supervisor Powers  
Councilman Malczewski

**I APPROVE MINUTES –**

Motion was made to approve the minutes of December 18, 2012 motion was made by Ray Boy and seconded by Larry Daley. Ayes: 7. Nays: 0. Motion Carried.

**II GUEST INTRO.**

Supervisor Powers stated why he is attending tonight's meeting. There was some discussion on whether a homeowner who has another easement should be given the conservation easement through the town. The Town Attorney checked with the Association of Towns and the Town Board and the decision was made that if a resident has an easement where they can not develop their land then they could not apply for the conservation easement. The land is already unable to have anything done to it.

The Supervisor is still looking into if a public hearing has to be held if the Conservation Board does not recommend the parcel. The Town may pay for the survey for the homeowner if needed along with any other documents that are required. The Town has started to enforce the \$175 fee for the easement program on new builds and that money can go to help pay for expenses for the residents (closing expenses).

Larry asked about flood plain issues on a property and Bryant advised that it can change from year to year. Supervisor Powers mentioned that there has been past studies that have changed from time to time. The Assessor Kandy Wittmeyer is the person who will decide what the value is set at. Bill Jackson asked the ECB what the time frame is for the process. Both Supervisor Powers and Councilman Malczewski thought six months sounded like a rough estimate.

**III UPDATE ON LAND INVENTORY PROJECT**

**A. Review Elma parcel maps**

Kerry is going to check with the grant writer and the water department superintendent to see what update the GIS is at located at the water department.

#### IV PROPOSED CONSERVATION EASEMENT LEGISLATION

##### A. Review Application Letter & Forms

Bryant asked both Town Board members what they thought about the write up done by Bill and Eric on the Post property. The reason for doing an easement can be for a variety of different reasons and not just because it is a build able lot. We need to change the application to ask for a search and to ask if there are any easements current on the property. There are two levels of checking the records at the County and Bill Jackson thinks a ECB member could easily look up information on the County website.

The Post property was written up well and Bill will send Kerry a picture of the property. What is the next step for this property? The Post property needs an aerial photo and regular photos of the property. We need to see if anyone has the original checklist from when the ECB first started the easement program.

#### V FYI

Building Inspector's Report – December 2012  
Elma Planning Board Minutes – Town Web Site  
Elma Town Board Minutes – Town Web Site  
Elma Zoning Board Minutes – Town Web Site

At the end of the meeting Eric Weaver mentioned the moratorium for apartment complexes. The code book is lacking information and that is why the moratorium is being put in place. Jim Malczewski explained what the purpose is of the public hearing at the Board meeting on January 23, 2013. Bryant asked if there will be a committee created.

Bill Jackson made the motion to have Mike Sobczak represent the ECB at the Town Board meeting on January 23, 2013 at the public hearing for Local Law 1-2013. Motion seconded by Larry Daley Ayes 7 Nays 0. Motion Carried.

Bryant read a flyer on what the TB would like the ECB to get involved in. There is a program that is available and a member of the ECB will create a committee to look into the program. The program helps to preserve historic sites in the Town of Elma. Ray Boy will chair the committee and Bill Jackson will volunteer his services as well to the committee.

#### VI ADJOURN

Motion made by Mike Sobczak and seconded by Ray Boy to adjourn the meeting at 9:30 PM.  
Ayes: 7. Nays: 0. Motion Carried.

Respectfully submitted,

Kerry Galuski,  
ECB Recording Secretary