

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

**MINUTES OF MEETING – November 27, 2012**

The Regular Meeting of the Town of Elma Conservation Board, hereinafter referred to as the ECB, was held on Tuesday, November 27, 2012 at 7:01 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

**ABSENT:**

**I APPROVE MINUTES –**

Bill Jackson brought to the board's attention that the minutes should be more specific. Bill Jackson also had some corrections for the minutes of October 23, 2012. Motion was made to approve the amended minutes of October 23, 2012 made by Ray Boy and seconded by Larry Daley. Ayes: 7. Nays: 0. Motion Carried.

**II UPDATE ON LAND INVENTORY PROJECT**

**A. Review Elma parcel maps**

Kerry Galuski will be checking with Erie County Sewer & Water (ECS&W) to see when the 2012 information is available; the ECS&W thought it should be out in the near future. Kerry will be working with ECS&W to get a current version of the GIS system for the ECB.

**III PROPOSED CONSERVATION EASEMENT LEGISLATION**

**A. Review Application Letter & Forms**

Bryant Zilke read the definition portion of the revised Local Law and described how he thought it applied to Elma property owners. "The purpose of the easement program is to enhance the environment of the area." Bryant stated, after reading aloud a portion of the law, he does not feel that we can decline anyone the opportunity to apply for an easement on their property. In his opinion, the size of the parcel should not be a reason for refusing an approval of an application. Mike Sobczak thought it may be easier to get smaller parcels into the program at first.

Bryant stated that the ECB is acting as an advisor to the Town Board by recommending the approval of applications for easements. "The Town Board has the ultimate approval for these applications", he said.

A second concern, how will the ECB process applications for property owners who all ready have a conservation easement on their property? Will they receive the same review standards by the ECB and the Assessor as a new applicant would? Bill stated that all easement holders should be treated with the same protocol by both the ECB and the Assessor.

Bryant said, the decision to grant an easement is ultimately that of the Town Board. The ECB will complete a review of the application with a simultaneous review by the Town Assessor. When this process is completed in favor of an easement, the ECB will make its recommendation to complete and execute a conservation easement by the Town Board with the property owner(s).

Bill would like to know what the assessment and tax consequences will be for the applicant's property before the BDR (Baseline Document Report) and the recommendation is forwarded to the Town Board for their action. Both the property owner and the ECB would like to know this information at an early stage in the review process.

Ray wanted to know what kind of property might be turned away and not given the exemption. Bill reminded the Board that a BDR has to be done on the approval easement properties before the easement is executed. Bryant Zilke took the time to explain why you would want your property to be in an easement program.

The ECB, using the GIS system, looked at the two recent new applications. Bill suggested that the board should take the time to review the action steps for processing these two and future applications at the next meeting. Once the Board understands the process it would be wise to either meet with or send an advisory letter to the Town Board regarding how it recommends the easement program be implemented and managed.

Two different Board members volunteered to serve as a liaison contact with the two recent applicants. Larry Daley & Mike Sobczak will call the owner of the Woodard property and Ray Boy & Ken Schroeder will call the owner of the North Davis property. Bill will talk to his neighbors that have easements as well as those who made application in 2007 about the revised program. Ray Boy made a suggestion for Bryant Zilke to meet with Supervisor Powers to go over what the guidelines are for the easement program.

#### **IV SPRINGBROOK SHORES**

Larry Daley did a walk through at Springbrook Shores and confirmed to the ECB that there have not been any changes made on the property again this year.

#### **V FYI**

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

#### **VI ADJOURN**

Motion made by Ray Boy and seconded by Mike Sobczak to adjourn the meeting at 8:57 PM. Ayes: 6.  
Nays: 0. Motion Carried.

Respectfully submitted,

Kerry Galuski,  
ECB Recording Secretary