

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

MINUTES OF MEETING – August 26, 2014

The Regular Meeting of the Town of Elma Conservation Board, hereinafter referred to as the ECB, was held on Tuesday, August 26, 2014, being called to order at 7:03 PM in the Conference Room at the Elma Town Hall, 1600 Bowen Road, Elma, NY

PRESENT:

Chairman Bryant Zilke
Member William Jackson
Member Kenneth Schroeder
Member Laurence Daley
Recording Secretary Kerry Galuski

ABSENT:

Member Raymond Boy
Member Michael Sobczak
Member Eric Weaver

I APPROVE MINUTES

Motion was made by Ken Schroeder and seconded by Larry Daley to approve the July 22, 2014 minutes. Ayes: 4. Nays: 0. Motion Carried. Bryant Zilke informed the ECB that Eric Weaver has resigned from the Conservation Board, his will be submitting an official letter stating his withdrawal.

II UPDATE ON LAND INVENTORY PROJECT

Review Elma Parcel Maps

Progress on the GIS is delayed due to lack of available time and staff resources currently dedicated to the improvements being done at this time at the Water Department.

III PROPOSED CONSERVATION EASEMENT LEGISLATION

Review of Application Status

Scott Meyers spoke with Bryant to request to have his application put on hold. Kerry and Jim spoke with Phyllis to see where the Rupp property is at regarding a survey. Phyllis is waiting to hear from the surveyor.

Bill Jackson made a motion to have the Baseline Document Report (BDR) for the Rupp property forwarded to the Town Attorney so that it can be made part of the conservation easement agreement. Bill objected to the substitution of current owner's name with the removal of the section/block and lot number (SBL) used in the revised draft as the means for identifying the BDR. Larry suggested using both designations, current owner Mr. & Mrs. Rupp and the SBL. The use of the current owner name will be helpful in the near term while the Section/Block/ and Lot number will remain constant in the long term regardless of the names of successive owners. The motion was revised to include current owner's name and the Section/Block/ and Lot number. Revised motion approved by Larry Daley and second by Ken Schroeder. Motion carried.

Bill Jackson reviewed the Post easement application noting at least three issues for ECB discussion:

1. The parcel is divided with portions on the north and south sides of the Route 400 expressway.
2. Mr. Post wants to include 2 small narrow pieces on both sides of his driveway leading to Jamison Rd.
3. In the pasture behind the farmstead exclusion is a permanent animal building on a concrete pad, Mr. Post

wants to keep it in the easement.

Bill made the following recommendations:

1. the isolated land locked parcel on the north side of the Route 400 expressway should be included in the easement agreement.

2. the 2 small narrow pieces on both sides of the driveway should extend to the north and be part of the main pasture to the north within the easement.

3. the isolated animal barn and some amount of surrounding space in the pasture should be excluded from the easement.

Bill Jackson made the motion to include the three issues as part of the minutes. Second by Larry Daley.

A land survey of the property as it stands today has to be done. Mr. Post will be asked to provide any available paperwork to help the land survey process.

The Town Board members will be invited to the next meeting to review the Post file, also check to see if Phyllis can attend the meeting.

Bill will meet with Mr. Post to review the file to make sure we have all the current information on the parcel. Larry would like to check with Kandy Wittmeyer, the Town Assessor on the exemption for the property. Bill will go over the proposal of exempting the isolated building from the easement and make sure Mr. Post is in agreement.

Bill questioned the status of the Rupp application with respect to securing a surveyor. Ken reminded the ECB about what Jim Malczewski went over at the last meeting. The Rupp's received one phone call from Phyllis and have not heard back from her. Check to see why Phyllis called the Rupp's after the approval by the Town Board.

Bryant will contact Jim on the Rupp property to see if he knows the status of the file. Due to the Town Attorney work load, Bill questioned the possible use of an outside Attorney to help expedite the Conservation Easement process. Bill thought maybe George Blair would be a good attorney and to pay him out of the budget line for the conservation board. Bill made the motion to seek outside council to represent the Town in filing the Conservation Easements. Second by Larry Daley. Motion approved.

IV OTHER CONSERVATION ACTIVITY

A.) Historical Preservation

Ray Boy was not at the meeting tonight. Kerry informed the board that Ray sent a file to the Supervisor to be reviewed and is waiting to hear from the Supervisor as to the next step.

B.) Multiple Dwelling Code

The Town Board has meet at the work sessions to discuss the approval of the Multiple Dwelling Code and is awaiting a final document.

V ADJOURN

Motion made by Larry Daley and seconded by Ken Schroeder to adjourn the meeting at 8:36 PM. Ayes: 4. Nays: 0. Motion Carried.

Respectfully submitted,

Kerry Galuski,
ECB Recording Secretary