

Town of Danby Conservation Advisory Council (CAC)

Minutes of Video Conference (Zoom) Meeting on
Tuesday, June 9, 2020
Danby, New York

Council Members present: Clare Fewtrell (chair), Joel Gagnon, Don Schaufler, Ruth Sherman, Katharine Hunter, George Adams, Jonathan Zisk, Mary Woodsen (attended last 40 minutes)

Council Members absent:

Others present: Jason Haremza (Town Planner), Ronda Roaring (Danby resident and member of Planning Group), Bruce Richards (Planning Board), Kevin Feeney (Conservation Working Group), Sarah Schnabel (Town Board)

Zoom Meeting was called to order at 7:02

Deletions or Additions to Agenda

Fewtrell added back to the Agenda a report on articles for the Danby Area News previously requested removed by Hunter.

Privilege of the Floor (PoF) - None

Approval of Minutes for May 12, 2020 was deferred until Gagnon had an opportunity to review his report on CAC history given at that meeting.

REPORTS AND UPDATES

1) Easement signs

There was general discussion of two easement sign options. Camille Doucet) had designed a rural scene: one contained within a sugar maple leaf (state tree) and one without a maple leaf. Discussion followed of what sign should contain: what text, what colors, how big,

how legible and at what distance, the length of the URL or alias? We want something eye-catching for advertising purposes, but not as large as a historical marker. We are looking for minimal words. Text was suggested from Sherman's previous sign suggestion, displayed in last meeting, especially, "Preserving Danby's Rural Character." The final suggestion was for Doucet to take some of Sherman's text and her picture and play with the positioning. She would then send this out by email for discussion at our next meeting.

2) CAC Column in the Danby Area News (DAN)

Fewtrell suggested an article be submitted every month. She had put a brief summary about the CAC in the last newsletter. Hunter noted the idea was to keep people excited and aware of the CAC. Gagnon might "serialize" his history given in last meeting.

3) Logging Ordinance –Don Schaufler and George Adams

Schaufler reported that both Scott Davis and George Adams had agreed to rejoin and finish up the work a logging ordinance committee had started drafting last year, but had left stalled in the change between Town Planners. They had not yet had their first meeting.

4) Report on Planning Group (PG) and its Working Groups – Joel Gagnon – see minutes from these meetings on PG website

<https://towndanby.digitaltowpath.org:10768/content/Boards/View/5>

Tax Abatement Working Group –

The proposal for tax relief is discussed below.

Conservation Working Group -

Is going to divide the town into watersheds as an initial way to make the project more manageable and more easily identify valuable wetland areas. Haremza added that they were reviewing a set of maps. He is coming up with a brief list of preliminary ways of regulating water resources to use as a springboard for environmental planning regulations.

Hamlet Working Group –

Had an interesting meeting discussing the core area of Danby on Haremza's map. Gagnon noted that a suitability map, which includes

the core area of Danby between the creek and a wetlands, showed septic would be difficult there. This prompted the group to look at adjoining areas. In addition, they felt the core area wasn't large enough. So they began extending the core area south to Michigan Hollow Rd and Bald Hill Rd junctions with 96B and west to land owned by Russ Nitchman (who is part of the Hamlet group and open to development) and east to land owned by Olivia Vent (property across the street from the town hall and adjoining the park) and north to Rick Dobson's land (near East Miller Rd).

Participants are supposed to bring pictures of Hamlets they liked to the next meeting.

5) Easement – next steps

Fewtrell will do a draft of her initial description for her easement for next meeting.

Also a potential easement person, Andi Gladstone is looking into a Humane Society Easement (group also has an easement on Brown Rd). Fewtrell will check in with her and see how it is going in a few weeks.

6) Discussion of Proposed Tax Abatement Enabling Legislation (see copy of it at

<https://towndanby.digitaltowpath.org:10768/content/Generic/View/14:field=documents;/content/Documents/File/935.pdf>

PoF: Bruce Richards gave a report on his research into Bethlehem, NY where tax abatement in exchange for conservation easements have been in effect for several years

Secretary Keokosky has also sent research on Bethlehem via email before the meeting.

The main discussion focused on the controversial 5-15 year tax exemption category:

- Fewtrell is strongly against it and thinks that it is a disincentive to a longer easement.

- Fisk opined that tax relief should be tied to a serious commitment to conservation.
- Hunter – even though she totally believes in habitat preservation – likes the idea of public access and the 5-year option to try it out.
- Gagnon believes that large landowners need tax relief – why tie to conservation commitment to preserve open space? Fisk noted that the view-shed costs should be shared since it is for the common good. PoF:Keokosky(Sec.) suggested that views be treated differently from other protected resources. Could there be some sort of agreement across multiple properties with related tax relief?

Consensus unanimous that 5-year category in proposal should be eliminated since it could too easily be abused – even by developers themselves, who might game the system.

It was agreed that a 30-year easement is useful for generational objections, which is a common easement deterrent. Fewtrell suggested that a 100-year easement might actually be better than an easement in perpetuity - after a 100 years who knows what will be happening in Danby.

Another objection was that the tax abatements listed were not proportional to the length of easement and the 75-year easement has only a 5% smaller tax exemption than a perpetual one.

Fewtrell, Hunter, and Fisk mentioned that the proposed 9% tax reduction for public use of the property was also tricky to determine. Gagnon argued that public access is valuable and can be done in a variety of ways. The general sense was that it would be too complicated to administer and it might be an impediment to getting legislation passed (since it would be a variation on the DEC template used by the 4 towns that succeeded in getting state enabling legislation passed).

Fewtrell moved to support the “Proposed Text of Law to be enacted by State Legislature and Town Board” submitted by the Tax Abatement Working Group and approved by the Planning Group, with the exception of the 5-15 year exemption category (30% tax reduction) and the Special Condition exemption for public recreational purposes (9% tax reduction)

Schaufler seconded

Vote was unanimous in favor

7) Management Plans for the Town-Owned Properties on Sylvan Lane property and Deputron Hollow Rd.

Fewtrell and Roaring summarized their differences about what is a management plan, what is a proposal, what are the problems. Gagnon asked what are the management issues? Schaufler said part of the problem is that information is missing, and he took responsibility for not having the time to gather this background information.

Fewtrell explained that she is just interested in seeing what we have now put down on paper, with the issues to be resolved listed separately so we have a working document with current information, that allows us to look at the issues, prioritize them, and resolve them in a more systematic way later, as necessary.

Fewtrell questioned whether it was worth putting the time into these plans. Gagnon reminded the group that management plans were part of the mandate in the original legislation creating the CAC so we need to complete them. Schaufler noted that the additional issues just needed to be identified, and then raised for the town board to approve.

Fisk saw management plans as complex, but Haremza said they could be as delimited as much as we chose to make them. The Deputron Hollow Rd property need only be stated briefly as managed passive open space. One recurring issue brought up by PoF:Roaring was the cloud surrounding the title of the Deputron Hollow town-owned land on the other side of the road. The Sylvan Lane property management is more complicated. Going along with Schaufler’s suggestion to take the discussion out of meeting, Fewtrell asked Zisk and Schaufler to work on these management plans with Sherman’s

help on Sylvan Lane and Adams' help on Deputron Hollow. Zisk was named convener.

Fewtrell set agenda items for next meeting

- Fewtrell bringing draft easement description of her land
- Reports from logging group and planning groups
- Gagnon suggested using the Natural Resources Inventory to generate another list of landowners.

Two nature issues were reported by Fisk (a bear sighting on Durfee Hill Rd and a bicyclist who collided with a deer and had to be removed by ambulance). He encouraged everyone to pass on the bear information and warn people with bird feeders.

There was no Executive session

Next Meeting through Zoom is on July 14 at 7p.m.

Adjournment

The meeting adjourned at 8:54 p.m.

Submitted by Elizabeth Keokosky (Secretary)