

TOW Conservation Commission

Meeting Notes

Meeting of 01/24/05

Begin

7:35 pm

Attending

- Salvatore LaBruna
- Claude Braithwaite
- Patricia Owen
- Jon Paul Heurich – Not present
- Kevin Sumner
- Mike Leary
- Kate Fox

Review of Previous Meeting Notes

- Minutes were handed out and read individually. Nominated for approval by Sal. Seconded by Kate.

Official Business

- Briefly reviewed the “Draft Outline” of the proposed TOW inventory of agricultural land.
- John King addresses the commission
 - John presents current land use map.
 - Some lots on the map are not shown as agriculture though they are currently used for that purpose. Examples include:
 - Land that is leased from others
 - “Backyard” sheep and horse owners, etc.
 - Ornamentals and horticultural farms.
 - Several greenhouses.
 - Horse owners support more agricultural land than is obvious on the map by purchasing hay from larger farms.
 - There are 107 parcels from 6 acres to over 100 acres.
 - Mostly broken into hay and corn.
 - Some blackdirt, one in 4th ward and one in 1st ward.
 - Limited amount of dairy.
 - Harness horse breeders and trainers in south-east corner of TOW.
 - For a parcel to be in the “ag” district must be part of a farm that is over 7 acres and shows \$10k of income from agricultural for 2 successive years.
 - There is a discounted tax rate for ag property.
 - Ag district reduction is 60% on all taxes.

- However the library tax is still at full rate.
 - PDR – purchased development rights.
 - Other town’s (Montgomery in particular) have them.
 - Helps prevent ag land from being developed.
 - There is money available from county for PDR.
 - John will push for the town board to develop PDR for TOW.
 - Claude – is there agri-tourism in TOW?
 - Limited if any.
 - Some from pumpkin picking, Xmas trees, corn maze, etc.
 - However, many other jobs. Milkers, mechanics, truck drivers, vets, farm supplies, hardware stores, electricians, horse trainers, etc.
 - Sal – We have a list of parcels, but not much information. How do we get the additional information of what is happening on these parcels?
 - John – He will fill it out.
- David Church, Orange County Planning Commission
 - On Warwick commission, one of the 1st in the state.
 - Sal – How to get started on inventory?
 - There are state wide organizations that we should contact.
 - Environmental management councils.
 - He will give us a book on how to do an inventory.
 - Recommends that we also check on the Conway School.
 - Students there have created open space inventory for other towns.
 - May be able to get them to help.
 - Our group name will change after the open space inventory is complete.
 - Change from a commission to a board. Board has much more power than a commission. Examples:
 - Monitoring and enforcement authority over managed lots.
 - Review development proposal for environmental concerns.
 - One member is “delegate” to the planning board.
 - Inventory is very important.
 - Makes it easier to analyze issues quicker.
 - One of the biggest questions we face is whether to go the advocate route or slowly build trust?
 - Town of Goshen went advocate route.
 - This worked for a while, but they lost the trust of the town board and lost subsequently lost influence.
 - Better to work with the boards and build trust, better to be insider, can have more influence.
 - Contact his office and talk to Kelly.
 - She will get us whatever resources that are available from the county.
 - Word of advice, don’t get overextended, work slowly build trust.

- Dan Depew (next scheduled speaker) – He is willing to work on changing the zoning laws to ensure the commission is informed on any projects in certain areas and/or effects certain types of land (e.g. wetlands).
 - Obtain wetlands maps from the state and federal inventories.
 - Present to the town board and say here is our wetlands inventory, give us the authority to review any development in those wetlands.
 - David. He can get us an open space plan pattern from what the county did. Can give us the raw data, but we will need to reanalyze it to ensure it fits our needs.
- Kate – What about the effect the change would have on the master plan that is currently under development?
 - Dan – Zoning laws can be changed at any time. Don't need for the master plan to be completed to implement the change.
 - David – Most commissions do the inventory first. Keep that up to date. Then move onto project reviews. Once the commission gets the faith of other town boards then we can get the authority to oversee certain aspects of laws, etc. Some towns have created their own land trust. Also land management path, regulatory path, etc.
- Kate – Can the town purchase land using subdivision fee?
 - Dan – Yes, but the fund is for capital improvements in general so the amount available is variable. Some goes to soccer field improvement, park improvements, etc.
 - David – There is also a subdivision and apartment fee. But, it is really for analyzing the property to see if it is suitable for development. The fee is “in lieu of” developing the property.
- Kate – New planners for the master plan are very good. Can they help with open space plan?
 - Dan – Yes. He would like to get to know them better and see how they do with the master plan, but if they do a good job with the master plan then he is open to using them from other purposes.
- Claude – How to balance the loss of taxes from land trust?
 - David - Spread to other taxpayers. But, there isn't really much impact because preventing the land from being developed also lessens the burden on infrastructure so it reduces the town's services needs.
- David – Explains the concept of a land trust.
 - Depends upon the use of the property.
 - Up to the accessor.
 - More land in easement or trust actually will usually lower taxes because that land doesn't require any services.
 - Church tax breaks have been a bigger problem for most communities.
 - Churches buy a large parcel and want it taken off tax rolls because it is “religious” property.
- David - PDRs are good vehicles for landowners because it generates a check up front.

- The PDR is based on fair market value.
 - Not the subdivided rate, but fair market value for raw land.
 - In contrast, selling to a developer can create a long delay in getting money while waiting for approvals.
 - David – Polls in the county and state have shown that environmental concerns are one of the most important issues to the residents.
 - David – One of the problems with environmental issues in the TOW is intersection of the interstates.
 - Puts additional pressure on development.
 - Sal – Where is the town at with new storm water regulations?
 - Dan – much further ahead than other local towns.
 - Not doing well on parking lots and permeables at this time.
 - Good with retention ponds and such.
 - More defensive / reactive than proactive.
 - Pressure to get something done, so may just adapt the state guidelines law.
 - Pace University is kind of pulling the process along.
 - Walkkill will likely be first to adopt the Phase 2 storm water management from the state.
 - Once adopted though the town is responsible for it whereas currently the DEC handles it.
 - Dan – He has pushed for at least a part-time environmental enforcement officer, but town board says “there isn’t enough work to keep them busy”.
 - Kevin and David – The real problem is that there isn’t enough teeth in the town’s laws to utilize an enforcement officer properly.
 - Most agencies are mirrored (fed, state, county, town), but not environmental.
 - David suggests that the various commissions get together to create a county commission who would have the authority and budget to hire staff.
 - There is such a law already on the county books, but it just sort of languished there.
- Dan – Report on progress of stream corridor preservation overlay zone
 - Hands out hardcopy of the current law and shows current overlay map.
 - Overlay map doesn’t match the stream exactly because of difference in mapping technology.
 - It will be corrected.
 - Goes by the floodplane in residential areas.
 - Different standards for commercial (subsection 3).
 - PID and MI will be light and heavy industry.
 - Where to start the zone from?
 - Full flow and capacity or from top of the bank?
 - PACE recommends from the top of the bank.
 - Kevin - Can it be extended to all waterways?
 - Dan - Yes, but want to get one done first as an example, then expand to other waterways.

- Dan - Thinks that there could eventually be a blanket town wide law.
 - Kevin – In Putnam county every town has wetland and waterway protection law. But, they are too general, not easy to enforce.
- Dan – Ours is currently a good explanation of what we want to do, why, etc., but not very legally binding at this point. Needs more work.
- Dan – If we will point out others streams / areas that we want protected then he will work on it.
- Mike - What about Sullivan county (other side of the stream)?
 - The stream in the Moonbeams has been ruined by clear cutting on the other side of the steam.
 - Dan - Spoke to the Town of Mamaking and they want nothing to do with it the conservation law.
 - Sal – Do they have a conservation commission.
 - Dan – He doesn't know, but thinks it is something worth checking into.

Adjourned

Motion to adjourn by Kevin. Seconded by Mike. 9:35.

NOTE

Due to long meeting and multiple speakers, we did not get an inventory of administrative expenses by commission members. Do it at the next meeting.