

**REGULAR MEETING OF THE
TOWN OF VICTOR CONSERVATION BOARD**

July 16, 2019, 6:30 PM

Victor Town Hall, 85 East Main Street, Victor, NY 14564

A regular meeting of the Town of Victor Conservation Board was held on July 16, 2019 at 6:30 PM at the Victor Town Hall, 85 East Main Street, Victor, New York, with the following members present:

ATTENDING: Matthew Matteson, Chair; Andrew Phillips, Vice Chair; Joe Limbeck; Keith Parris

ABSENT: Patrick Coleman

OTHERS: Curt Signorino, 6586 Bradhurst Street; Mike Guinan, Town Board liaison; Peter Ciancaglini and Ruth Perkins, 6585 Bradhurst; Dave DiRaddo, 6590 Bradhurst Street; Marquita Peterson, 6590 Bradhurst

Chair, Matt Matteson called the meeting to order at 6:31pm.

PROJECTS TO BE DISCUSSED:

Dorchester Park conservation easements, specifically easements 1 and 2.

All in attendance this evening were at the last meeting on June 18.

Recommendations to easements 1 and 2 were presented; they are identical.

The drafts were crafted using the wording of other easements in the neighborhood.

Matt gave a summary of proposed easement changes.

- Keep the “no building” in easement area
- No changing of topography, no hardscaping, no cutting trees, except for disease, etc. Pesticides, herbicides, fertilizer. Basically looking to allow for some mowing, gardens, soft landscaping with native plants.
- Grandfather existing structure. (At least one house that had gone through the process of getting shed approved. And with the recent enforcement of easement, the shed is now asked to be removed.) Conservation Board said this is a Town Board issue.

Mr. Mike Guinan, Town Board liaison, discussed the direction for easement changes with the Town Attorney. Each easement would have to be handled separately. Everyone along a specific easement would have to be in agreement. Survey and map required. Next step with take a site walk together, collectively or per easement (whatever works best). Mr. Guinan verified the group is asking to change the terms (verbiage) of the easement; not asking to change the easement itself, just what the homeowners can do on it (the permitted uses of that easement).

Landowners must make that request as a group. It's not legal for the Town to have a negotiation in advance, you must make a presentation to change it.

Mr. Guinan, and Town Board member, Mr. Dave Condon are available to do a site walk along with the Conservation Board and any homeowner. All agree it looks different when you're there in person. This is new to everyone, but through this situation, they will learn the process and will be able to address when future issues arise.

Mr. Guinan will now show the proposed easement changes to the town attorney. The neighbors explained what they drafted. He thinks that if there are just verbiage changes or restrictions within the easement, then it wouldn't require a survey. Because you are using the exact piece of land with the survey points already there, now just changing the terms. If a line is altered, that would require a survey (for example those that have the easement right up to their deck.)

Easements must be delineated. Currently, there are only some markers and permanent markers must be in place for current homeowners and also for those who will be moving into the neighborhood. There are a few scattered markers, but they aren't consistent. 4x4 posts and boulders allowed as markers, currently. Pinning wasn't discussed. Markers must be substantial, so it lasts through the next homeowners.

Mr. Guinan will check with town attorney to know ahead of the site walk what they are supposed to be looking at. He took homeowner contact info to forward information from the attorney and to go on the site walk and keep process moving along. Could also coordinate with Kim Reese for scheduling site walk, etc.

After comments are received from Frank, then the site walk will be scheduled. Mr. Limbeck commented that they should get the best information to the Town Board, so they can make a sound decision and not be second guessed or set a precedent for something. He believes that the lines of the easement would remain, but the language within the easement would change.

There was agreement that the easement lines are odd. Disproportionate. Conservation easements were made in approximately 2004. Developer told people not to build on it, but anything else can be done on it. Moving the line is the bigger issue, but if the line is kept and the regulations on the easement were changed that is an easier fix.

Mr. Signorino reported he received slight push back from one neighbor, concerning item number 10 on the proposed easement. That neighbor would prefer to have the second part taken out, about removing brush (clearing out all brush to make a lawn). He did sign the petition, but wanted the board to know his feelings.

This is the original verbiage. Mr. Matteson commented that he thinks that should be taken out of the wording as well.

Discussion of going back to developer would be an uphill battle. Phase 3 is still underway, but it's a different developer.

Mr. Guinan will get the info over to the town attorney and hopefully he'll bring information with him before the meeting on Monday, July 22. He'll get it distributed, as soon as he has it.

Mr. Signorino asked about his ash tree situation. He wondered if he could plan native species tree for a canopy cover to replace those ash trees. It was agreed that he could. Make sure to choose something out of the native plant manual.

Approval of meeting minutes from June 18, 2019.

On a motion by Joe Limbeck, seconded by Matt Matteson, the following resolution was ADOPTED.

AYES: 3 NAYS: 0

RESOLVED, that the minutes of June 18, 2019 be approved.

On a motion by Mr. Joe Limbeck, seconded by Mr. Keith Parris, and by unanimous decision the meeting was adjourned at 7:10 PM.