

**REGULAR MEETING OF THE
TOWN OF VICTOR CONSERVATION BOARD
December 8, 2009**

ATTENDING: Marge Elder, Lorraine Atwood, Donna Clements, Larry Fisher, Maureen Hiler, Stephanie Richards, Mark Rugaber

ALSO ATTENDING: Scott Morrell, Carol Southby, Steven Daniel, Kim Hartquist, Brian Emelson, Chris Smith, Fritz Seager, Chauncy Young, Bruce Hayward, John Palomaki, David Wright

CALL TO ORDER: Marge Elder, Chair, called the meeting to order at 7:00 PM.

APPROVAL OF THE MINUTES:

Marge Elder, asked the Conservation Board members if they had any questions or corrections regarding the November 17, 2009, minutes.

On motion of Lorraine Atwood, seconded by Larry Fisher, the following resolution was

ADOPTED AYES 7 NAYS 0

RESOLVED that the minutes of November 17, 2009, be approved as submitted.

OBSERVATIONS AROUND TOWN:

Mark Rugaber reported that at the Shire Oaks development, there are large areas with no vegetation.

REPORTS FROM COMMITTEES:

Comprehensive Plan Committee: Donna reported that the Comprehensive Plan Committee will be meeting in January. Marge will be submitting the Conservation Board's comments regarding the forestry section.

Action Item: Marge will submit forestry comments to the Comprehensive Plan Committee.

Wind Turbine Code Committee: Larry and Lorraine reported that the code will be up for adoption at the next Town Board meeting. John Palomaki confirmed that the moratorium will be lifted upon adoption of the code.

Town Board Liaison Report: John reported that he is the new chairman of the Ontario County Water Resources Board. John also reported that he attended the Ontario County Planning Board's Coordinated Review Board meeting. At this meeting, the O'Connell Electric proposal was discussed. John stated that concerns were raised regarding protection of the stream buffer. John also referred to a letter from PJ Emerick, Director, Ontario County Soil and Water District.

Project:

Quail Ridge Subdivision-Lane Road Lots: Applicant is proposing to subdivide the remaining 14.0 acres of Quail Ridge and subdivide into 6 single family lots.

Scott Morrell gave a presentation of the proposed project.

The Conservation Board stated the following comments:

The proposed project site has slopes that appear to approach 15% on the eastern side. Lots 2 and 3 have been located on portions of this slope-lot 2 significantly so. The Conservation Board recommends shifting the entire project toward the west and reallocating the conservation easement to include protection of the steepest slopes on the site.

DISCUSSION:

Auburn Trail Extension Project:

Marge distributed the following agenda for discussion:

1. Triple Bottom Line
(In sustainability, a concept that looks at the economic, environmental, and social implications of a decision)
2. FHWA (Federal Highway Administration comments)
3. Revised proposal from Brian Emelson and Fisher Associates

4. Letters submitted

- a. Coalition Statement Nov. 09
- b. Burroughs Audubon Nature Club
- c. Rochester Birding Association
- d. Rochester Butterfly Club
- e. Sierra Club Rochester
- f. Brighton Conservation Board
- g. Steve Daniel's article

5. Steve Daniel comment

6. Jeff Hennick comment

7. Trail Construction (memo from Fisher Associates)

8. NYS Natural Heritage Program

9. Terrestrial Environmental Specialists, John McMullen

10. NYSDEC wetland findings (comments in memo from Fisher Associates)

Conservation Board Discussion

*Note: at this point the discussion will be among Board members.

1. Response to public comments
2. Sensitivity of area; potential impact to habitat; CB's duty is to protect such places/green infrastructure
3. Proposals offered
4. Impacts of proposed action
5. Evaluating environmental, social issues, impacts
6. Questions for clarification

Comments to Town Board and Parks and Recreation

The Conservation Board carefully reviewed all of the documents, comments, and remarks, considering this within the Triple Bottom Line approach to decision making. The Board stated the following:

After reviewing all documents, including statements and letters from those opposed to the stone dust trail, the Conservation Board unanimously agreed that the proposed 8-foot width stone dust trail with grassy shoulders will NOT have a potentially large impact on the environment. This finding is based on the following considerations:

We agree that the stone dust trail will definitely change the ‘feel’ of the area due to increased traffic, increased width and improvements to the informal footpath. The narrow footpath with its natural surroundings has an intimacy, which will be reduced. Additionally the grassy “linear meadow” will be shifted outward which Carol Southby of the Rochester Butterfly Club states will effectively destroy the butterfly habitat.

However:

1. Parks and Recreation will not disturb the grassy shoulders, therefore leaving at least some of the linear meadow of such concern to the Butterfly Club. Any future work on the trail will follow the same stringent process.
2. Maintenance of the grassy shoulders will consist of mowing periodically, which is the process presently in place. Over time, vegetation will begin to once again narrow the trail based on usage.
3. Each consultant brought in by the Parks & Recreation Dept. identified no significant environmental impact to the area.
4. The wetlands in the area will not be significantly impacted due to the fact that the trail is raised. The major impact happened years ago when the railroad was constructed, bifurcating the wetland. Ironically, this work eventually created the area presently under consideration for environmental impact!
5. Evidence in other stone dust trail sections reveals that turtles are continuing to lay their eggs in these areas.

Once the Board determined impact to the environment, it considered the social and economic impacts of the project, including improved connectivity to other regions, repairs to the historic culvert, greater accessibility for wheelchairs, safety concerns and the fact that the Town will receive grant money that would otherwise be lost.

Clearly, the social impact is both positive and negative.

As stated above, people presently using the area will be saddened by the loss of the intimacy of the area. Some bikers will be happy with the change because of its improved connectivity to other regions. Potential users will welcome greater accessibility to all users. Few will object to fixing the historic culvert. It is dangerous to all users in its present condition.

Economically, the availability of grant monies for the project cannot be minimized. The Town does not have the funds to complete the Auburn trail without the grant. Once the Conservation Board members determined the potential environmental impact would be small, and the benefits to the Town and its neighbors were evident they decided unanimously to accept the Justice Department ruling requiring the proposed 8-foot width in order for the Town to be ADA (American Disabilities Act) compliant.

The Conservation Board advises the Town Board to approve the revised plans for the Railroad Mills section of Auburn Trail extension

Interview Process

Marge reminded the Board members that they will be holding an interview for the vacancy. The interview will be Tuesday, December 15th at 6 PM. Marge went over the sample interview questions and matrix worksheet.

Recognition for Lorraine Atwood

Marge read the following recognition.

Certificate of Appreciation
Lorraine Atwood, Conservation Board

Lorraine, you say it like it is...and so will we.

What on earth will we do without you? Who is going to say, "Eleven years ago when this project first came through..."? Or, "There is a small spring on that property that is a headwater of Irondequoit Creek." These remembrances were not just idle chatter. They put our deliberations in context. They helped us know what to look for on site walks. They helped us develop the questions we needed to ask.

For seventeen years (1992-2009) you have served the Victor community and its natural environment well. Your ideas for the future, based on your vast historical knowledge of Victor's people and places, have been invaluable in all our discussions. You have always attended site walks, even when your back was giving you trouble.

During our philosophical discussions concerning environmental protection, you have spoken for those our proposed rules would affect: "Remember the rights of the property owner. Remember the seniors with fixed incomes."

Your attention to detail is mind-boggling-case in point, your eagle eye when it comes to Draft Environmental Impact Statements.

Pragmatic, sincere, objective, honest, tolerant. Dry sense of humor, strong work ethic, storyteller. You have brought all these qualities to the table.

We will miss you.

Thank you, Lorraine. Enjoy a well-deserved rest...although we know your idea of rest is often hard physical work to other people!

The meeting adjourned at 9:45 PM.

Notes taken by Leslie Van Aken, Secretary.

Respectfully submitted by Marge Elder, Chair, Conservation Board.