

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

June 18, 2019, 6:30 PM

Victor Town Hall, 85 E. Main St. Victor, NY 14564

A regular meeting of the Town of Victor Conservation Board was held on June 18, 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; Joe Limbeck; Keith Parris, Patrick Coleman

ABSENT: Andrew Phillips

OTHERS: Mike Guinan, Town Board liaison; Al Benedict, Town of Victor Code Enforcement Officer; Peter Ciancaglini and Ruth Perkins, 6585 Bradhurst; Kevin Dey, 6621 Bradhurst; Dave DiRaddo, 6590 Bradhurst Street; Curt Signorino, 6586 Bradhurst Street; Kim Gerard, 6587 Bradhurst

Chair, Matt Matteson called the meeting to order at 6:32pm.

**PROJECTS TO BE DISCUSSED:**

Dorchester Park Conservation Easement.

Mr. Matteson gave an overview of the Conservation Board (CB). CB meets the first and third Tuesday of every month and is an advisory board to the Town Board. CB doesn't make or enforce rules, they advise on matters of conservation. Usually guests at meetings are landowners or potential builders who come in with plans for home sites. CB tries to keep them away from streams, not interfere with topography of land, etc. Ultimately want to preserve why many of us moved to Victor. These are open meetings, but typically the community is not in attendance. These meetings recorded and relayed to Town Board (TB). TB usually accepts recommendations, but they are free to decide what they choose to do.

Board members introduced themselves and Al Benedict, Code Enforcement Officer and Mike Guinan, Town Board member, liaison to CB.

Mr. Matteson met with Town Supervisor, Jack Marren, and members of Dorchester Park HOA, so he knows a little about what's going on in the area. The current board were not here when these easements were put in place. Over the years, the Town has been trying to improve the signage and communication to home owners about easements on their property.

There are five easements in Dorchester Park, generally cover more than one home site. Slightly different rules depending on where your home is and what easement you fall in.

Summary of properties of Dorchester Park residents in attendance:

Peter Ciancaglini and spouse Ruth Perkins, 6585 Bradhurst.

Lived in house 13 years. Theirs was the first home and is the first house when come in the neighborhood. They have been mowing the entire time. Knew the conservation easement was there and had an idea of where it was and were careful with deck placement. Told they could

mow, but not build. Surprised by non-compliance letter. They provided photos of their property and an also an overlay of what easement would look like to their property. Worried about ticks, aesthetics. Odd shaped property and easement comes very close to home. Weeds, brambles would not look attractive. Fire hazard – easement is very close to deck. Would like to sell home and are afraid of effect on their house value, as well as turning away others who might want to move into the neighborhood.

Mr. Limbeck commented on shape of their property. It's shaped that way due to easement on right hand side, keep it continuous. Easement helps with the ease of movement for wildlife.

Mr. Matteson asked about DEC stream that runs through property. Residents said it's usually dry.

Mr. Benedict said Dorchester Park was developed in the early stages of conservation easements. At that point, no criteria of how to mark these. Posts are now required of developers. And over the years, there was a three tiered structure developed.

- Open space: where you can usually mow, but restricted with structures.
- Site specific: small wetland or creek that runs through property, it protects that area specifically, but usually allowed to do other things on other parts of your property.
- Most restrictive: Most of what Dorchester is. Basically, you can't touch it, but now for example if tree fell across your path, you can remove. This has evolved.

Mr. Benedict pointed out the 5 easements in Dorchester and described them as follows.

- 1, 2, 3: No disturbance, most restrictive
- 4: Most restrictive, however language has changed to be more clear.
- 5: A combination of site specific, as well as most restrictive.

Process of changing an easement – In easements 1, 2, 3 which encompass several lots, each person who has an interest in that easement would have to agree to any changes. Town Board decision. One person can hold up the process if they disagreed. 10 sites including HOA's portion in Conservation Easement 1.

Newer easements have evolved so that TB can reach an agreement with one owner rather than having to effect everybody.

Kim Gerard and Pat Gerard, 6587 Bradhurst.

Lived there about three years. They mow what was maintained by former owner. They were told they could mow, plant, but not build. Consistent looking down the row of homes. All homeowners mow the same. Back yard is on a hill, hard to mow, but thinks it would look bad if they didn't. Maintaining for aesthetics. Wildlife still use the space (as they have maintained it).

Some landscaping, seeding, etc. by the developer was already done when they moved in. It is in the easement.

Dave DiRaddo, Lot #3, 6590 Bradhurst Street (Easement 2).

Lived there about 8 years. Asking to maintain what they have. Have not added anything, just maintained what they have. Loves the wildlife and their lawn. Worried about resell with so much less lawn. They were told they need to drop it back 50 feet towards the house. Mr.

DiRaddo asked about how developers are checked on while the properties are being developed. Mr. Benedict explained that grading happens into easement areas to balance the site, but then there are requirements to seed, so there's not erosion and then the homeowner sees the grass and mows. There is oversight, but issues occur because of this scenario.

Kubrick's, Lot 4

Mr. DiRaddo spoke about this neighbor who received permission from the town for a shed. Now asked to move the shed which is in the conservation easement.

Curt Signorino, 6586 Bradhurst Street (Easement 2).

Lived there less than a year. Lot right across from Peter and Ruth (6585) and Kim and Pat (6587). Had two issues mid-May when he went to the town board meeting, now has three issues. 4 trees – 1 in yard and 3 just in the easement have Emerald Ash Borer. Asking to take them down and replace with trees native to area. Any resolution to that? Second is a confusion about mowing between HOA and conservation easement. Now it looks odd because of HOA mowing and Mr. Signorino now complying with the easement. Third – just restating what the other's said, he would like to be allowed to mow.

Mr. Benedict – Clarified details on the map.

Question was asked how long it would take to get info from the Town Planning Board. Mr. Benedict said the CB probably needs time to digest and come up with plans, as well.

Kevin Dey, 6621 Bradhurst (Easement 5).

Least restrictive easement. Lived there less than a year. Forever home, has done lots of work on his home including building a pool, adding pool house soon. Wants to be able to use the space for toys (not build on it). Wants it to be aesthetically pleasing. He was asked to move trailer on back of property. Mr. Benedict says the easement states you cannot store trailer there. Mr. Benedict said he didn't see a reason why Mr. Dey couldn't have a trampoline, as long as it wasn't permanent.

Mr. Limbeck explained how we have made improvements in the way we let people know about the easements and the way easements are marked (boulders).

Mr. Matteson said the CB and Town try to work with people in regard to mapping the easements.

Mr. Limbeck asked if there was wiggle room in what the neighbors are mowing. Are they open to a middle ground? This is a good frame of reference is useful for when they have their discussion.

Mr. Matteson discussed the cost involved with changing easements.

Mr. Benedict will check on easements on the new section. Neighbor in Easement 3 discussed with Mr. Benedict about continuing to mow to the base of the hill, as well.

Have not heard anything from anyone in Easement 4. Mr. Benedict said a few posts were put in incorrectly.

Mr. Matteson told group that CB would be gathering thoughts and try to figure out a way to rectify the situation. Mr. Limbeck said they will make their comments to the Town Board. He asked if recommendations will go to homeowners. Comment made that notes are on website. We'll figure out how we can to distribute. Mr. Parris suggested picking a point person to distribute to.

Resident asked if they are able to maintain until they hear otherwise? Mr. Benedict will not make another inspection in the near future.

Approval of meeting minutes from May 7, 2019.

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

AYES: 2 NAYS: 0

RESOLVED, that the minutes of May 7, 2019 be approved.

Group discussed general thoughts on the situation.

- Conservation Board in agreement to allow ash trees to be removed. Recommend to Town Board to consider Mr. Curt Signorino be allowed to take infected trees down, because of the health concern.
- In terms of easements, Conservation Board recommends that as a neighborhood, they come up with proposals, which are applicable to groups within each easement. It needs to be unanimous.

This will give CB parameters to work within before they make recommendations to the Town Board. There is a sense that residents are willing to compromise. CB is willing to review because Board sees there are some concerns there. Neighbors can see the trail and the easement is in place so trail would be protected from view.

Mr. Guinan asked for copy of map from Mr. Benedict. Suggested maybe use one from Oncor. He will ask the question of our attorney, if we were to change easements, what would have to be done? Another survey needed? For this neighborhood, who need to get posts in? Homeowners? Many questions need to be addressed.

On a motion by Mr. Joe Limbeck, seconded by Mr. Matt Matteson, and by unanimous decision the meeting was adjourned at 8:01 PM.