

**Town of Bethlehem  
Citizens Advisory Committee On Conservation**

**October 10, 2006 Meeting Minutes**

Members Present:

John Smolinsky, Chairman  
Michael DiPaolo  
Jeff Freedman  
Libby Liebschutz  
John Mead

Valerie Newell  
Ted Putney  
Michael Waldenmaier  
Matt Watson  
Caleb Wistar

Staff Members Present:

George Leveille  
Janine Saatman  
Deborah Kitchen

Administrative Actions:

Chairman Smolinsky distributed copies to CACC members of email correspondence received from a resident who feels that the entire Town should be included in any mapping that the CACC may pursue. He also gave members copies of a resolution adopted by the Town Board at its August 24, 2005 meeting regarding the CACC.

With regard to CACC's second quarterly report, the Chairman noted that the main item to be covered will be the funding report.

Draft Work Plan:

1) Slingerlands area trail network –

George Leveille informed the committee that the Town's consultant, Edwards and Kelsey, participated in the Town's charrette for the New Scotland Road area master plan. There was a good turn out, which included the four developers who own land there. They are enthusiastic about proceeding. He thanked Katherine Daniels of the NY Planning Federation for her assistance with the event. The Town will be receiving a report on the results of the charrette from the consultant in the next few months. Edwards and Kelsey will present their preliminary plan for the integrated pedestrian network to the committee at CACC's November meeting.

Chairman Smolinsky commented that he felt there was a diverse group participating in the charrette, including landowners, and that a lot of creative ideas were generated.

Mike DiPaolo asked about the extent of the Slingerlands trail network. The New Scotland Road hamlet area would be the main focus; opportunities for connections in the Slingerlands Bypass Extension area, to the future rail trail, and to the Mohawk Hudson Land Conservancy preserves would also be included. Val Newell mentioned that she received a call from a property owner adjacent to the rail trail who is concerned with security. For example, if there are problems behind the lots on Herber Avenue, will police be able to get to where the problem is? She mentioned that she witnessed a car being vandalized in the parking lot of the Delmar Reformed

Church earlier that day. She also feels there are problems with the Wemple Road sidewalk/bikepath. Kids staged an "accident scene" on the path and she wondered who is responsible for cleaning that up? She thinks it is a question of balancing needs vs. wants.

Mike Waldenmaier asked if Edward's and Kelsey will address liability. George Leveille responded that they are not preparing an operating plan, so that would not be addressed. The new hamlet area to be created on New Scotland Road may have its own security. The Chairman reminded the committee of his previous report on the status of the rail trail. The County's current focus is on acquisition; issues of maintenance, security, and liability will be addressed later.

Libby Liebschutz asked about the SAFETEA-LU application date. George responded that the next application date would likely be around July of 2007.

Dom DeCecco, who is a member of CDTA's pedestrian task force that has evaluated the Corning Preserve/Mohawk River path, said that there is very little criminal activity on the path from the Corning Preserve to Schenectady. Katherine Daniels suggested that the CACC could invite a speaker from the Hudson River Valley Greenway or another trails organization to address issues such as security and liability.

## 2) Open space protection funding -

The next topic of discussion was Draft #6 of the Open Space Funding Report, which was delivered to committee members six days prior to the meeting. George Leveille thanked Caleb Wistar, Val Newell, and everyone else who provided input on the draft. The table of contents was revised and a preface added. The preface provides an overview of the Town's Comprehensive Plan, highlighting items in the Plan that relate to open space protection. This is addressed in the preface to avoid repeating the same points in each section of the report. The executive summary provides a synopsis of the direction of the Comp Plan and Town Board with respect to open space protection and an overview of the funding report itself.

Libby Liebschutz stated that she feels the preface is very helpful and readable to those not as familiar with the Comp Plan. There was subsequent discussion of whether to revise the location of the overview paragraph in the Introduction section (on page 16) or remove it altogether. The consensus was that it should be removed, because the material is covered elsewhere.

Val Newell raised concern with the lands of conservation interest map, which she feels is not in compliance with the Comp Plan. George pointed out that the lands of conservation interest map is a Tier II item in the Comp Plan, so it can be included because it was not ruled out for possible future use. John Mead wondered how this relates to the issue of working with willing landowners. It was pointed out that additional discussion would be needed prior to this option being pursued. The Chairman noted that other tools would also require other steps prior to their use. Caleb Wistar and Jeff Freedman both stated that the information that would be incorporated into such a map is already available. It was agreed that language would be added on page 38 stating that use of a lands of conservation interest map would be a change in the Town's current policy.

Libby suggested differentiating between Section IV and Section VI, noting funding methods vs. acquisition methods. Mike DiPaolo inquired about the accuracy of the last sentence of Item F on page 22; no change to the wording was required. Libby questioned whether the wording of disadvantage #5 under "Hudson River Estuary Program" (page 26) was inconsistent with the wording in the paragraph at the top of the page. It was decided that the word "only" would be removed from the language of disadvantage #5.

A couple typos were noted on page 28. Mike Waldenmaier suggested that the second disadvantage under "Lease of Development Rights/Term Conservation Easements" should be deleted. Libby felt that disadvantage "d" under "Appropriation of Town Funds" on page 18 should be moved to the "Purchase/Ownership of Property by Town" subsection on page 29.

George Leveille distributed a draft of the introductory paragraph to Section VII, "Regulatory Methods". Revision of the wording of disadvantage #2 on page 36 was suggested, to indicate that Conservation and Average Density Subdivision Design is a voluntary process. Members felt that a sentence should be added to the "Natural Resource Zoning (Set-asides) subsection to relate it to the Town's Comp Plan process.

Val Newell raised a question regarding whether the Town needs an open space plan. Perhaps willing landowners will identify properties and the additional expense of a plan won't be needed. She feels that the Town shouldn't do a boilerplate plan, but rather see what the community wants and get input from others. Chairman Smolinsky responded that he wouldn't recommend anything less than an open space plan, but that he is flexible regarding what that would contain. He feels it is important to look at what others have done and that the Town Board would ultimately decide the scope. Mike DiPaolo agreed with Val on the need for public input. He feels that before an open space plan is done that the Town should encourage participation and then proceed with the plan. The types of participation methods suggested on page 41 of the report should be explored prior to initiating an open space planning process. John Mead also felt that landowners should be talked to first and that the process should be unique to Bethlehem. Val Newell also pointed out that an open space plan is not needed prior to starting an education component.

Ted Putney made a motion to accept the draft funding report and forward it to the Town Board with revisions as discussed. The motion was seconded by Jeff Freedman. There was further discussion; getting rid of subsections A and B of the "Next Steps" section of the report, "Development of a Town of Bethlehem Open Space Plan" and "Encouraging the Participation of Willing Landowners", respectively, was suggested. However, the majority of the committee was not in favor of that. One of the committee members asked whether the motion included CACC's review of the final version. The Chairman said no, that George and he would incorporate the changes discussed at the meeting and forward it to the Town Board. Libby asked whether the motion could be amended or modified. The Chairman responded yes; no one offered an amendment or change to the motion. John Mead said he was voting against the motion because he wanted to read the final version before it was sent to the Town Board. The motion passed seven in favor to three opposed; one committee member was absent.

Members will receive a final copy of the report before it is forwarded to the Town Board. Final edits should be given to George Leveille in the next few days. The goal will be to get the report to the Town Board Wednesday, October 18<sup>th</sup>, for inclusion on their October 25<sup>th</sup> meeting agenda. After the Town Board meeting, the funding report will be available to the public and will be added to the Town's website.

A resident stated that she felt when planners come in with a plan and ask people what they think, it is adversarial. She suggested that landowners should be talked to before a plan is prepared. She also felt that the draft report should have been available to the public.

Another resident commented that the surveys done in the process of preparing the Town's Comprehensive Plan had a very good return rate and that broad support for preserving open space was expressed. She is pleased that the Town is moving ahead with this issue.

Another member of the public expressed the opinion that both sides are right, and that both have made good points.

John Mead stated that members "on the fence" about the report may have voted in favor if it had been conditioned on talking to willing landowners first.  
The final resident to comment informed the committee that it was very hard work to farm and work the land.

Action Items:

Committee members should give George Leveille any final edits on the funding report in the next couple of days. The report will be forwarded to Town Board members by October 18<sup>th</sup>.

Next Meeting:

Monday, November 13, 2006 at 7:30 p.m. in Room 101 of Town Hall