

TOWN OF BETHLEHEM
CITIZENS ADVISORY COMMITTEE ON CONSERVATION (CACC)
July 14, 2008 Meeting Record

Members Present:

Libby Liebschutz, Chair; Mike DiPaolo, Jeff Freedman, Nancy Heinzen, John Mead; Val Newell, Mike Waldenmaier

Staff Members Present:

Jeff Lipnicky, Rob Leslie, Debbie Kitchen
Melissa Barry (Behan Planning Associates)

Chair Report:

Ms. Liebschutz announced the attendance of Supervisor Cunningham at the meeting. Supervisor Cunningham thanked the Committee for their hard work and time that has been dedicated to the CACC and the development of the Open Space Plan. He encouraged all members to keep up the good work.

- A. **Approval of June 9, 2008 Meeting Record:** Ms. Liebschutz asked the members if they had any comments or corrections on the draft June 9, 2008 meeting record that was circulated. There was discussion regarding the drafting of Bethlehem's draft definition of open space based on the New York State's definition, which appears in the New York State Open Space Conservation Plan and New York State Local Open Space Planning Guide. Mr. Leslie indicated the minutes would be posted on the Town's web site.
- B. **Other:** Ms. Liebschutz mentioned that there have been a few emails between CACC members and the DEDP regarding a letter of support for the Town's SAFETEA-LU TEP grant application (New Scotland Road in Slingerlands). She stated that Mr. Leslie would provide a brief summary of the project description at the end of the meeting.

Farm and Open Space Protection Program (Open Space Plan):

A. Update on Agricultural and Farmland Study Advisory Committee

Mr. Leslie provided a summary of the agenda that was discussed at the June 23 Agriculture and Farmland Study Advisory Committee (SAC), which included the following information:

- Review draft work plan
- Review map of agricultural and farmland based on:
 - NYSORPS data
 - Agricultural District data
 - Agriculture Assessment data
- Identify potential interviewees – AFT will interview 10-15 individuals (during August) in the Town's agricultural industry to gather perspectives on the current state and future of agriculture in the Town.
- Reviewed potential interview themes (questions) including:
 - Basic info about business
 - Future of the business
 - Labor
 - Benefits of farms to community
 - Impacts of development on agriculture
 - Farm/neighbor conflicts
- Next meeting scheduled for July 21
 - Finalize interviewees and themes
 - Conduct Strengths, Weaknesses, Opportunities, Threats exercise regarding agriculture in the Town

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- Review edits to the agriculture and farmland map (FSA data)

B. Discussion: Why an Open Space Plan?

Mr. Leslie stated that it is important to revisit the reasons for developing an Open Space Plan for the Town. He indicated that from the DEDP perspective the intent is not to prevent or stifle growth but to manage growth in a manner that preserves the Town's agriculture, natural and scenic resources, and maintain the quality of life while also retaining the economic value of rural lands. The DEDP review of one and two family building permit activity over the last eight years revealed that growth pressure is slow. In 2000, there were 14 permits/month and in 2007 there were 5 permits/month. Currently, 2008 year to date data indicates, there have been 2-3 permits per month. Mr. Leslie stated although we are not inundated with growth pressure now is a good time for the Town to plan for open space.

Ms. Liebschutz stated that during the Comprehensive Planning process there was a lot of information on the cost of development (i.e. infrastructure/schools, etc.) and questioned if the DEDP has these figures. Mr. Leslie stated the DEDP does not have these figures. There was further discussion regarding cost of community service studies including the cost of providing Town services to residential and commercial land uses.

Ms. Heinzen stated that if the CACC doesn't have consensus that open space protection is an important issue then why are we here every month. Mr. Mead suggested that open space protection is not an urgent issue since the Town has only awarded 2 (one and two-family) building permits/month. Ms. Liebschutz stated that the Town is preparing for its future when there is strong growth pressure. The Town is applying a proactive approach to growth.

Ms. Newell stated that the CACC's interest should be to look at opportunities that are readily available for open space protection. She feels there is opportunity now while land prices are down. She provided an example of a 20-acre parcel for sale by the Henry Hudson Park. She mentioned that she would be against purchasing open space because of the tax implications and suggested we needed to partner with other organizations. Mr. Friedman indicated there should be some middle ground so that land is not completely taken off the tax role. Ms. Liebschutz reminded the CACC that during the development of the Funding and Tools Report they learned in order to partner and receive funding from other organizations the Town needed to develop an Open Space Plan.

C. Present revised planning schedule:

Ms. Barry discussed the revised planning schedule and the 2008 CACC Open Space Plan work plan that was distributed to CACC members. She stated the planning schedule was revised to indicate that the data collection phase would occur from July – September, the large landowner meeting would occur in early October 2008 and the meeting on topics would occur in mid to late October 2008. She indicated that the draft Strategic Report is anticipated for completion in December 2008. Ms Barry also presented a work plan for the CACC covering the next 6 months and indicated this work plan includes the tasks/agenda items for upcoming CACC meetings.

D. Discuss proposed agenda for large landowner meeting/Set meeting date:

Ms. Barry stated the large landowner meeting date has been tentatively set for October 9, 2008. Members indicated that October 9 is the Yom Kippur holiday and the meeting date should be changed. Mr. Leslie stated he would check the availability of Town Hall in early October to help determine a new date for the meeting. Members suggested that if meeting space was limited at Town Hall, other locations to consider include Elsmere Firehouse, Delmar Reformed Church, the Bethlehem Grange, and Bethlehem Lutheran Church.

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Ms. Newell requested that staff look into the opportunity to videotape the meeting and broadcast on Time Warner Channel 18. Mr. Leslie indicated he would speak with the Town library regarding their availability to provide a video recorder.

Ms. Barry provided an overview of the preliminary agenda for the large landowner meeting. She stated the meeting could start with a presentation on the assumptions for land conservation/open space (for example: voluntary; market value based on appraisal for transactions; no maintenance or liability assumed for trails, etc.). Following the presentation on assumptions, the various tools as listed in the Funding and Tools report would be presented using a real-life scenarios approach. Ms. Barry reviewed the four scenarios that were distributed to the Committee. The meeting would wrap up with a question and answer period, where participants would have the opportunity to ask questions at various topic-oriented stations.

Ms. Newell indicated she felt that the scenarios approach would not work well with the large landowners and offered an alternative. She distributed a landowner meeting agenda outline that she prepared and suggested the meeting should include a presentation on the tools provided in Funding and Tools report. Ms. Newell recommended that the question and answer period would be beneficial to the large landowners if they were to remain in one group. In this manner, the attendees would learn from each other's questions. She suggested the distribution of a response form that includes questions that would help to gauge the large landowners interest in participating in certain tools.

Mr. Friedman stated he preferred the scenario approach and the response form. Ms. Heizen stated that she liked the scenarios approach but recommended that they be developed to include situations facing landowners in Bethlehem. Mr. DiPaolo indicated that he too liked the scenarios approach and suggested developing scenarios that incorporate Ms. Newell's agenda. He suggested addressing trespassing and encroachment issues into one of the scenarios.

Ms. Liebschutz suggested that as the scenarios are developed Mr. Waldenmaier, Ms. Newell, and Mr. Mead have an opportunity to participate. The Committee agreed the scenarios should be tailored to situations facing Bethlehem large landowners. There was discussion regarding the preparation of information (i.e. handout) that attendees could take home.

E. Finalize topic meetings/Set meeting date(s)

Ms. Barry stated the topics that would be covered during the topic meetings include recreation and pathways, natural areas/wildlife connectivity, and agriculture. Ms. Liebschutz questioned why trespassing and property rights were not included in the topic meetings list. She recommended that the Committee should not ignore these issues. Mr. Leslie stated that it would not be feasible to develop a separate public meeting on trespassing and encroachment. Mr. Waldenmaier indicated that a separate meeting for trespassing and encroachment issues is not needed as long as it is discussed with the CACC and addressed in the Plan. Ms. Barry stated that these issues will be discussed throughout the development of the Plan, including at the large landowner meeting, incorporated in the other topic items, and during CACC meetings. The Committee recommended that the Plan should address trespassing and encroachment as it relates to open space protection.

It was suggested the CACC could take trespassing and encroachment issues offline with the Town Board to address problems if more prominent treatment is desired. There was discussion regarding an educational brochure or program as one option.

There was discussion on the need for separate meetings for each topic. The Committee determined one meeting that would discuss all topics is preferred. Mr. Leslie stated the topics

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meeting would be scheduled for October 23. He stated again that he would look into an available date and location for the large landowner meeting and schedule it as soon as possible.

Mr. Leslie stated the August CACC meeting will be cancelled and the CACC will reconvene on September 8, 2008.

Other Business:

a. SAFETEA-LU NYSDOT TEP Application – New Scotland Road Enhancements:

Mr. Leslie provided a brief overview of the Town's application, which includes:

- Bicycle and pedestrian improvements along the western side of New Scotland Road from Cherry Ave to Maher Road (includes Price Chopper Plaza and Maher Road)
- 3 sections - 14-foot shared travel lane, and 12-foot travel lane and 5-foot bike lane, varies within the three sections.
 - Cherry to Price Chopper
 - Price Chopper to Utility easement
 - Utility easement to Maher Road
- Total project cost: \$2,457,000
- Town In-Kind: \$400,000 and Cash: \$125,000; totals \$525,000 (represents 21% of cost)
- Requesting \$1,932,000 (79% of cost)
- CDTC recommendation/prioritized list due in early October. Governor planned to make announcements on awarded projects sometime in Fall/Winter 2008 (Election Day).
- If awarded, expected project completion time is September 2011

Public Comment:

Adjourn

Next Meeting:

September 8, 2008 at 7:00 PM