



MINUTES OF THE EASEMENT COMMITTEE MEETING

April 3, 2024

MEMBERS PRESENT:

Tom Hutson, *Committee Chair*
Paul Gallay, *via Teams*
Wayland 'Bud' Gladstone
Karl Gockel, *via Teams*
Fred Huneke
John Verhoeven, *via Teams*
John Vickers, *NYC DEP Representative*

MEMBERS ABSENT:

None

OTHERS PRESENT:

Ryan Naatz, *Executive Director*
Serena Orleski, *Easement Program Manager*
Bill Martin, *Easement Program Acquisition Coordinator*
Mike Morales, *Easement Program Stewardship Coordinator*
Brent McKeon, *Land Conservation Stewardship Specialist*
Matt Schaefer, *Land Conservation Stewardship Specialist*
Troy Bookhout, *Easement Program Conservation Planner*
Kayla Atanasoff, *Easement Program Executive Assistant*
Lee Harris, *NYC DOI, via Teams*
Morgan Tarbell, *NYS DOH, via Teams*

PUBLIC ATTENDEES:

Sean Leddy, *Delaware County Planning, via Teams*
Nick Carbone, *Delaware County Watershed Affairs, via Teams*

I. CALL TO ORDER

The meeting was called to order at 10:00 a.m.

II. APPROVAL OF MINUTES

Motion to approve the Minutes of the March 6, 2024 public meeting of the Easement Committee, with a correction under FCE Project Motions.

Motion: Karl Gockel
Second: John Vickers
Motion Carried

III. ADDITIONS/DELETIONS TO AGENDA

None

IV. CHAIR'S REPORT/PROGRAM MOTIONS

A. Chair's Report
None

B. FY25 Easement Program Annual Work Plans

Serena presented the FY25 Work Plans included in the packet materials and indicated that questions and/or comments, if there were any, could be addressed during Executive Session.

Motion to approve FY25 Easement Program Annual Work Plan 1 for the time period of 7/1/24 – 3/31/25 and FY25 Easement Program Annual Work Plan 2 for the time period of 4/1/25 – 6/30/25.

Motion: Bud Gladstone

Second: John Vickers

Motion Carried

V. DISCUSSION ITEMS

None

VI. STEWARDSHIP MOTIONS

A. Conor Crickmore (PID# 6003-02): Amendment Request

Mike presented this motion. He outlined an amendment request submitted by Conor and Kate Crickmore in February. The request was to allow for a boundary shift of the Acceptable Development Area (ADA) of their Conservation Easement (CE). The landowners' existing residence is located within a FEMA-designated Special Flood Hazard Area ("Zone AE"), and consequently, has experienced several flooding events. There is a portion of the property, located adjacent to the ADA, that has a reduced risk of flood hazard - which is where the landowners would like to site a new residence. In exchange for the inclusion of reduced flood risk area within the ADA, the landowners proposed moving an equal portion of ADA into Farm Area (where the residence currently sits). In other words, the proposed amendment would change the siting – not the sizing – of the ADA.

Committee members were in agreement that the reasoning for the amendment request was valid. However, given the nature and complexity of the request, the Committee wanted to ensure that contingencies and timelines were in place for every step of the process. The Committee spoke at length on how to handle a temporary residence outside of an ADA and how to ensure WAC does not remain liable should construction halt for any reason. Discussions ensued and the exact wording for the contingencies to be included in the motion for preliminary approval was finalized ahead of the vote. Given all the steps involved in this endeavor, Mike will provide routine updates to the Committee as he works through them with the landowners.

Motion to grant preliminary approval for the Conor Crickmore Property (CE ID# 6003-02) amendment request dated February 27, 2024 and as described in the memorandum to WAC Easement Committee from Mike Morales dated March 19, 2024. Motion is contingent upon the following:

- 1.) *Appraiser opinion, reviewed and approved by WAC, to determine any potential change to value (Grantor Cost).*
- 2.) *Title Search (Grantor Cost).*
- 3.) *Survey (Grantor Cost).*
- 4.) *Confirmation of all local, state, federal approvals (Grantor Cost).*
- 5.) *Title Insurance Update (Grantor Cost).*
- 6.) *Draft Amended Deed of CE, in conjunction with review by WAC (Grantor Cost).*
- 7.) *Final Amended Deed of CE, recording & associated filing fees (Grantor Cost).*
- 8.) *WAC review and approval of all new house/SSTS construction plans.*
- 9.) *Timeline determination, as approved by WAC, for removal of the existing residence and SSTS decommission.*
- 10.) *Reasonable assurances for financial capacity to construct the new residence, as well as demolition and removal of the existing residence and decommission of the SSTS, on the agreed timeline as approved by WAC.*

Motion: Paul Gallay
 Second: Fred Huneke
Motion Carried

VII. STEWARDSHIP UPDATES

- A. Gary Tymeson (PID# 6090): Bluestone Extraction Plan Extension – Staff Approval

Matt presented this update. He explained that staff approved a 2-year extension to an existing Bluestone Extraction Plan. The extension was requested and granted for the removal of rubble, as well as the extraction of some remaining bluestone. Once finished, the landowner has the materials and equipment necessary to reclaim the extraction area.

VIII. EXECUTIVE SESSION (IX-XI)

Motion at 10:44 a.m. to go into Executive Session to discuss Violations/Legal Updates, Acquisition Project Motions/Updates, and Other Business.

Motion: John Vickers
 Second: Bud Gladstone
Motion Carried

Motion at 11:26 a.m. to come out of Executive Session.

Motion: John Vickers
 Second: Bud Gladstone
Motion Carried

IX. VIOLATIONS/LEGAL UPDATES

None

X. ACQUISITION PROJECT MOTIONS/UPDATES (*MOTIONS IN PUBLIC MEETING*)

ACE Project Motions

- A. (PID# 6313): Land Plan Approval & Appraisal Authorization

Motion to approve the Land Plan for PID# 6313 as shown on the Land Planning Maps dated March 11, 2024, as presented, and authorize appraisal of an easement under the following scenario:

Three (3) ADAs consisting of ~34.87 acres, three (3) RPAs consisting of ~38.48 acres, three (3) FAs consisting of ~465.89 acres, two (2) future residences, and zero (0) additional tax parcels.

<u>Existing</u>		<u>Land Plan</u>		<u>Total</u>
Tax parcels: 1	+	Subdivision: 0	=	Tax parcels: 1
Residences: 0		Residences: 2	=	Residences: 2
		ADAs: 3	=	ADAs: 3

Motion: Bud Gladstone
Second: John Vickers
Motion Carried

- B. (PID# 6221): Final Documents Approval

Motion to approve final easement, BDR, title insurance, survey, and ESA for PID#6221 conservation easement project, contingent upon receipt of COFA.

Motion: John Verhoeven
Second: Paul Gallay
Motion Carried

FCE Project Motions

None

Updates

- A. (PID# 6243): Closing Update

XI. DISCUSSION/OTHER BUSINESS

- A. 2024 Q1 Program Dashboard and Successes & Challenges Report
- B. Eligibility Discussion – Agricultural and Forest CEs

XII. ADJOURNMENT

The meeting was adjourned at 11:32 a.m. by common consent.

The next meeting will be held on **Wednesday, May 1, 2024 at 3:00 p.m., via Teams**