



MINUTES OF THE EASEMENT COMMITTEE MEETING

August 7, 2024

MEMBERS PRESENT:

Tom Hutson, *Committee Chair*
Wayland 'Bud' Gladstone
Karl Gockel
Fred Huneke
John Verhoeven, *via Teams*
Shilo Williams, *NYC DEP, via Teams*

MEMBERS ABSENT:

Paul Gallay

OTHERS PRESENT:

Ryan Naatz, *Executive Director, via Teams*
Amy Faulkner, *Director of Operations, via Teams*
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, via Teams*
Kayla Atanasoff, *Easement Program Executive Assistant*
Sara Storrer, *NYC DEP, via Teams*
Lee Harris, *NYC DOI, via Teams*
Paul Kacmarczyk, *NYS DOH, 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 10:01 a.m.

II. APPROVAL OF MINUTES

Motion to approve the Minutes of the July 3, 2024 public meeting of the Easement Committee.

Motion: Karl Gockel

Second: Bud Gladstone

Motion Carried

III. ADDITIONS/DELETIONS TO AGENDA

A. (PID #6140): Timber Harvest Violation Update (*added to Violations/Legal Updates*)

- B. (PID #6285): Contract Execution (*added to Acquisition Project Motions/Updates*)
- C. (PID #6318): Declined Offer (*added to Acquisition Project Motions/Updates*)

IV. CHAIR'S REPORT/PROGRAM MOTIONS

V. DISCUSSION ITEMS

- A. Move to bi-monthly meetings?

Serena presented this discussion item. She started by reminding everyone that the Easement Committee Charge was recently updated, allowing for bi-monthly meetings unless otherwise called for by the Program Manager or Committee Chair. Despite this, Serena emphasized that the Committee would most likely continue to meet monthly until revisions to programmatic guidelines are drafted and approved. These revisions could, in part, allow for more approvals at the staff level, and ultimately fewer items or requests that need to come before the Committee. It is anticipated that the first revision would be the most time-consuming, as staff work out a template that could then be applied to each subsequent guideline revision. Prior to any revisions, however, she would like to create a program-specific document retention policy. There will be more to come on this topic, but she asked for any questions or comments in the meantime.

There was a consensus among Committee members that monthly meetings are a necessity at the moment, so as not to hold up requests from WAC Easement landowners.

VI. STEWARDSHIP MOTIONS

- A. Rauter, James & Karen (PID# 6185): Rural Enterprise Request, Commercial Sawmill

Brent presented this motion. He explained that, in 2022, Jim Rauter constructed a 15' x 30' building within his Acceptable Development Area (ADA) to house and operate a sawmill for personal use. Since then, he's seen an increase in the volume of boards produced and therefore would like to site a solar-powered kiln within the ADA, to operate as a small commercial sawmill and convert the existing sawmill structure to commercial. Brent informed the landowners that if lumber production from their own forest property reaches 5,000 board feet annually, they would need to submit an additional request to the Easement Program for the approval of a Forest Harvest Plan (FHP).

Motion to grant approval for the James & Karen Rauter (PID # 6185-00) New Rural Enterprise Request- Sawmill and solar kiln activity request dated July 05, 2024. This request is described in the staff memorandum to WAC Easement Committee and attached materials dated July 23, 2024.

Motion: Fred Huneke

Second: Karl Gockel

Motion Carried

B. Tymeson, Gary (PID# 6090): Request to Locate an SSTS Outside of an ADA

Matt presented this motion. He explained that Gary Tymeson recently submitted a formal request to locate a sub-surface sewage treatment system (SSTS) outside of his ADA. His current system is in need of replacement. Upon review from his personal engineer, it was determined that the only suitable location for a new system would place the leach field outside of the ADA. Many factors including the unique location of the residence's well and topography prevented a suitable site within the ADA. Easement staff conducted multiple site visits with DEP and the engineer to discuss relevant easement terms and the guidelines necessary to present this request. This design was reviewed and approved by DEP.

Mike added that the Deed of CE does state that septic systems should be sited within the ADA, however they can be located outside with approval from the Committee. In this case, locating the system outside of the ADA was the best decision both for water quality and potential future development on the property.

Matt and Mike answered subsequent questions before moving to a vote.

Motion to grant approval for the Gary Tymeson Property (PID # 6090-00) request to locate an SSTS outside of an ADA dated July 17, 2024. This request is described in the staff memorandum to WAC Easement Committee and attached materials dated July 23, 2024.

Motion: Bud Gladstone

Second: Fred Huneke

Motion Carried

VII. STEWARDSHIP UPDATES

A. Johnson, Tim & Christl (PID# 6040): Forest Harvest Plan – Staff Approval

Brent presented this update. He explained that the update includes The Conservation Fund Forest Harvest Plan approval (see below), as both easement properties are owned by the same landowners under the same plan. They intend to harvest approximately 20,000 board feet of primarily ash across 119 acres. There are no stream crossings within the harvest area but there is a seep on the main skidtrail and some seep crossings that will be addressed.

- B. The Conservation Fund (PID# 6112): Forest Harvest Plan – Staff Approval

See the summary for the Tim & Christl Johnson Forest Harvest Plan.

- C. Albano, Frank & Marc (PID# 6268): Forest Harvest Plan – Staff Approval

Brent presented this update. He explained that he received a request from the landowners on July 9, 2024 for the development of FHPs among several of their WAC Easement properties. WAC staff approved an FHP for their Forest Conservation Easement on July 17, 2024. Andy Krutz, *WAC Watershed Forester*, recommended water bars for two intermittent seep crossings located within the harvest area. The Albanos intend to harvest approximately 250,000 board feet of various hardwood species across 300 acres under this harvest plan.

- D. Brush Ridge Associates, LLC (PID# 6233): Pesticide and Fertilizer Application for the Purpose of Forest Management – Staff Approval

Brent presented this update. He explained that Easement Program staff reviewed and approved a request from the landowner for the application of herbicide to approximately 2 acres of the Farm Area (FA) for the purposes of Japanese Barberry management. In this instance, approval was necessary because the proposed herbicide is designated as a Restricted Use Pesticide. The initial application and spot treatment was performed by NYS DEC Licensed Pesticide Applicators at the Catskill Forest Association, as part of their invasive species management services.

VIII. EXECUTIVE SESSION (IX-XI)

Motion at 10:33 a.m. to go into Executive Session to discuss Violations/Legal Updates, Acquisition Project Motions/Updates, and Other Business.

Motion: Bud Gladstone

Second: Fred Huneke

Motion Carried

Motion at 11:33 a.m. to come out of Executive Session.

Motion: Bud Gladstone

Second: Fred Huneke

Motion Carried

IX. VIOLATIONS/LEGAL UPDATES

- A. (PID# 6001): Accumulation (Dumping) of Debris
- B. (PID #6140): Timber Harvest Violation Update

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

ACE Project Motions

- A. (PID# 6313): Appraisal Approval, Offer Authorization and Purchase & Sale Contract Execution

Motion to approve appraisal, authorize offer, and execute contract for the purchase and sale of an Agricultural Conservation Easement for PID #6313, encompassing ~539.24 acres, at the full easement value of \$850 per acre.

Motion: Karl Gockel

Second: Bud Gladstone

Motion Carried

FCE Project Motions

- A. (PID# 6321): Appraisal Approval, Offer Authorization and Purchase & Sale Contract Execution

Motion to approve appraisal, authorize offer, and execute contract for the purchase and sale of a Forest Easement for PID #6321, encompassing +/- 97.23 acres, at the full easement value of \$1,500 per acre.

Motion: Fred Huneke

Second: Bud Gladstone

Motion Carried

Updates

- A. (PID #6285): Contract Execution

- B. (PID #6318): Declined Offer

XI. DISCUSSION/OTHER BUSINESS

XII. ADJOURNMENT

The meeting was adjourned at 11:35 a.m. by common consent.

The next meeting will be held on **Wednesday, September 4, 2024 at 10:00 a.m., via Teams**