



Minutes of the WAC Easement Committee Meeting

January 4, 2023

Members Present:

Tom Hutson, *Committee Chair*
Dave Cammer
Paul Gallay, *via Zoom*
Fred Huneke, *via Zoom*
John Verhoeven, *via Zoom*
John Vickers, *NYC DEP Representative*

Members Absent:

Bud Gladstone

Others Present:

Ryan Naatz, *Executive Director, via Zoom*
Serena Orleski, *Easement Program Manager*
Bill Martin, *Easement Program Acquisition Coordinator*
Mike Morales, *Easement Program Stewardship Coordinator*
Dennis Heinz, *Land Conservation Stewardship Specialist, via Zoom*
Troy Bookhout, *Easement Program Conservation Planner, via Zoom*
Kayla Atanasoff, *Easement Program Executive Assistant*
Michael Vander Werff, *NYC DEP, via Zoom*
Lee Harris, *NYC DOI, via Zoom*
Alla Saint-Fleur, *NYC DOI, via Zoom*
Paul Kacmarczyk, *NYS DOH, via Zoom*
Pauline Wanjugi, *NYS DOH, via Zoom*

Public Attendees:

None



I. CALL TO ORDER

Meeting called to order at 10:03 a.m.

II. APPROVAL OF MINUTES

**Motion to approve the Minutes of the December 7, 2022 public meeting of the Easement Committee.*

Motion: Dave Cammer

Second: John Vickers

Motion Carried

III. ADDITIONS/DELETIONS TO PUBLIC AGENDA

1. The *2022 Q4 Easement Dashboard and Successes & Challenges Report* was added as a discussion/other business item in Executive Session.
2. *NYSEG's Offer for Just Compensation* was added as a discussion/other business item in Executive Session.
3. *Aerial Monitoring* was added as a discussion/other business item in Executive Session.

IV. CHAIR'S REPORT/PROGRAM MOTIONS

1. Chair's Report

Tom took a moment to express how pleased he is to see the Easement Program almost entirely staffed once again, as well as a stronger sense of respect between WAC and DEP.

V. DISCUSSION ITEMS

VI. STEWARDSHIP MOTIONS

1. (PID #6086): Agricultural Building Request Outside of the ADA Greater than



5,000 sq. ft.

****Motion to approve the request dated 12/19/22, from PID #6086 to construct a new Agricultural Building over 5,000 sq. ft. located within the Agricultural Conservation Easement Area (ACEA) as presented and described in the Agricultural Building Request Outside of the ADA Greater Than 5,000 sq. ft. memo dated 12/19/22.***

Motion: John Vickers
Second: Dave Cammer

Tom Hutson, Dave Cammer, Paul Gallay, Fred Huneke, John Verhoeven, and John Vickers voted to table the motion.

*****Motion Tabled*****

2. John Janiszewski (PID #6081): Amendment Request

Mike presented this motion. He started by explaining that Mr. Janiszewski has put forward a request to Committee to amend his conservation easement. The proposed amendment is for estate-planning purposes as he intends to transfer the property into a Trust for his five children for the continued management of the farm. The amendment would relocate approximately 2 acres of an existing Acceptable Development Area (ADA) to an upper pasture on the property and would be replaced with either Resource Protection Area (RPA) or Agricultural Conservation Easement Area (ACEA). In addition, Mr. Janiszewski offered to relinquish one of his three allotted subdivisions as well his rights for commercial camping within the ADA.

He continued by explaining that there is another ADA, sited as a Future Acceptable Development Area (FADA) in 2013, located on the northwest portion of the property. That ADA contains farm support housing for a son that currently works on the farm. The proposed ADA would also contain a residence for a daughter that would work on the farm as well. He concluded by saying that although this type of request is unusual, the Janiszewski family did put a lot of thought and consideration into addressing the guidelines for such a request.



There was a brief discussion regarding the layout of the property. Committee members voiced concerns that approving this request would set a precedent moving forward. There was also discussion that there was not enough of a conservation gain in this scenario. John Vickers added that the EC has historically adjusted ADAs but, to his knowledge, never split and relocated a portion of an ADA (essentially creating an additional ADA), and it was his thought that it would constitute a material change to the Deed of CE.

The consensus amongst Committee was that the request was well thought out, but that they shared John Vickers' concern. Committee members emphasized the difficulty of reviewing these requests.

****Motion to approve the request dated 11/16/2022, from John Janiszewski to amend his Conservation Easement as outlined in the staff and landowner memo dated 11/16/2022 and 12/20/22 respectively.***

Motion: John Verhoeven
Second: Paul Gallay

Tom Hutson, Dave Cammer, Paul Gallay, Fred Huneke, John Verhoeven, and John Vickers voted 'nay.'

*****Motion Denied*****

VII. STEWARDSHIP UPDATES

VIII. EXECUTIVE SESSION (IX-XI)

****Motion at 10:39 a.m. to go into Executive Session to discuss Violations/Legal Updates, Acquisition Project Motions/Updates, and Other Business.***

Motion: John Vickers
Second: Dave Cammer

*****Motion Carried*****



****Motion at 11:48 a.m. to come out of Executive Session.***

Motion: Dave Cammer

Second: John Vickers

*****Motion Carried*****

IX. VIOLATIONS/LEGAL UPDATES

1. (PID #6042): Stream Work/WFP Violation
2. (PID #6086): Agricultural Building Violation

X. ACQUISITION PROJECT MOTIONS/UPDATES

ACE Project Motions

1. (PID #6221): Land Plan Approval & Appraisal Authorization

****Motion to approve the land plan for PID #6221 as presented and authorize appraisal of an easement under the following scenario: One (1) ADA of approximately 5.5 acres, with one (1) additional permitted residence and zero (0) additional tax parcels.***

Motion: John Vickers

Second: Paul Gallay

*****Motion Carried*****

2. (PID #6243): 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 Easement for PID #6243 (encompassing +/- 99 acres, at the full easement value of \$2,050 per acre).***

Motion: Fred Huneke

Second: Dave Cammer



****Motion Carried****

FCE Project Motions

None

Updates

None

XI. DISCUSSION/OTHER BUSINESS

1. 2022 Recap/Reflection (*postponed until the next Committee meeting*)
2. 2022 Q4 Easement Dashboard and Successes & Challenges Report
3. NYSEG's Offer for Just Compensation
4. Aerial Monitoring (*postponed until the next Committee meeting*)

XII. ADJOURNMENT

****Motion to adjourn the meeting.***

Motion: Dave Cammer

Second: John Vickers

****Motion Carried****

Meeting Adjourned at 11:52 a.m.

Next meeting date: **Wednesday, February 1, 2022 at 10:00 a.m., via Zoom**