

**Dryden Conservation Board  
January 30, 2018**

**Members Present:** Peter Davies (chair), Bob Beck, Timothy Woods, Jeanne Grace, Craig Schutt, Milo Richmond, Gian Dodici, Nancy Munkenbeck and Steve Bissen

**Liaisons:** David Weinstein (Planning Board), Dan Lamb (Town Board), and Ray Burger (Director of Planning)

**Guests:** Michael Roberts, Lindsay Dombroskie, both from the Town of Ithaca Conservation Board

The meeting was called to order at 7:00 PM.

P. Davies officially welcomed Jeanne Grace (City Forester for Ithaca) and Tim Woods to the Conservation Board as a full member. He also introduced Michael Roberts and Lindsay Dombroskie, and thanked them for attending.

**Review and approval of minutes dated September 26, 2017:**

M. Richmond had three corrections; some wording needed changing and an abbreviation was incorrect.

C. Schutt made a motion to approve the minutes as corrected and M. Richmond seconded the motion. The minutes were unanimously approved.

**Review and approval of minutes dated October 24, 2017:**

A name was misspelled and needed to be corrected.

B. Beck made a motion to approve the minutes as corrected and C. Schutt seconded the motion. The minutes were unanimously approved.

**Review and approval of minutes dated November 28, 2017:**

There were two spelling changes needed.

C. Schutt made a motion to approve the minutes as corrected and S. Bissen seconded the motion. The minutes were unanimously approved.

**New Business:**

- Conservation easement per D. Weinstein's request (time sensitive)

**Discussion of reports.**

- P. Davies summarized reports received. No comments were made

B. Beck updated the board on the Rail Trail project. A grant was received from the NYS Environmental Protection fund through the State Parks for the project.

D. Weinstein said that there's two new conservation subdivisions planned in Ellis Hollow. He thinks this is a trend.

He also reported that more apartment complexes in Varna were recently approved. The latest one is receiving a bonus for "LEED" points. It's an energy evaluation and the reason he highlights that is this Board might want to look at what is given as "LEED" points. He said Ray and the Planning Department did an excellent job of going through the official documentation of how points are assigned, but that's not tai-

lored to our town. N. Munkenbeck said that if we make changes, we probably need to have a different label other than "LEED" since this is a national standard. It was stated that the document defining how and what points are given on a project was developed in 2009 so it needs to be reviewed and perhaps updated; needs to be looked into more.

D. Weinstein also reported that there's a development that was approved by the Planning Board on Mineah Road (towards Rt. 13). But there are serious environmental problems at that site; erosion problems water problems, in addition to traffic problems. He said fortunately the Health Department caught the environmental issues and said there's not enough water for this project so he feels we need to do a better job of making sure we know where there are water problems, serious slope issues because it's too easy for things to rush by a Board and get approval when it could potentially damage our environment. The question was asked as to who the Conservation Board liaison is to the Planning Board. Need to appoint one.

A new solar farm is going through the approval phase near the 2150 Dryden Rd solar farm. This one is on the Carpenter farm on Rt. 13 near the village at 2243 Dryden Rd. He said his reason for bringing this up is certain members of the community have asked why all these solar farms are being concentrated in one area. Maybe we should look at other areas of the town that aren't being considered for this type of development. C. Schutt said that brings up another point; perhaps the meeting schedules need to be adjusted so that each Board and or Committee has time to review findings and recommendations. There are three different levels of approval, first a sketch plan, and then a preliminary plan before a final is approved so there should be a window there so that this will work. D. Weinstein said that the Planning Board has created a subcommittee to look at whether there are sections of the solar law that need to be changed, particularly with large scale solar. This would be an opportunity for any recommendations to be given.

D. Weinstein spoke about the conservation easement for the Prince farms. The Brotherton's want it to remain as farm land, so they approached the Land Trust about donating a conservation easement (probably two). This is a 324 acre piece, it would be two conservation easements and the Finger Lakes Land Trust would hold the easements. It takes money to do a conservation easement. P. Davies asked to have the break down. D. Weinstein said based on both local & national land trust experience they know how much money needs to be set aside in case one needs to go to court to defend the property. This amount isn't going to cover everything, but if someone violates the easement, the holder of the easement is responsible for taking the violator to court. They are responsible for creating a pool of money that would allow them to defend the land. It's \$8000.00 for the survey, project staff, base line study, database, legal and closing costs which totals \$40,000.00. Tompkins County has already given a commitment for half of that (\$20,000.00) because they see this as key to their comprehensive plan and helping to preserve a Significant portion of a large wet land as well as helping farming to continue in the area. There are 71 acres of prime land and 150 acres of land that is well drained and good soil type. The County grant has to be matched on a one to one basis, so the Land Trust is going to submit a request to the Town Board for \$10,000.00 and the remaining money would need to be secured somewhere else. D. Lamb was asked if he had any thoughts as to how the Board might feel about this. He said that the Town doesn't have funds set aside for land preservation like the

County does. He said they'd need to have input from the public about this. He said the last experience in trying to invest and secure land (on Pinckney RD) wasn't well received. He said he'd love to see this preserved. He said they're trying to approve their financial obligations very carefully. N. Munkenbeck said that it had been suggested before that the Town could set up a tax exempt fund that people could donate money to. She suggested that be looked into again.

T. Woods said that from a historical perspective the large chunk on the north side of the road is actually a huge portion of CC18. The Town Board did push for that.

C. Schutt asked what happens to the taxes on something like this. It's taxed as agriculture already so it probably wouldn't be changed.

B. Beck asked if the owner's were donating the easement and D. Weinstein said they are. B. Beck felt that was very commendable.

S. Bissen asked if there are any restrictions on what type of farming could be done. It was stated that the specific language hasn't been identified, but would be very surprising if restrictions were put in place as to what type of farming could be done.

T. Woods asked a question regarding the 2003-2005 comprehensive plan, one of the big emphasis was wanting to maintain the agricultural flavor of our town and the green space of our town. We have no funding or mechanism to do this. We need a methodology to make this happen. It was stated that we have a mechanism, it's our property taxes. And need to convince the public. N. Munkenbeck said she thinks the public would go along with this because the property in question wouldn't be coming off the tax roll, so the change would be minimal if any.

A motion was made by M. Richmond to pass the following resolution presented by D. Weinstein:

**RESOLUTION # 1 for 2018 FROM THE CONSERVATION BOARD TO THE TOWN BOARD RECOMMENDING FINANCIAL SUPPORT BE GIVEN TO THE FINGER LAKES LAND TRUST TO HELP FACILITATE THE ESTABLISHMENT AND STEWARDSHIP OF AGRICULTURAL EASEMENTS ON THE PRINCE FARM.**

**Whereas** the donation of two conservation easements on the 324-acre Prince farm, located near the intersection of State Route 13 and Ringwood Road in Etna, will contribute significantly to the preservation of farmland in Dryden, NY,

**Whereas** these easements will foster continued agricultural use in what is a rapidly developing corridor,

**Whereas** these easements will help to preserve large areas of wetland on the property, providing expanded buffering of the Etna Swamp Unique Area, which in turn will protect valuable habitat for wildlife and buffer downstream communities from flooding,

**Whereas** the preservation of farmland and open space is encouraged in the Dryden Comprehensive Plan,

**Whereas** Tompkins County, recognizing the large number of benefits that an easement on this property, has already committed a contribution of \$20,000 toward the establishment and stewardship of this easement, and

**Whereas** the Dryden Town Board expressed its support of the Finger Lakes Land Trust's application to the County Legislature for help preserving this farmland,

**Therefore,**

**Be it Resolved** that the Dryden Conservation Board recommends that the Dryden Town Board contribute \$10,000 to facilitate the establishment and stewardship of this easement.

The motion was seconded by Craig Schutt and unanimously passed.

### **Conservation Subdivisions**

It was stated that since the Town is accepting conservation easements it's imperative that the Planning Board and the Conservation Board give good advice to the Board as to what is in the easements.

R. Burger spoke about conservation subdivisions (cluster subdivisions) which hadn't been used until recently; there currently (within the last year) are three conservation subdivisions. By doing a cluster subdivision, the idea is if you take a larger parcel of land you could make 10 lots by doing a standard subdivision, but by doing a cluster subdivision you would be allowed to compress the development into smaller lots in one section and that preserves open space. In one of the subdivisions a plat note and deed restrictions were recorded to preserve a couple of conservation areas on Dryden Lake, in the most recent two conservation subdivisions there's a conservation easement donated by the landowner. It would be ideal that the Land Trust take over stewardship, but these are so small that they're not interested in doing it so the Town is probably the next best holder for these easements. How should the Town handle their conservation easements and what should the stewardship process be? We've used as a template the Finger Lakes Land Trust base line documentation. The proposal is the Conservation Board would take over the stewardship tracking for the Town? That would mean being involved in the base line documentation and annual inspection process. At this point what we have are very easy, but the potential is there to have more complex conservation easements. N. Munkenbeck thought it was a great idea, P. Davies felt it was something the Conservation Board members could do, and if it got larger we could have a Conservation core of citizens (delegate to volunteers). C. Schutt asked if there is a density limitation for cluster development. R. Burger said its all formulated and explained the process. B. Beck said he sees some problems with this approach because of enforcement of the easement and lack of law enforcement behind us. The Committee wouldn't have the ability to stop something if that were necessary. R. Burger said the Committee would be the investigative arm of the Town, so if necessary, it would be turned over to the Town Attorney. N. Munkenbeck asked how volunteers are given access rights to get on to the property. R.

Berger said the easement spells out access to the Town (permanent) and volunteers would be there on behalf of the Town. T. Woods asked if they'd be doing biodiversity studies and report on any impact from the side that is developed versus the side that's not developed. R. Berger said yes, anything that is encroaching on the easement needs to be monitored and reported. D. Weinstein said that you need to report any problem, you aren't responsible for fixing the problem as the custodian. The entity that holds the easement is responsible for bringing the issue to court or the police or whatever. P. Davies asked the members of the Board if they'd be willing to take this on. Monitoring has to be done yearly. It was decided that the Conservation Board members would be willing to do this. J. Grace said there needs to be a clear procedure set up and protocol should be standardized. D. Weinstein stated that the Land Trust does training on this every couple of years with all of the stewards and tells them exactly what is expected. R. Burger said the document he just sent around could be a good starting point because it has a good baseline template. It has a lot more details than these two properties need. That's what is great about starting with these two small properties.

Lindsay Dombroskie from the Town of Ithaca Conservation Board said she joined the Board just over a year ago; she is very interested in conservation biology. She said they've been working on different projects, most recently helping Mike Roberts shore up the Deer Management Report. She said the ad hoc "Deer Advisory Committee" (not sure if they have an formal name) presented a document that has been in development for a long time to the Ithaca Town Board. Hopefully it will be adopted and a plan put together.

Michael Roberts, newly elected chair of the Ithaca Conservation Board, said his goal here tonight was to listen. He liked the fact that everyone in this group seems to be able to talk in depth about something and move forward, plus the fact that proposals are being put together to bring to the Board. He's looking for practices that he can bring on to the Ithaca Conservation Board. During the next year he'd like to put together a formal process for development and review. Plus he wants to keep projects going; they have a Scenic Resources Committee that's responsible for developing large informational panels for locations along highways that are scenic resources to the town. They have a brochure that goes with that. They have people that are sitting on the City Conservation Committee which is flux. J. Grace said the Parks and Recreation and Natural Resources Commission has yet to meet. At the County level they have a representative that sits on that Environmental Review Committee and reports back to the Ithaca Conservation Board. Deer is a big issue that creates problems. He spent three years putting together a report of why it's a problem. The Town moved forward and put together a committee which is a huge step for them. Paul Curtis, Dept. of Natural Resources, has camera traps set up to do deer population censuses from (which he believes the project is ending). He had estimated that our deer herd population is 125 per square mile, and the number should be between 20-35 for a sustainable population on the landscape. M. Richmond asked if they have a seat on the task force that is now in existence. The answer was yes. M. Richmond said that's a critical effort that is now in place to reduce the deer herd around Ithaca to keep them out of Cornell Plantations, out of town, Cayuga Heights, etc. because a lot of people feel there are too many deer in town. He said he and Paul Curtis worked together for many years on some of these things so he feels P. Curtis's data is very reliable. P. Davies said they should be looking into this issue. M. Richmond said that Cornell has partnered with the DEC, primarily out of the Cortland office, to identify a zone that reaches out about 2 ½ miles toward Varna. There is an effort to reduce the deer population in that area.

Deer carry diseases that can be transmitted to other animals as well as they have an effect on communities both economically and ecologically. M. Roberts said he's hopeful to get some movement on this and would like this Board to look over the report and set up a plan or committee that might be interested in implementing a plan. He said that P. Curtis put together on line some great resources. D. Weinstein said he'd looked at the plan and commended them on the job they did. He suggested a couple of items that concerned him: A benchmark was set as one of the goals in a reduction of the number of cases of Lyme disease, he feels that that relationship is sketchy so he wouldn't have that as a benchmark because he's not sure the program could actually achieve that benchmark. P. Davies said that's a good item to have mentioned to help get public support. D. Weinstein agreed that it should be mentioned in the report, but he felt that reducing the cases of Lyme disease shouldn't be listed as a benchmark. He said the second item of concern is that the State (courts) has decided it's now legal to feed deer. Might want to talk about this in the plan. He doesn't know if the town's have any authority to override that. N. Munkenbeck asked why they had made that decision and the answer was "it was a legal decision". D. Weinstein said that issue probably should be addressed in the report. D. Lamb said that this conversation reminded him of something he'd like this group to think about and maybe make recommendations to the Town Board on (getting back to the Rail Trail) one of the things that the Department of Environmental Conservation had requested and a lot of the sportsman is something in return for access to the DEC property. He thought maybe access to hunting on town land, even though the town doesn't have a lot, the conversation went towards the park property on Rt. 366 in Varna and he believes that's about 60-70 acres. The Land Trust has an easement on that and the person he spoke with was open to the idea and said might want to start with bow hunting. He was wondering if this group might want to make a recommendation to the Town Board. N. Munkenbeck said she'd make a recommendation to the Town Board that the Town look into having hunting on the park land if it's feasible and acceptable to all parties concerned. D. Lamb said that could be done or it could be pondered a little bit more because he thinks there are more ins and outs to it than that. On the surface it seems like a good thing to do. It would mean a lot to the sportsman if we took a recommendation from the group, formalized it at the Town level and went back to the DEC. He said he doesn't believe that hunting is prohibited in that area, but maybe hunting could be encouraged. So he'd like this Board to think about this and give the Town Board advice on this idea. D. Weinstein said that there are two neighbors that hike frequently on that property. He's all in favor of deer hunting, but it can't be open season all of the time or the neighbors will have a problem. It was stated that deer management should be talked about rather than just hunting. N. Munkenbeck said that the hunting is an issue only because of the DEC's request for something in return for them allowing access to DEC land for the Rail Trail project. P. Davies said he feels Dryden should be more hunter friendly. He also stated that having a program to control deer wouldn't be as good as encouraging more hunting. N. Munkenbeck said there should be a way of identifying where hunting is allowed. P. Davies said many homeowners post their land, but give permission to specific people to hunt, so maybe a registry needs to be developed listing land owners that would allow hunters with permission on their land. D. Weinstein said that he thinks that Cornell and several of the municipalities have found that the problem isn't that hunters aren't being encouraged; the problem is there aren't enough hunters. P. Davies said he felt the deer management topic should be discussed in future meetings and see what we can come up with for a plan. We have what Ithaca gave us. Anything we come up with will be shared with the Ithaca Conservation Board. B. Beck said that he proposes that hunting on the Parke-Dabes Town owned land be allowed. M. Richmond endorsed

the idea. P. Davies asked if everyone was in favor of a note being sent to the DEC stating that the Conservation Board encourages hunting on the Parke-Dabes town owned property. Everyone agreed that that should be done.

N. Munkenbeck proposed the following resolution that the Conservation Board would like to encourage the Town Board to recognize the importance of the Game Farm's presence in the Town of Dryden. D. Weinstein said that type of resolution has been requested. N. Munkenbeck said she feels that it's an important resource for maintaining an open space, s it's educational, and scenic. It is the last remaining pheasant farm in New York.

C. Schutt said that potential dates are needed for Rebecca Schneider's presentation (road ditch management to protect water quality). R. Young is interested but needs some lead time.

P. Davies asked for a motion to adjourn the meeting. It was unanimously approved.

There being no further business, the meeting was adjourned at 9:07 PM.

Respectfully submitted,

Diane Michaud  
Deputy Town Clerk