

**Danby Conservation Advisory Council
Minutes of Regular Meeting
February 24, 2014**

Present:

Joel Gagnon
Dan Klein
Mary Woodsen

Absent:

Jake Brenner

Others Present:

Public	Ronda Roaring, Pamela Goddard, Sue Beeners, Kate O'Neal, Matt Ulinski, Ted Crane
Town Board	Leslie Connors, Ric Dietrich, Jack Miller
Legal Council	Guy Krogh

The Meeting was opened at 7:00 pm

Introduction

With the Conservation Advisory Council close to completing its first municipal conservation easement, CAC chair Joel Gagnon invited Danby's attorney, Town Board members, and the Town Clerk and Code Enforcement Officer to attend CAC's February 24 meeting at 7 pm at the Town Hall. The agenda focused almost entirely on assessing the start-to-finish process of administering the easement program, its associated costs, and policy issues regarding who pays for what. These minutes follow the order of Joel's flip-chart list of discussion topics outlining the step-by-step process involved in seeking, negotiating, filing, and monitoring potential easements. The CAC concluded its meeting by voting to recommend that the Town Board add two new members to the group.

The Easement Program (led by Joel Gagnon)

1. identify properties,
 - us: relying in part of Jake Brenner's tool for characterizing properties (using multiple criteria; aimed at outreach) having features of interest for protection
 - them: property owners interested in ceding their development rights approach us
2. site visit
3. characterize properties: ordinary and exceptional aspects; liabilities
4. negotiate
 - does landowner retain any development rights?
 - development rights could expire in time; location could be vague or specific
 - the fewer the restrictions, the easier to craft easement, protect site
 - restrictions must preclude abuses (such as erosion)
 - three zones (residential, ag and forest — and special features and protections)
5. title review: can we do in whole or in part? we can learn to identify parts that require a specialist
 - mortgage holder's permission needed
 - survey unlikely to be needed
6. legal review — now, or after sent to town board

7. provide to town board
8. town board considers
- public hearing? Probably. Town Board reacts; adjusts if desired and agreeable to both parties
9. authorize signing
10. close
11. file with county, town. DEC? (Guy Krogh: probably not necessary to file with the DEC)
12. monitoring costs? Will need strong cadre of volunteers and trained volunteer coordinator
13. enforcement —need to defend protected values

Discussion

Ted Crane suggested that we identify easement properties with corner markers. That way the public helps monitor easements.

Costs: postage and, down the pike, coordination. Fundraising and bequests can help with these.

Closing costs? According to the Guy Krogh, 97% of land in the county has clear titles; average closing cost \$600–800.

IRS donations: must be a “true transfer”: permanent, not temporary, and with measurable impact; quantified by appraisal; must have public purpose such as protecting a viewshed.

Or ... donate land to town; retain lifetime use (no expensive appraisal)

Sue Beeners: Cornell Tradition pays half of funds to hire first-year grad student intern 20 hours/week ; could detail administrative framework for easements including templates and checklists for baseline documentation, evaluation criteria, applications, procedures. Some discussion of pros and cons.

Recommend Appointments

Kate O’Neal and Matt Ulinski recommended to the Town Board for appointment to the CAC.

Submitted by Mary Woodsen