

**CONSERVATION BOARD MEETING
AMENDED AGENDA
May 15, 2018– 6:30 p.m.**

REPORT

PROJECTS TO BE REVIEWED:

1. Steve Robb would like to discuss making paths and using a lawn mower on paths through the Land for Auction on Route 215, Tax Map #15.03-3-100.00. Mr. Robb would like to purchase the land. The land is the Conservation Easement for the Auburn Hills, Section 1 subdivision which was put into a conservation easement for the open space requirement of subdivisions. He will have spoken to the Town Board on May 14, 2018 regarding changing some of the easement language. The Auction will take place on May 23, 2018.

The NWI/DEC (*National Wetlands Inventory/New York State Department of Environmental Conservation Wetlands*) wetland covers 14 acres of the 36 acre site.

Victor Hiking Trails has a trail easement on the west side of the property out to Route 251.

Mr. Robb, who attended, described potential uses of the parcel including hunting, tree stands, clearing paths, camp fire ring, and cross country skiing. A neighbor, also present, expressed support of Mr. Robb's desire to purchase; he also expressed concern regarding motorized vehicles in the easement and the possibility of extensive mowing.

Hunting: the easement does not include any restrictions on hunting; Mr. Robb would need to follow prevailing law; temporary tree stands are not restricted by the easement; tree to tree stands are restricted (permanent structure); ground stands are not restricted by the easement.

Clearing of brush & deadfalls (see easement #10 & #11) is allowed if to maintain pervious footpaths. Those footpaths could be used for access, hunting, cross country skiing.

Camp fires: the easement does not include any restrictions on burning; Mr. Robb would need to follow prevailing applicable laws; digging a pit for the fire is restricted (change in topography) however, a stone ring is not restricted.

Riding lawnmower: the easement restricts motorized vehicles. Possible solutions would include handheld trimmers or continued use of existing deer paths and foot paths with the intent to use them during the winter season. The Conservation Board had mixed opinion of allowing seasonal mowing (twice per year) and would revisit at a later date if requested. Mr. Robb was advised that mowing would not be allowed in the northern half of the parcel given the presence of the NWI/DEC wetlands.

The easement restrictions are intended to allow nature to advance and change at its own pace, and for human activity on the parcel to co-exist with nature and not interrupt natural cycles (ie - ground nesting birds) or impact natural resources that are present. The CB also pointed out that planting of native plants is allowed by the easement as is the control of invasive species.

Given the discussion with Mr. Robb and his neighbor, the Conservation Board is recommending that the Town Board maintain the current easement given the types of activity allowed by the easement and the green infrastructure co-occurring on the site (Class 2 NYS Wetland; Successional Northern Hardwoods; Successional Shrub-land).

2. Chris Fenlon, 6831 Springdale Court would like to take down a tree that is in the Conservation Easement and is dying and potentially threatens his house, deck, and pool. The tree has a tree house on it which was there when he moved in. The stairs to the treehouse are attached to the deck.

Chris Fenlon, who attended the meeting, is requesting to remove a diseased tree that holds up a tree house adjacent to the main house.

It appears, from the As-Built that the easement is behind the stream and not near the house and it is unclear from the maps that were provided if the tree with the tree house is actually in the easement. The easement predates the requirement for posting the easement.

Mr. Fenlon may have the easement surveyed so that he knows where the boundaries are. If a map or more definitive material on the conservation & trail easement (other than the survey text), exists in Planning & Building, the Conservation Board asks that the material be provided to the homeowner.

The Conservation Board agrees that there appears to be a safety issue with the tree that contains the tree house and would support removal of the tree. We suggest that the homeowner consider asking the professional tree removal service to leave a Snag (a standing, dead or dying tree, often missing a top or most of the smaller branches) to create habitat for woodpeckers and bees.

Information and plans available for review at the Planning & Building Office located at 85 East Main Street. All public are welcome to attend meetings. Written comments may be directed to planning@town-victor-ny.us or mail to Planning at 85 East Main St., Victor, NY 14564 prior to meeting. For additional information call 585-742-5040