

TOWN OF CONCORD BOARD PUBLIC HEARING  
Comprehensive Plan

September 13, 2018  
6:00 p.m.

PUBLIC HEARING CALLED TO ORDER BY CLYDE M. DRAKE, SUPERVISOR

ROLL CALL:

PRESENT: CLYDE M. DRAKE, SUPERVISOR  
JAMES M. KREZMIEN, COUNCILMAN  
KENNETH D. ZITTEL, COUNCILMAN  
WILLIAM F. SNYDER, III, COUNCILMAN  
PHILIP DROZD, COUNCILMAN

ALSO PRESENT: DARLENE G. SCHWEIKERT, Town Clerk  
DENNIS DAINS, Hwy Supt.  
GEORGE DONHAUSER, Planning Board  
BRUCE LUNO, Planning Board  
EDWIN F. HEARY, Comprehensive Plan Committee  
MARK ALIANELLO, Town Engineer  
LEANNE VOIT, Wendel Consultants

RICH PLACE, Springville Times      COLLEEN MAHONEY, Springville Journal  
ALAN CHAMBERLIN                      JULIE FRANCISCO  
RICH PECNIK                              NICK GIER  
KEN ZICCARELLI                         PETER SORGI

Supervisor Drake opened the Public Hearing to review the Comprehensive Plan. Town Clerk Schweikert had published the Notice of Public Hearing in the Springville Times on August 17, 2018. The Notice of Public Hearing was posted on the Town's website and the sign board at the Town Hall on August 13, 2018.

Supervisor Drake opened the floor for public comments. Julie Francisco, resident of the village, wanted to address the Rails to Trails project and the priority of the project. Right now the Comprehensive Plan has this listed as a medium priority and it says research and public input are needed prior to any action. Mrs. Francisco is hoping to get the research and public input to a higher priority. The project has support from Orchard Park, Legislator Mills, and Erie County Planning. Supervisor Drake has had Rails to Trails come out; he spoke with Mayor Krebs today and asked for a copy of the agreement so that the Town Attorney can review it. Right now the Comprehensive Plan is neutral. When Supervisor Drake met with Rails to Trails, they noted that there would be public meetings with small groups, property owners, and concerned citizens. As a Town, we do not want to overstep what this group is trying to do. Mrs. Francisco asked the Town to work with the stakeholders, property owners, Rails to Trails so that the Town is not the Town that stonewalls the whole project. Supervisor Drake stated that the Board will take her comments under consideration. Mrs. Francisco asked to be a part of any committee that is formed for this project. Supervisor Drake feels that at this point Rails to Trails has to take the lead. Mrs. Francisco questioned how Rails to Trails would take the lead; what needs to be done for the Town's purposes. Supervisor Drake would like to see the agreement first so that the Town Attorney can review it and see if it is as ironclad as they say. From what they are telling Supervisor Drake, this will take years as it is all contingent upon money even if the agreement is ironclad. The Town will take this one step at a time.

Alan Chamberlain, resident of the village, stated that he is also in support of the Town's Master Plan supporting the Rails to Trails. He has sat on the Pop Warner Steering Committee for the Village of Springville and saw that through its completion. It has been a huge success; he walks the Trail often and has seen out of town people come with bikes expecting to ride the trail for 20 miles and disappointed to see that it is only 1.2 miles. From his understanding the lease agreement is a 50 year lease agreement. Buffalo-Pittsburgh still owns the property but they are leasing the right of way to Erie-Cattaraugus Rails to Trails. There is an extension of up to 75 years. Buffalo-Pittsburgh still owns the property; still owns the right of ways and they want to move forward. Mr. Chamberlain understands the Town's position that the Town does not want to put the cart

in front of the horse but it is an agreement between the municipalities and the towns and the land ownership and agreement with the people developing the Trail. The mutual agreement is what makes this successful; not waiting for somebody else to take the ball and run with it. By taking a leadership role like the Village of Springville did, look at what we have to show for it.

Rich Pecnik addressed the Board as a representative of the Gernatt Family Companies. Mr. Pecnik submitted three pages of comments to the Board and had copies for the Comprehensive Plan Committee (copy attached at the end of the Minutes); he read these comments at the meeting.

Rich Pecnik stated that of his own volition and as a sportsman spending all his life in WNY, he has enjoyed the resources from the Town of Concord. He has fished the Cattaraugus Creek many times; fished Spring Brook and he just wanted to note that the Comprehensive Plan indicates on Pages 13 and 63 that there are salmon and steelhead in the Cattaraugus Creek. New York State has not stocked any salmon in that watershed in over 20 years. The New York State fish is brook trout, a native population of brook trout in Spring Brook and it is not mentioned anywhere in the document. There was some comment at one of the public meetings about protecting native species and the brook trout is unique to this area. These are native fish not a stock species. The steelhead and the brown trout that are referred to in the study are stocked by New York State. Brown trout are not native to this continent; rainbow trout, steelhead are not native to this side of the Mississippi River. The section on the native brook trout population deserves mentioning. It is in the second Appendices. In Mrs. Horowitz' description of the town, she talks extensively about that population of fish.

No one else wished to address the Board.

Motion made by Councilman Krezmien, seconded by Councilman Zittel, to close the Public Hearing at 6:17 p.m. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

Supervisor Drake advised those in attendance that the Comprehensive Plan is on the agenda for tonight's meeting but he will ask the Board to table the vote to review the comments and have the Comprehensive Plan Committee together one last time and review the Rails to Trails project. Supervisor Drake thanked the residents for their attendance and comments.



Darlene G. Schweikert  
Town Clerk