

TOWN OF CONCORD PLANNING BOARD
Town Hall

July 5, 2022
7:00 p.m.

ITEM # 1:

The meeting was called to order by Planning Board Chairman Karl R. Lux, at 7:00 p.m.

ITEM #2: Roll Call

Present:

Karl R. Lux, Chairman
Bruce Luno
James Jozwiak
Joseph Edbauer (arrived late)
Julie Zybert
Michael Cochran

Also Present:

Darlene Schweikert

Not Present:

Raymond Hilliker
Clyde M. Drake, Council Liaison

ITEM #3: BUFFALO NIAGARA WATERKEEPER

Jeanne Beiter, Senior Program Manager of Buffalo Niagara Waterkeepers, requested a postponement to our August 2, 2022 meeting for her presentation.

The members reviewed the information already provided and the allowed uses in an R-AG district. The members discussion involved what would happen to this parcel if the Buffalo Niagara Waterkeepers would no longer exist in the future? This transfer would take the parcel off the tax roll. B. Luno noted that one matter that needs to be discussed is a deeded 50 foot right of way to the parcel since Emerling Road does not go to this parcel. The Code requires a deeded right of way or access to the property. This will be discussed when the representative comes to our August meeting. K. Lux questioned the liability to the Town if this were to open as a public access trail? Is the Special Use Permit process a way the Town can deal with any issues? J. Jozwiak noted that there are many footpaths for public hiking access and sees no issue; these trails tend to be more like nature preserves. J. Zybert does not think that this public access would include motorized vehicles on any trail. M. Cochran referred to R-AG Zoning Section 150-47 and believes that this would be an allowable use as he sees it from the information that the Board has it this time. J. Zybert noted that most people using footpath public access trails will not be demanding about having structures such as a picnic shelter or restrooms available. K. Lux questioned any liability with kids going there and drinking beers/partying; M. Cochran does not think that the Town can control those scenarios at this location or any other property. The Board concluded that this is an acceptable use in the Code unless something else is explained about the project when the representative comes in to present before the Board.

ITEM #4: Citizen Participation

There was no one for Citizen Participation.

ITEM #5: Comments from Council Liaison Drake

Councilman Drake was not in attendance at this meeting.

ITEM #6: Approval of Minutes

a) May 3, 2022– J. Jozwiak made the motion, seconded by B. Luno to approve the Minutes as presented. All in favor. Carried.
*The June 7, 2022 Meeting was cancelled.

ITEM #7: Business from the Members

a) M. Cochran wondered if there was any update on Kevin Thie, the wood guy. Council Member Drake was not in attendance to provide any update.

b) M. Cochran asked if there was any update on Steve Buckley and his event venue project. Secretary Schweikert advised that CEO Roberts was informed that Mr. Buckley is working with the Erie County Department of Health on the water and septic at the location.

c) K. Lux advised that B. Luno, J. Jozwiak, J. Zybert, K. Lux and M. Cochran are all set with their training hours for Year 2022; R. Hilliker and J. Edbauer have not yet met their training requirements for this year.

ITEM #8: Motion of Adjourn

M. Cochran made the motion, seconded by B. Luno, to adjourn the meeting at approximately 7:25 p.m. All in favor. Carried. The next meeting is August 2, 2022.


Darlene G. Schweikert
Planning Board Secretary



**BUFFALO NIAGARA
WATERKEEPER®**
PROTECT • RESTORE • CONNECT • INSPIRE

Buffalo Niagara Waterkeeper (BNW)

BNW is a nonprofit organization that has been dedicated to improving Western New York's environment for nearly 30 years. We protect clean water, restore ecosystem health, connect people to the water, and inspire economic growth and community engagement. We've tackled some of Western New York's biggest fresh water challenges such as cleaning up toxic sediment, eliminating sewage overflows, restoring critical habitat, and advocating for the long-term health of the Great Lakes. Our work touches 3,250 miles of waterways throughout the 1,400 square-mile Niagara River Watershed and two Great Lakes, Erie and Ontario. These waters provide drinking water to over 11 million people within the US and Canada and are critical resources that define our region's way of life.

Currently, our organization priorities focus on five major initiatives: Waterway Revitalization, Scajaquada Creek, Living Shorelines, Education & Engagement, and Headwaters. Our Headwater Initiative goals are to: 1) accelerate protection and management measures and water-supportive policy on 433,600 acres of undeveloped Niagara River Watershed headwater forests and wetlands that serve as a filter for drinking water flowing into Lake Erie; 2) work directly with local elected officials and municipal officials from towns and villages to inspire direct and proactive action that will establish the community infrastructure and funding mechanisms needed to implement source water protection goals; 3) secure dedicated resources necessary for comprehensive source water protection.

Water Quality Improvement Program (WQIP)

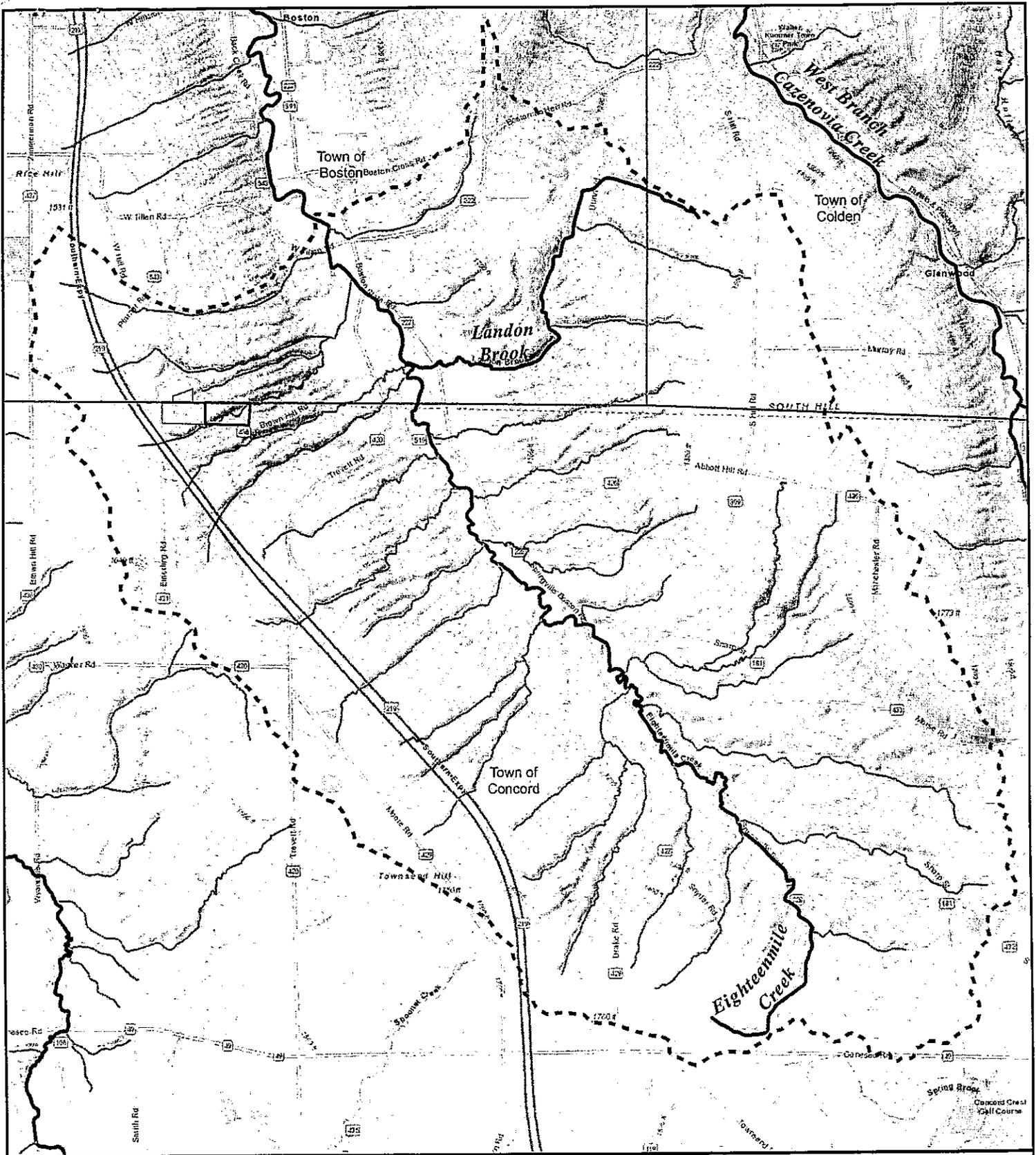
- Through the Headwaters Initiative, BNW received grant funding from the New York State Department of Environmental Conservation (NYSDEC) WQIP (Water Quality Improvement Program). With the WQIP funding, BNW is focusing efforts on conserving 500 acres of land in the Eighteenmile Creek subwatershed. Regional planning efforts identify this subwatershed as containing headwater forests and functional riparian buffers that are currently protective of drinking water resources, but which are also at-risk for future fragmentation and degradation due to development potential. The Eighteenmile Creek subwatershed encompasses portions of the Towns of Concord, Colden, and Boston.
- The goal of BNW's drinking water protection program is to conserve land in order to protect the integrity of ground and surface waters that provide drinking water to the surrounding communities as well as positively influence the quality of downstream waters supporting the supply systems of adjacent subwatersheds.





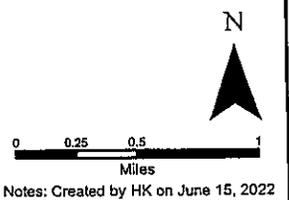
Kaiser Parcel

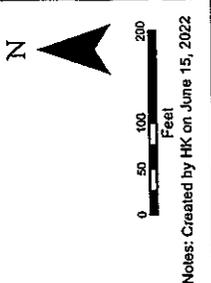
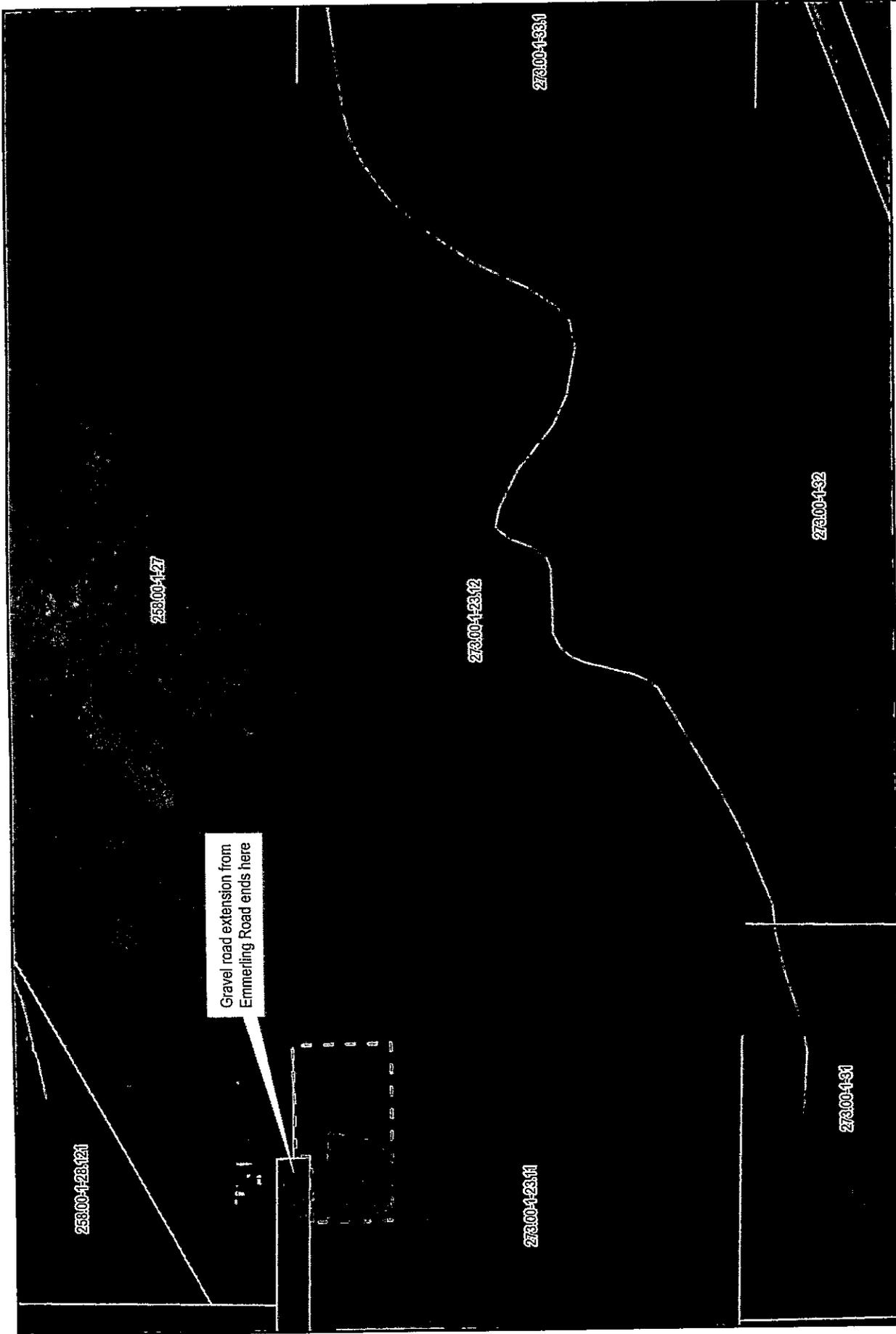
- In 2021, BNW identified two parcels as potential conservation properties that would support BNW's efforts to create a drinking water program for the Niagara River Watershed. BNW is partnering with the Western New York Land Conservancy (WNYLC), because the parcels also suit the Land Conservancy's Western New York Wildway project.
- Mindy Kaiser, the owner of one of the parcels, will donate the land to BNW and the WNYLC. Her land is in an area that is at risk of habitat fragmentation and development. Through her donation, the natural resources and ecosystem services provided by her land will be forever protected. The property will also have public access and trails will be built and maintained.
- Parcel information:
 - o *SBL: 273.00-1-23.12*
 - o *Owner: KAISER ANTOINETTE P*
 - *Contact: Mindy Kaiser, 10001 Emerling Road, Boston, NY, 14025*
 - o *Acreage: 22 acres*
 - o *Municipality: Concord*
 - o *Property Class: R - Rural vac>10*
- The parcel is ecologically significant. It is entirely wooded and contains one tributary of Eighteenmile Creek running through the center of the parcel. The tributary to Eighteenmile Creek is in a deep ravine with other minor streams/ravines feeding it. The property contains an abundance of cherry trees and minimal invasive species are apparent. It is adjacent to residential wooded properties on each side, one of the adjacent properties is owned by the Mindy Kaiser as well.
- The parcel is accessed from Emerling Road on the Boston/ Concord town line. However, Emerling Road does not extend fully to the donated parcel, it stops short of the donated parcel, in front of another parcel owned by Mindy Kaiser, her residence. Mindy and BNW have agreed to subdivide the adjacent parcel her residence is on to build an access road and small parking lot (no more than 8 cars) so BNW, WNYLC, and the public can access the donated Kaiser parcel.



KAISER PARCEL LOCATION
WATER QUALITY IMPROVEMENT PROJECT

-  Tributary
-  Waterbody
-  Kaiser Parcel
-  Other Parcel Owned by Mindy Kaiser
-  Eighteen Mile Creek Headwaters
-  Sub-Basin Watershed Boundary
-  Town Boundary





Notes: Created by HK on June 15, 2022

- Tributary
- Proposed Subdivided Section
- Proposed Area for Access Road and Parking Lot
- Kaiser Parcel
- Parcel Boundary

KAISER PARCEL PROPOSED IMPROVEMENTS
 WATER QUALITY IMPROVEMENT PROJECT



273.00-1-23.11
273.00-1-23.12

