

## Colden Planning Board Meeting

October 19, 2021

Planning Board Members Present: Walt Kammer (Chairman), Andrew Gow, Jackie May, Peter Newsom, George Reinhardt, and Bobby Walter

Excused: Frank Hrycik

Also Present: Rachel Chrostowski (WNYLC, Farmland Protection Specialist), Jesse Hrycik (Town Councilman) and Justin Steinbach (CPL Project Engineer). Wendy Salvati of WWS was excused from the meeting due to circumstances.

Walt called the October 19, 2021 Planning Board Meeting to order at 7:03 PM in the courtroom at the Colden Town Hall. The meeting was also hosted via GoToMeeting.

### September 21, 2021 Planning Board Meeting Minutes

The Board Members reviewed the minutes from the meeting held on September 21, 2021. Jackie requested to add a “)” on page two for the corrected sentence to read: These approvals (by the Code Enforcement Officers, the Planning Board, and the Town Board are prerequisites in Colden in order to proceed forward). Also, change the word “of” to if” for the corrected sentence to read: If the Change of Use is approved Colden will require buildings plans and drawings from a licensed NYS Professional Engineer or NYS Registered Architect, a Site Plan to be submitted, prepared and sealed by a licensed NYS Professional Land Surveyor or P.E., and subsequent Site Plan reviews by the CEO’s and Planning Board per Town Code. Peter motioned to approve the revised minutes and Bobby seconded, all were in favor.

### Planning Board Comp Plan Status Meeting Minutes submitted by: Justin Steinbach, CPL.

The Board Members reviewed the minutes from the meeting held on August 11, 2021 regarding the Comprehensive Plan. Peter had a change and Justin noted the change and will update his minutes. Peter motioned to approve the revised minutes and Jackie seconded, all were in favor.

Planning Board AFPP Meeting Minutes submitted by: Wendy Salvati, WWS.

The Board Members reviewed the minutes from the meeting held on September 21, 2021 regarding the Comprehensive Plan. Peter motioned to approve the minutes and George seconded, all were in favor.

Consultant Update for Comprehensive Plan Status per Consulting Agreement with CPL:

Walt turned the meeting over to Justin to give his presentation regarding the Town of Colden Comprehensive Plan update. Justin reviewed the preliminary mapping, Census background, feedback input and output from Planning Board Members. Also, a date needs to be scheduled for the Outreach Program/ Public meeting to be held at the Colden Firehall north on the hamlet, in the near future. *(Editor Note: The date was subsequently established as December 1, 2021 at 6:30PM at the Fire Hall facility).*

Justin reviewed the demographics of the area from 2000, 2010, and 2019 before discussing the outreach plan setup. The public comment meeting will start with a formal presentation by CPL and WWS regarding the purpose, scope, and importance of the Colden Comprehensive Plan as well as the new Colden Agriculture and Farmland Protection Plans. After the formal presentation the meeting will consist of “breakout sessions” at several tables, each of which will have a topic area for getting citizen feedback, comments, and concerns on that area. Justin discussed having a specific table for the Agricultural and Farmland Protection Plan development at the outreach meeting. That breakout-session table’s goal is to get feedback from local Farmers and educate the public at the same time. The first table would be dedicated to Land Use and Zoning. The second table would be for Community Resources, such as unique features in the Town of Colden. The third table would be for Agricultural issues, and will help map local farms and farming operations in the area. Justin would like to have a follow up online survey for attendees to complete after the outreach meeting, and perhaps other methods of getting continued citizen feedback for selected topic areas.

Justin asked for questions and comments from the Planning Board Members. Jackie wanted to know who would run the Outreach meeting. Justin responded that Wendy and he will operate the tables but encouraged Planning Board Members to attend as well. The Planning Board members would be observers, but would likely respond to specific questions asked by the public. The goal is solicit citizen input and not direct the flow of information, thus the PB’s status as attendees rather than presenters.

Walt asked Justin about logistics of hosting the meeting, specifically if compliance with Colden’s virtual meeting initiative would be possible. Justin didn’t think a live streamed meeting **of the breakout session table discussions would work** but offered the option of a pre-recorded virtual visit of the tables to be reviewed on a website in some manner to be defined. Walt asked for a date to be set by Justin and Wendy so postcards can be mailed to Colden Residents (editor note: date established later as 12/1/21). Walt reviewed that all the specifications of the

consulting contract agreements must be met for the sessions, including documentation and reporting. Justin acknowledged that. Walt offered to contact the Springville Journal, East Aurora Advertiser, and the Arcade Advertiser to post the Outreach meeting press release once the date is set. Walt asked Justin for a plan to keep track of Colden Residents that will attend the meeting the session versus attendees not landowners or residents of Colden. While we solicit public input from all attendees the feedback, concerns, and comments from landowners and residents of Colden must be identified and given more weight during formulation of the new Colden Comprehensive Plan as well as Colden's new Ag & Farmland Protection Plan. Farmers leasing farm/cropland in Colden should be identified also and their concerns noted with that annotation included. Justin responded that the attendees will be asked directly for their Township (implied also was landowner status if citizen owns land in Colden, but does not have their residence in Colden; there are a significant number of landowners who fall into that category). Walt made reference that non-Residents on the various "Colden specific" Facebook pages are allowed to join and comment on posts without regard to their residency or landowner status in the Town. That is fine, but once again, Colden landowners and residents should be suitably noted for the above reason(s). Justin mentioned that a pre-registration might be required anyway due to ongoing COVID restrictions and attendance limits due to the size of the Fire Hall versus Social Distancing mandates, if any, on the date of the session since at some attendance level it will be declared a "public gathering" and may require data for contact tracing per NYS. Walt reviewed the schedule assuming the meeting in mid-November as originally expected, but Justin (consistent with prior dialogs with Wendy Salvati on the AFPP) requested early December instead.

Walt reviewed that the signed contract with Wendy regarding the grant for the NYSDAM funding award. The NYSDAM AFPP grant is active and the Town can draw against it. COVID has delayed the formal agreement but our point of contact at NYSDAM wants the work to proceed now and his team agrees. Additional documents will be forthcoming as backlogs in Albany are processed but Albany wants Colden to proceed with the awarded work scope for the AFPP.

#### Other Miscellaneous PB Updates:

On a related matter, Walt reviewed the NY Farm Bureau Newsletter about the proposed Green Amendment to the NY State constitution, and encouraged Planning Board Members to listen to the webinar at the referenced link.

Walt reviewed that Colden's latest High Impact Area Goal was approved by NYSERDA for our Clean Energy Community status rating. That new milestone was CEO completion of the new NYSERDA Code Enforcement Officer training for renewable energy.

Walt gave an update regarding the NYSEG tower on Center Rd. Walt mentioned that the information was reported as a Wind Turbine Farm instead of a tower replacement on a Facebook page, which was totally incorrect and without basis. Jim DePasquale (Town Supervisor) addressed the issue and posted the correct information on social media and the Town's web site to clarify the confusion.

Walt again mentioned his interest in the EC DEP non-disclosure document in order to afford the PB members a “hardcopy read-only” access to printed files in the custody of the Town Clerk, for sole purpose of reviewing the potential EC DEP Broadband project in Colden, and the importance of it as critical infrastructure for Homeland Security purposes. Those matters will continue to be defined and refined during 2022.

Walt mentioned that our old recommendations for code revisions and the pending list of topics that were deferred (mainly due to COVID restrictions) from previous TB meetings will be on their Workshop Agenda as soon as there’s time in the schedule; due to year end planning and budget tasks that action will not happen until early in 2022 after the TB’s Organizational Meeting is over.

Walt reviewed that the Old Shop, now the Cherry Picker building, is up for sale and will likely need a Site Plan review from the Planning Board regardless of the eventual development plans. This is due to needing a Change of Use procedure. Walt encouraged everyone to read up on codes that may need to be addressed, and become aware of the interactions between Colden, the EC Department of Health, the NYS DOT since Rte240 is a State road, and other factors including for virtually all possible new purposes the obvious parking issues associated with that small parcel when development might proceed.

### New Business

Rachel Chrostowski asked to review her position with the WNYLC (Western New York Land Conservancy). It’s a local non-profit organization dedicated to agricultural and natural land protection. Walt mentioned that the WNYLC in many cases helps to protect the interesting land from developing pressures. Rachel reviewed a new NYS program which might offer more protections through conservation easements and other possible restrictions filed which would continue to “run with the land” during future transactions or ownership changes. This, of course, would be an individual landowner decision, but as the AFPP proceeds we will obtain more guidance from WNYLC as to how this might fit into Colden’s long term goals on land use.

There was no further business before the board.

Walt asked for a motion to adjourn, received it, and it was seconded, and all voted in favor. The meeting was adjourned at 9:09 PM.

Submitted by: Crystal Barrett