

Colden Planning Board Special Meeting

10/25/2022

Planning Board
Members Present: Walt Kammer (Chairman), Andrew Gow, Jackie May,
Peter Newson, Cheryl Schenne, and Bobby Walker

Excused: George Reinhardt

Also Present: Rachel Chrostowski (WNYLC), Garry Pietraszek (Concilman),
Wendy Salvati (WWS), and Justin Steinbach (CPL)

Walt called the October 25, 2022 Planning Board Special Meeting to order at 7:00 PM. The meeting was hosted via GoToMeeting.

Town Of Colden Comprehensive Plan Update

Walt turned the meeting over to Justin Steinbach. Justin mentioned that the public meeting for the Comprehensive Plan and the AFPP had a positive turnout. The meeting was held at the Town of Colden Fire Hall on 9/27/22. The meeting was well attended. The meeting consisted of work stations and a presentation. There really weren't a lot of new concerns from the public and everyone agreed with the information that was provided. Bobby asked how the designs standards will be handled, since there are two options. The options will be reviewed once the Comprehensive Plan is completed. Cheryl asked about the responses to the surveys received online and by hard copy. Justin responded that there were a total of 116 surveys collected.

Walt asked about a comment regarding the need for height limits, because the current zoning has a 35-foot height restriction. Peter mentioned the relation to a discussion about scenic vistas from the one public meeting.

STATUS UPDATES ON THE AFPP

Wendy reviewed the revisions that were made to Section IV and suggestions that were given from the September meeting. Peter caught that sheep and lambs were listed twice in the zip code 14170. It was requested to have an improve narrative for Section IV with the mapping to enhance the fact that the USDA zip code surveys extend beyond Colden boundaries and that the data itself is insufficient.

Wendy will work on editing the text and make changes for the next meeting. It was also mentioned that updated mapping will need to be added from the CPL. Bobby mentioned that Shamel Milling located in East Concord should be added to the supplier list.

Wendy worked with Rachel to revise the climate and resiliency narrative (formally called Agriculture and Ecology) in draft Section IV. The revised narrative supports additional information that will be included in draft Section V. Bobby questioned if “permaculture” could be added into the narrative for educational purposes, which he

defined as an approach where everything on the farm gets used/reused on the farm.

Permaculture practices include the best management practices that are already noted in the text. Wendy will work on this and revise the existing narrative as required to address Bobby’s comments. Walt mentioned that the Right to Farm Law (Chapter 46-Farming) may need to be strengthened to be more consistent with the AFPP. Walt also noted that the Town does not regulate lot splits wherein a parent parcel

is split into two lots (minor subdivision). Only lot splits of three or more trigger the subdivision development regulations (Chapter 92). Wendy will edit and review the narrative for the other laws outlined in this section for improvement. It was also noted in the introductory sentence for local agricultural regulations (page IV-14) that the Town Code limits and restricts agricultural operations, which is not the case; this text will be revised accordingly. All of the AFPP maps have been updated by CPL and will be incorporated into the appropriate sections of the report. Some discussion on map 8 (soil and topography) was undertaken with respect to clarity and being able to decipher the various shaded categories against the background image (topography). While having the steep slopes noted was valuable, it was recommended to break up the map into two – 8A showing only the agricultural soils (prime, statewide importance, prime if drained) and 8B showing the soils and the steep slope areas; the background topography should be removed.

VISION MAP DEVELOPMENT

Wendy discussed work efforts for Section V. Justin presented Map 11, which illustrates a collection of the agricultural survey data, parcels with agricultural exemptions, and properties that are located within or designated as Erie County Agricultural Districts. The current thought is that this map would be used to develop a Map 12 that will illustrate proposed areas for agricultural protection. However, after thorough review of Map 10- Local Agricultural Assets and Resources, as well as the water features, soils, and topography maps, a clear picture for area designation does not come to light. Timber can be harvested, or trees grown on steep slopes, and you can grow certain crops, such as sugar bush, or raise animals on soils that are not designated as prime or of Statewide Importance. It was determined that agricultural uses and farming can be done (and has historically been done) in most areas in Colden. Only the places where designated wetlands, creek corridors and floodways, or very steep slopes exist are considered less conducive for or not suited for agriculture. When trying to draw a line around areas where agricultural uses and farming should be protected, most of the Town would be included within this/these area(s). Aside from road frontage development in areas zoned to allow commercials or residential uses,

such as Route 240 and the four corners located in the Colden hamlet, the majority of the Town is zoned Agriculture Wendy offered to contact Jeff Kehoe at NYSDAM to discuss this issue to determine how to approach the preparation of a Vision Map, and report back to the Planning Board. Rachel mentioned that the WNYLC looks at agriculture in the community from the perspective of providing grants to protect land. Wendy mentioned that she looked at the zoning map and does not expect that there will be any recommendations for zoning district changes for the AFPP or Comprehensive Plan Update.

Wendy noted that zoning stability is supported by the lack of public water and sewer infrastructure. She emphasized that she still must conduct the farm-friendly analysis of the zoning, so there may be a few instances of “tweaking” of existing regulations. Walt noted that there is a difference between tweaking zoning language and changing district boundaries. Walt mentioned that Jeff Kehoe had offered to have NYSDAM staff review the Town’s zoning, but this was prior to the Town receiving the grant for the AFPP. Wendy will also ask Jeff about this but suspected that the required zoning analysis for the AFPP would supersede a NYSDAM review.

COMPREHENSIVE PLAN UPDATE

Justin noted that the vision map for agriculture and the Future Land Use Map in the Comprehensive Plan Update will most likely overlap. A discussion centered on the potential for future growth in Colden hamlet. It was noted that the hamlet is zoned for commercial use, is fairly well built out, and there are no building vacancies to be filled. Walt mentioned that there are properties that were recently bought and sold, with some conversion to businesses. The possibility for expanding development was discussed. An expansion to the east is impacted by increasing topography; expansion to the west is stymied by the creek corridors. It was noted that the hamlet essentially includes portions of Lower East Hill Road, Boston Colden Road, Route 240, Fairview Terraces – it’s a larger area than just the four corners business district. Wendy asked about the residential subdivision located southwest of Boston Colden Road (Caroline Drive). Walt stated that development was the one time the Town utilized the Chapter 92 subdivision regulations. Walt mentioned that this was to be a phased development that was to extend south, almost to the Town line. However, it never panned out and is not likely to ever come back to life (the original approval has long expired). If growth were to occur in the hamlet, it should occur in and around the four corners. The area basically south of Gutekunst Road, north of the bottom of the Caroline Drive subdivision, east of Boston town boundary and west of Meadow Road was considered to be a fair representation of the boundaries of the hamlet. This would essentially be the area wherein limited growth and activity would be expected in the future. For the Comprehensive Plan, areas for scenic view protection, as well as other sensitive environmental features, should be identified and, perhaps, protected through a proposed zoning overlay district. The area around Cazenovia Creek and Pipe Creek was noted as being an area of concern in this regard. While designating such areas as Critical Environmental Areas (CEA) was discussed.

NEXT MEETING / NEXT STEPS

The next meeting will be held as a special meeting of Planning Board on November 22nd. Walt asked about the next (or third) public meeting wherein findings and recommendations from the final draft plans would be presented to the public. This should occur prior to any public hearing that would be held for adoption of the plans. Wendy and Justin will discuss this and advise. Walt reiterated that there have been some changes in membership on the Agriculture Plan Citizen's Advisory Committee, and many members are busy with season-end tasks.

New Business

No new topics to discuss.

Cheryl motioned to adjourn the meeting at 9:45 PM, and Jackie seconded. All were in favor.

Submitted by: Crystal Barrett