

# ULSTER COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

Dave Haldeman, Chair  
Margot Becker, Vice-Chair  
Kenneth Panza, Secretary

## Minutes for the EMC Meeting of October 30, 2019

A quorum present, the regular meeting of the Ulster County Environmental Council was convened at 6:45 PM in the Howard C. St. John Business Seminar Room, George Clinton Hall, on the campus of SUNY Ulster in Stone Ridge, NY, by David Haldeman, Chair.

### Municipal Members Present

Mark Ellison, Town of Esopus  
Dave Haldeman, Town of Shawangunk  
Emilie Hauser, City of Kingston  
Jim Littlefoot, Town of New Paltz  
Jim Mays, Town of Olive  
Eric Stewart, Town of Marbletown

### At Large Members Present

Kenneth Panza

### Department of the Environment

Amanda LaValle, Coordinator

### Guests

Richard Hoyt - Attorney for the Town of Shawangunk

## Approval of Minutes

Minutes of the **July 31, 2019** meeting of the EMC were presented, discussed, and approved by unanimous consent.

Minutes of the **September 25, 2019** meeting of the EMC were presented, discussed, and approved, with comments, by unanimous consent.

### Comments from Mary O'Donnell, Town of Saugerties

- An EV was purchased for the Town of Saugerties Waste Water Treatment Department.
- Identified a misspelled name.

## Speaker/Presentation

### Richard Hoyt - Attorney for the Town of Shawangunk

#### Presentation/Discussion about Conservation Easements.

A conservation easement is a voluntary, legal agreement that protects the natural resources of a parcel of land by restricting future land use and/or development on the property "in perpetuity" (permanently). Generally, conservation easements are either sold or donated by a landowner to a qualified conservation organization (land trust or government agency) and constitute a voluntary legal agreement that limits or conditions certain types of uses of the land, in perpetuity, in order to fulfill the conservation purposes of the easement.

Conservation easements preserve land for future generations by restricting or conditioning certain rights or uses, such as the right to subdivide or develop the property, to protect conservation values, such as the preservation of agricultural and forestry lands and the protection of water quality. Landowners retain many of their rights, including the right to own and use the land, sell it, and pass it on to their heirs. A conserved property continues to provide economic benefits to both the landowner and the greater community. The land remains on the tax rolls in private ownership.

As a legally binding document, a Deed of Conservation Easement is recorded at the county in which the property is located and becomes identified as a permanent interest in the property's record. Once a conservation easement has been sold or donated, the qualified organization (that holds the easement) is obligated to defend its conservation purposes through stewardship.

The Town of Shawangunk drafted its own conservation easement regulations: one pertaining to preserving farmland and one that applies specifically to larger developments which are required to submit both a traditional development plan along with a cluster development plan. If the developer, in discussion with the planning board, chooses the cluster plan, the undeveloped lands are placed under a conservation easement. All conservation easements are monitored annually by the Shawangunk EMC.

## Old Business

### Danskammer Stipulation Process

Kenneth Panza, At-Large

Following June and July negotiation sessions, Danskammer Energy submitted Proposed Stipulations to the DPS. DPS issued a Notice of Proposed Stipulations and Request for Public Comments on September 11, 2019, with a public comment period extending to October 23, 2019.

Comments were submitted by Scenic Hudson, representing Sloop Clearwater, National Resources Defense Council, Riverkeeper, and the City of Beacon. Comments also were submitted by EarthJustice, representing Sierra Club and Orange RAPP.

## New Business

None

## Report from Department of the Environment

Amanda LaValle, Coordinator

- Ulster County Climate Action Plan is now complete and will soon be available on the county's website.
- The county is using the NOAA Climate Change Toolkit to research approaches for assessing climate change vulnerability and adaption strategies.
- The county has entered into an agreement with NYSERDA to fund an Ulster County Transit Fleet Electrification Feasibility Study.

## Legislature Report – Energy & Environment Committee

Dave Haldeman, Chair, reviewed the agenda of the Ulster County Energy & Environment Standing Committee meeting.

- The Ulster County Legislature has added plastic stirrers, plastic cutlery and single-serve condiment packets to a local law that already makes plastic straws an on-demand only commodity in county restaurants. Legislators approved the addition of the items by a 13-9 vote.
- Ulster County Executive Pat Ryan on Wednesday, Oct. 23, signed a law making it clear that any dumping in Ulster of out-of-county construction debris and other wastes is illegal and potentially a crime. The new law clarifies the types of waste materials prohibited from being imported and dumped in the county. Towns across Ulster County have been subject to harmful environmental impacts from out-of-county materials used as "clean fill" and permanently dumped in the county.
- Considering Resolution No. 444 - Adopting Proposed Local Law No. 5 Of 2019, A Local Law Amending The Code Of The County Of Ulster to Include Mandatory Food Scraps Composting by Large Generators.

## Council Member Roundabout

Eric Stewart, Town of Marbletown

Continued work on Marbletown's 100% renewables action plan.

Marbletown CCA agreement with Hudson Valley Community Power became effective July 1, 2019.

Working to revitalize the Rondout Watershed Alliance.

Continued water quality testing and monitoring.

Mark Ellison, Town of Esopus

Town Board approved the proposed Comprehensive Plan.

Zoning Task Force to consider provisions of the comprehensive plan was established.

Storm Water management task force will present proposals to the town board for six priority areas with stormwater drainage issues.

Kenneth Panza, Woodstock

Held first meeting with DOH environmental analyst as part of the Drinking Water Source Protection Program (DWSP2).

Participated in the CCA seminar sponsored by Ulster County Climate Smart Committee and Citizens for Local Power.

Emilie Hauser, City of Kingston

City of Kingston held an outdoor open house event, "Weaving the Waterfront: Kingston", on Saturday, Oct. 26. The open house concerned four major projects designed to improve and protect the Kingston Waterfront: the Waterfront Resiliency Design; Rondout Riverport Shoreline

Stabilization and Public Access; Kingston Point Climate Adaptive Design; and Kingston Point Park Improvements.

Scenic Hudson announced the acquisition of 508 acres of forested and former industrial lands along the Hudson River. Some 75 percent of the property lies within the City of Kingston, with the remainder in the Town of Ulster. The land had been slated for a 1,682-unit mixed-use development. Prior to that, it had been the site of a cement mine and processing facility.

Kristen Schara, Town of Hurley  
Virginia Starke, At-Large

Hurley CAC members are serving on an ad-hoc Comprehensive Planning Committee which was put in place to deal with zoning issues regarding multi-family dwellings. A town-wide building moratorium for multi-family structures is currently in place.

Many neighbors of the proposed redevelopment of the West Hurley Elementary School have expressed concern to the CAC, Town Board, and Planning Board regarding the impacts of creating 46 single bedroom apartments on their water supply and traffic. This neighborhood is the densest housing development in Hurley, and yet all of the houses rely on wells and septic tanks. Studies previously commissioned by the CAC recommended creating a municipal water system in this area. An initial pump test in the spring of 2019 performed at the West Hurley School site did not reveal any problems. However a second test was performed last week as recommended by the engineering firm Brinnier and Larios. The results have not been reported yet. The results of a traffic study performed for the development are also being questioned.

## Adjournment

Meeting adjourned at 8:40 pm by unanimous consent.

Respectively submitted,



Kenneth S. Panza, Secretary