

TOWN OF CANANDAIGUA
ENVIRONMENTAL CONSERVATION BOARD
2020 ANNUAL REPORT

December 3, 2020

Purpose: Town Code (Chapter 18-6) and New York State General Municipal Law (GML) Article 12F Section 239-X Paragraph f) both require that the Environmental Conservation Board (CB) submit to the Town Board a year end annual report on the work and activities of the ECB. The State law additionally requires that the Town Board forward a copy of the annual report to the Commissioner of Environmental Conservation.

Open Space Preservation:

PDRs – Ag and Markets did not open a grant window for PDR applications in 2020. Two PDR applications were selected in 2019 for referral to this program. We will move forward with the applications when Ag and Markets releases the next RFA.

FLLT Partnership, Vista & Barnes Gully – In 2020 final conservation easement agreements were concluded with the property owners of the Canandaigua Vista Project for approximately 100 acres of land with prominent views of Canandaigua Lake. The properties are located in the Strategic Forest Protection Area in the southern part of the town. Finger Lakes Land Trust will hold the easements. The town has made a financial commitment to this project. Open to the public and featuring walking trails throughout the property, this is a great resource for the town and its Open Space initiatives. In addition, the Town is also negotiating for conservation easements on property near the Vista property. The headwaters for Barnes Gully, located on the Vista asset, travels to Onanda Park and Canandaigua Lake. This 75 acre parcel includes portions of Barnes Gully and is in close proximity of Onanda Park. The extension of conservation easements from the Vista Property to the Lake has been envisioned in recent years with the completion of the Open Space Master Plan. This project is in its very early review and a partnership with FLLT may develop.

Natural Resource Inventory:

The Natural Resource Inventory Update 2020 has now been completed and adopted by the Town Board. In addition to the listing of all natural resources the NRI also provides in-depth opportunities for understanding protection issues for development of a parcel. In the Development Review Considerations section questions are posed and answered regarding: Why is the resource important?; What are the threats?; What are best practices that could help protect the resource?; and, What regulations and organizations have a role in protecting the resource? In the Site Assessment and Project Review Guide, impacts can be evaluated by reviewing boards using templates designed for this purpose. Additionally, pertinent Maps are provided for each resource. Training by the consultant, in the use of this document by all boards, is potentially planned for early 2021.

Open Space, Conservation and Scenic Views Master Plan: Implementation Table 2020

Attached is the completed Implementation Table 2020 for the Open Space Master Plan. The ECB used this document to guide our projects plan for the year. As you can see, even though all in-person programming was cancelled due to the pandemic restrictions, we were able to initiate new ways of communicating with our residents. These alternative initiatives will be used as needed in the next year.

Natural Resource Protection Referrals:

Dozens of site plan applications and others were referred to the ECB during the year. In response, an ECB Advisory Report was written for selected referrals. Policy documents are used to guide the Board in our determination of impacts to a natural resource from development. We look forward to the NRI training which can further our use of these new guide materials.

Tree Board:

A new committee was formed this year by the Citizens Implementation Committee in response to a Comprehensive Plan goal identifying the need for such a committee. The Tree Board was established in early 2020. Its members are residents and arbor professionals. To date the board has completed tree inventories and maintenance options for several town parks and cemeteries. The value of trees has been an active area of concern in ECB programming. We look forward to partnering with this Board in the future.

Conservation Easement Committee:

At the request of the Citizens Implementation Committee the Conservation Easement Committee was reformed and tasked to study and propose an active plan to enhance conservation easement knowledge and procurement of open space. The Committee is concentrating its review on the town's Conservation Sub-Division Code. LaBella Associates is the consultant working with the Committee to update the code.

Respectfully submitted,

Joyce Marthaller, Chairperson
Environmental Conservation Board

Cc: Town Board, Town of Canandaigua
Doug Finch, Town Manager
Attachment (Implementation Table 12/3/20)

CANANDAIGUA OPEN SPACE, CONSERVATION AND SCENIC VIEWS MASTER PLAN

Implementation Table, as of December 3, 2020

Short Term	Long Term	Strategies and Recommended Actions	Responsible Entity	Partners	Status
Strategy 1: Encourage land stewardship by landowners.					
		<p>A. Educate landowners about the ecological, hydrologic and scenic value of the open space resources on their properties and recommend appropriate land stewardship techniques.</p> <ul style="list-style-type: none"> ■ In partnership with SCWD and other organizations, conduct periodic educational activities. Design educational programs to help landowners manage stream corridors, steep slopes, woodlands, wetlands and other resources. ■ Meet individually with owners of significant open space resources to encourage them to plan and implement land stewardship practices. 	<p>☛ ECB</p>	<ul style="list-style-type: none"> ☛ SWCD ☛ Watershed Manager ☛ NYS DEC ☛ Finger Lakes Land Trust ☛ Conservation Organizations 	<p>Ongoing monthly articles in Town Newsletter on varied topics of natural resource protection strategies. Rain Barrel Workshop (virtual) in partnership with the Ontario County Soil and Water Conservation District. Display Case materials on invasive species for Town Hall Lobby for summer/fall 2020. Display Case will be redone for winter months and will include winter wildlife footprints for identification.</p>
		<p>B. Inform landowners about sources of technical assistance and financial incentives to support land stewardship.</p>	<p>☛ ECB</p>	<ul style="list-style-type: none"> ☛ SWCD ☛ USDA NRCS ☛ NYS DEC ☛ Finger Lakes Land Trust 	
		<p>C. Encourage landowners to enhance wildlife habitat. (See Strategy 2.)</p>	<p>☛ ECB</p>	<ul style="list-style-type: none"> ☛ SWCD ☛ NYS DEC ☛ Conservation organizations 	<p>Town Newsletter articles on wildlife—namely bats and wild turkeys.</p>
Strategy 2: Enhance wildlife habitat.					
		<p>A. Provide information to landowners from Finger Lakes PRISM about how to identify and control invasive vegetation.</p>	<p>☛ ECB</p>	<ul style="list-style-type: none"> ☛ NYS DEC 	<p>Updated the ECB web page to include a dozen webinars on invasive species, including PRISM selections.</p>
		<p>B. Promote participation in the Ontario County Soil & Water Conservation District's annual tree and shrub sale to encourage landowners to plant native vegetation.</p>	<p>☛ ECB</p>	<ul style="list-style-type: none"> ☛ SWCD 	

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		C. Maintain a list of professional foresters and provide information about sources of technical assistance to encourage responsible management of forests.	☛ ECB	☞ NYS DEC	List of partners with professional agencies and others as references on various topics has been posted to the ECB web page.
		D. Provide information to landowners and encourage participation in the DEC's Trees for Tribes program, which can assist landowners with revegetating stream buffers.	☛ ECB	☞ NYS DEC	
		E. Provide information to landowners with suggested subdivision layouts that avoid further fragmentation of the Town's forests.	☛ ECB	☞ Planning Board	The ECB reviews all site plans regarding natural resource protection and provides an Advisory Report to the Planning Board, ZBA (and others when appropriate) for protection strategies and alternative options.
		F. Encourage landowners to allow legal deer hunting on their properties to reduce the overabundant deer population which is currently stressing wildlife habitats.	☛ ECB	☞ NYS DEC	
		G. Manage Town-owned land to enhance wildlife habitat.	☛ ECB ☛ Parks Dept.	☞ NYS DEC ☞ SWCD	
Strategy 3: Conserve open space through land use regulations.					
3.1 Maintain/ strengthen conservation provisions of land use and development regulations.					
		A. Maintain and enforce existing regulations that manage development, as part of site plan review, along steep slopes, streams, and Canandaigua Lake.	☛ ECB ☛ Planning Board ☛ CEO	☞ Zoning Board of Appeals ☞ Town Board	Participated in the review process of many draft Town Code revisions, including stream setbacks and conservation subdivision design.
		B. Review and strengthen stream corridor and lakeshore protection regulation. Consider expanding stream corridor buffer to 150' from 100' feet from streams.	☛ ECB ☛ Town Board	☞ Watershed Manager ☞ SWCD	Discussed (as appropriate) Advisory Reports to applicants. The ECB is continually promoting expansion of the corridor buffer when appropriate.
		C. Adopt ridgeline and hilltop protection regulations.	☛ ECB ☛ Town Board	☞ CEO	

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		D. Continue to refer to maps of open space resources (Open Space Index) during development reviews.	☛ ECB	☛ Town Board ☛ Planning Board	Open Space maps are available on the website and referenced in Advisory Reports. GIS data is reviewed on the Ontario County new Exploratory Summary reports.
		E. Provide ongoing education and training to code enforcement staff regarding natural resource and open space protection.	☛ CEO ☛ ECB	☛ NYS DOS ☛ Town Board ☛ Watershed Council ☛ SWCD	Developed and produced a webinar for the Town Highway Department personnel on invasive species. The webcast was made available to all highway departments in the County in cooperation with the Ontario County Planning Department.
		F. Amend subdivision regulations to require the Planning Board to consider impacts of fragmentation.	☛ Town Board ☛ Planning Board	☛ ECB	Working with the Town Ordinance Committee to review all drafts of pending regulations.
3.2 Update and maintain the Town's Open Space Index and Natural Resource Inventory.					
		A. Adopt the inventory of conservation resources in this Plan as the Open Space Index for the Town.	☛ Town Board	☛ ECB	The NRI Team has completed the update to the Inventory. It has been reviewed/commented by all boards and is currently on the Town Board agenda for October 2020. A training session for all boards will be given by LaBella Associates on the use of the Development Review Consideration section of the update upon adoption by the Town Board. This training is expected to take place in early 2021.
		B. Develop a tool that creates a simple report from the Parcel Rating Spreadsheet for the ECB that summarizes the types of open space in each parcel.	☛ Town staff/ intern	☛ ECB	A new Ontario County Exploratory Summary app has been activated and is now being used by the ECB and other boards and committees. This summary is related to the NRI objectives.
		C. Work with Ontario County to update the land cover mapping at regular intervals.	☛ ECB	☛ ECB ☛ Town Board ☛ Ontario County	The Ontario County Exploratory Summary app is still being updated with data from LaBella Associates to the County and is expected to be completed soon.

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		D. Continue to consider ECB and Ag Advisory Committee input into Town decisions regarding development and other Town actions.	<ul style="list-style-type: none"> ☛ Planning Board ☛ Town Board ☛ ZBA 	<ul style="list-style-type: none"> ☛ ECB ☛ AAC 	Projects are referred to the ECB and AAC when appropriate for possible negative impacts to farmland or natural resources.
Strategy 4: Acquire land and/or conservation easements for land with exceptional conservation value.					
4.1 Acquire land outright for open space conservation.					
		A. Formalize criteria for acquisition of open space lands by the Town.	☛ ECB	☛ Town Board	The CIC recently has reconvened the Conservation Easement Committee.
		B. Acquire "first refusal" rights from current landowners for high quality open space lands.	☛ ECB	☛ Town Board	
		C. Utilize a variety of funding mechanisms to support the acquisition of open space. (See 4.4)	☛ ECB	☛ Town Board	
4.2 Encourage and accept donations of conservation easements.					
		A. Provide information to landowners about the process and benefits of donating conservation easements/ development rights.	<ul style="list-style-type: none"> ☛ ECB ☛ Planning Board ☛ AAC 	<ul style="list-style-type: none"> ☛ Finger Lakes Land Trust ☛ Town Board ☛ Conservation organizations ☛ Town Assessor 	Current long-standing process in place to encourage participation in Purchase of Development Rights (PDR) applications.
		B. Encourage landowners to donate conservation easements to a land trust.	<ul style="list-style-type: none"> ☛ ECB ☛ Planning Board ☛ AAC 	☛ Finger Lakes Land Trust	Recently, the Finger Lakes Land Trust has acquired approximately 90 acres in a conservation easement in the southern area of the Town in the Strategic Forest Preservation Area. This easement will provide public access of trails having spectacular views of Canandaigua Lake. The Town has partnered with the FLLT with financial and other support for the project. Opening of the preserve is scheduled in 2021. Much publicity has occurred for this project.
		C. Encourage owners of exceptional open space lands that do not meet criteria for protection by a land trust to donate conservation easements to the Town.	☛ Town Board	☛ ECB	The newly reorganized Conservation Easement Committee may take on this initiative.

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		D. Work with the NYS Legislature to authorize additional property tax incentives for open space conservation.	<ul style="list-style-type: none"> 🏛️ ECB 🏛️ Town Board 	<ul style="list-style-type: none"> 🏛️ Finger Lakes Land Trust 	
4.3 Obtain land or conservation easements as a condition of development approval.					
		A. Continue to require conservation easements as condition of development approval of conservation subdivisions.	<ul style="list-style-type: none"> 🏛️ Planning Board 	<ul style="list-style-type: none"> 🏛️ ECB 🏛️ Town Board 	An ongoing process.
		B. Work with developers to delineate lands with exceptional open space value in site plans and subdivision plats for protection through a permanent conservation easement.	<ul style="list-style-type: none"> 🏛️ Planning Board 🏛️ ECB 	<ul style="list-style-type: none"> 🏛️ Town Board 	Working to identify open space areas of value at the Sketch Plan stage.
		C. Ensure that the conservation easement ensures ongoing land stewardship.	<ul style="list-style-type: none"> 🏛️ ECB 🏛️ Planning Board 	<ul style="list-style-type: none"> 🏛️ Town Board 	The Finger Lakes Land Trust may assist in this endeavor.
		D. Partner with a qualified conservation organization to monitor donated easements.	<ul style="list-style-type: none"> 🏛️ ECB 🏛️ Town Board 	<ul style="list-style-type: none"> 🏛️ Finger Lakes Land Trust 🏛️ Ducks Unlimited 🏛️ SWCD 	
		E. Create a development rights "bank" through transfer of development rights.	<ul style="list-style-type: none"> 🏛️ Town Board 	<ul style="list-style-type: none"> 🏛️ ECB 	A Transfer of Development Rights (TDR) program will be reviewed by the Conservation Easement Committee.
4.4 Replenish and maintain the Town's Open Space Capital Reserve Fund.					
		A. Commit to an annual appropriation for open space and conservation, to be used for acquisition as well as administration and inspection of donated easements.	<ul style="list-style-type: none"> 🏛️ Town Board 	<ul style="list-style-type: none"> 🏛️ ECB 	In the Draft 2021 Town Budget, an amount has been allocated to the Open Space Fund. It has been the practice of the ECB to recommend to the Town Board at the end of the fiscal year that unexpended funds be considered for transfer to the Open Space Fund. This year, however, this option may not be possible.
		B. Encourage and accept cash donations toward open space conservation. Provide information about the potential tax benefits of such donations.	<ul style="list-style-type: none"> 🏛️ Town Board 	<ul style="list-style-type: none"> 🏛️ ECB 	
		C. Issue bonds to fund the acquisition of open space.	<ul style="list-style-type: none"> 🏛️ Town Board 	<ul style="list-style-type: none"> 🏛️ ECB 	

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		D. Explore and establish innovative funding sources. Work with the NYS Legislature to authorize a real estate transfer tax, development fees earmarked for open space conservation and other funding mechanisms.	☛ Town Board	☞ ECB	The Conservation Easement Committee will review these options.
Strategy 5: Increase understanding among government officials and the general public about the benefits of open space.					
		A. Create, maintain and strengthen partnerships with organizations, agencies, businesses and municipalities.	☛ ECB ☛ AAC ☛ Town Staff	☞ Town Board	The ECB continues to work with DEC, FLLT, OCSWCD, CCE, CLWA, the Watershed Council, PRISM and others.
		B. Conduct periodic workshops and other educational events and programs to celebrate the Town's open space.	☛ ECB ☛ Parks & Rec. Depts	☞ SWCD ☞ Canandaigua Lake Watershed Association ☞ NYS DEC	Due to the Covid-19 pandemic, all in-person programming was cancelled in 2020. The ECB has reorganized its web page to provide a small library of information on all topics of natural resource protection. The ECB has even developed a Kid's Conservation Section with interesting articles and videos for a younger age group. The ECB has vetted dozens of webcasts and has linked access to these on the ECB web page.