

Minutes
Black Creek Watershed Coalition
Monday September 27, 2004
Riga Town Hall

Present: Rochelle Bell, Monroe County Department of Planning and Development; Dorothy Borgus, Town of Chili; George Squires, Genesee County SWCD; Robert Remillard USDA NRCS Lakes Plains RC&D; Paul Richards, SUNY Brockport; Whitney Autin, SUNY at Brockport, Dario Marchioni, Chili Planning Board, James C. Gamble, Chili Drainage Committee; Charlie Knauf, Monroe County Department of Public Health..

Action items are underlined throughout the minutes.

1. Introductions, assignment of roles, questions about minutes

Introductions were made and Dario and Jim were welcomed back and Paul Richards, Hydrologist from SUNY at Brockport was welcomed. Dorothy Borgus was Chair, Charlie Knauf was Scribe, and Jim Gamble agreed to watch the clock.

Whitney will ask Jim Z. about Dario's drainage book.

- 2.** The Genesee Finger Lakes Regional Planning Council (GFLRPC) Matrices were discussed in detail. The matrix of local laws was discussed first. Consensus was:
- #2, Boating and Marinas is not germane to the Black Creek watershed. However, in its place there needs to be at least some look at laws regarding boat launches, use of the creek by canoes, kayaks, and small motorized craft, and public access.
 - # 11 Lake access should be changed to a discussion of stream access
 - #12 Mining should be expanded, or a separate section be inserted, to include oil and Gas mining, which Whitney Autin indicated is treated separately under NYSDEC jurisdiction, and is possibly going to become more prevalent in the watershed if energy prices continue to rise.
 - Rochelle Bell suggested that sections could be added for special use industries like auto recyclers (junkyards are listed in the matrix), automotive repair facilities, fleet maintenance, mercury handlers
 - Air Quality regulations were also suggested as an addition to the matrix.

Rochelle indicated that she had also received correspondence from Robert Remillard and Ken Avery, indicating a need to add Road De-icing, Wildlife and Fisheries Habitat, and recreational uses (e.g. parkland, golf and fishing) to the matrix.

The second matrix, the GFLRPC Practices and Ordinances Assessment form, was then discussed.

- The items in Section 4, Marinas should be changed to recreational use and access (e.g. parks, golf courses, boat launches), and the individual subcategories should be developed to reflect these practices and ordinances.

- Another section could be added to Section 1, Development to include Special Regulations Districts and/or Zoning.
- An additional section to deal with Industry should be added.

Discussion of individual sections:

SECTION 1 - DEVELOPMENT

- A need for greater detail in 1-01, such as including examples of retrofit like addition of stormwater ponds to older developments or construction of wastewater treatment systems to replace older Onsite Septic Systems.
- It was suggested that invasive plants like loosestrife and hogweed be added to 1-16 or another section be added for them.
- Package plants and regulations should be added as a section, and a query as to mechanisms for insuring contingency funding to handle repairs and maintenance be included.
- Encourage permeable surfaces.
- Whitney Autin questioned whether cluster development was something that should be encouraged, indicating that this could be a means of encouraging sprawl. In the discussion that followed, most people indicated that cluster development could have advantages and efficiencies in terms of centralization of utilities, preservation of aesthetics, and non-fragmentation of wildlife habitats, but qualified the endorsement to only include clusters where no further development of the preserved open space could be allowed. There was agreement that if a community allowed rezoning of clustered developments at a future time, then this could be construed as a negative thing leading to sprawl.

SECTION 2 – FORESTRY AND AGRICULTURE

- While the section on Forestry is very detailed and may actually go overboard in terms of the amount of tree cutting going on in the watershed, the section on Agriculture needs much greater detail. While many participants agreed that much of the detail is covered under the umbrella of AEM, it was felt that actually including the sub-requirements of AEM would be beneficial to the document. Other things suggested as sub-sections of Section 2B were detailed discussion of CAFO, whether there are Agricultural districts in the community, more detail on the Agricultural assessment material in 2-12, Cropping or pasturing too close to streams, Agricultural preservation ordinances or practices, riparian buffer encouragement. Bob Wilkins was definitely missed at this point in the meeting, and his input to this part of the process is encouraged. Other ideas: Right-to-Farm; Open Space Plans; Agricultural and Farmland Protection Plans.

SECTION 3 – WATERWAYS AND WETLANDS

- Section 3-06 is either not applicable or needs to be modified for riverine rather than coastal systems.
- Dario Marchioni suggested adding a sub-section to Section 3B to define if incentives exist for streambank preservation and maintenance, especially in areas where the municipality incurs costs for debris removal after major storms, which could be reduced by providing incentives to landowners who

remove vegetation that is in jeopardy of falling into the watercourse and becoming an impediment and flood source.

- There was a great deal of discussion throughout the meeting about drainage and the impacts of undersized culverts on flood elevations upstream. In the sections on bridge design, it might be wise to craft a statement about either insuring that culvert size will be adequate to allow drainage and not contribute to flooding, and that changes in upstream landuse and imperviousness be considered in new culvert design. While it was not discussed in these terms at the meeting, the State of the Basin report indicates that benefits of channel maintenance are not realized if the channel is not cleared in its entirety. A section on local drainage law and intermunicipal cooperation on drainage might be valuable in this watershed, where flooding has been identified as a major issue. Many of the items for the section could be taken from the recommendations in Section 6.3 of the State of the Basin report.
 - Disincentives for building in floodplains
 - Incentives for appropriate building designs in floodplains.
3. Display Board: Robert Remillard brought a print out of pictures he had downloaded from the internet that were appropriate for or were from the Black Creek Watershed. He thought we would need a list of questions as a theme for the board. George Squires indicated that we should shoot for having this completed before the first week in November when the FLOWPA fall conference will be held in Geneva. (November 3, confirmed with FLOWPA, location and directions to follow). Robert also suggested that the source of the text should be the State of the Basin report and resources within the watershed. The board should center around a watershed map. Whitney offered that SUNY has a good plotter but does not have a photo quality paper for it at this point. Rochelle will talk to Jim about the map used at the Public Meeting and see about plotting it on photographic paper (~ 20" x 20") in her office.
 4. Solicitation of donations for signage in the watershed: Robert Remillard distributed a draft letter asking for contributions to assist the Committee in obtaining watershed signs to be placed around the watershed, and for other initiatives such as a map and history like the Oatka Map. Lake Plains can act as the recipient of the funds as they have 501(c)(3) status. Rochelle will talk to Ken Avery about identifying the number of times local, county and state roads cross the watershed boundary and Black Creek (watershed boundary signs vs. river identification signs.) Robert indicated a need to develop a detailed project proposal for either the signs or the map, or both, in order to incorporate it into appeals either to grantors or corporate sponsors who might be sought. Charlie and George will inquire with the Oatka Watershed Committee to find out about the cost of the map project. Dario Marchioni suggested selling ads to help defray the costs of production of a map.
 5. There was a discussion about the abandoned Railroad Culvert not far from the mouth of Black Creek. Dario Marchioni and Jim Gamble indicated that the embankment for the railroad, which has been incorporated into the Genesee Greenway, are responsible for a great deal of the flooding that occurs upstream of that site, as the culverts are not large enough to completely pass floodwaters. Dario indicated that a cut in the embankment would allow these waters to drain more quickly. It was stated that the

New York State Office of Parks Recreation and Historic Preservation would have jurisdiction over the Greenway. Charlie will check the EMC library to see if there is a copy of the USACE report on Black Creek containing discussion of this location. Someone suggested that there are new USACE funding authorities that might be available to fund remedial work at this site. Dario indicated that he had spoken with the Greenway director, who we thought was Fran Gotsek, and she had not seen a problem with modification of the trail to allow an embankment cut with a gravel surface trail for high water relief. Costs of a pedestrian bridge over the area were deemed prohibitive, in the neighborhood of \$70,000.

The meeting was adjourned at about 9:00 p.m.

The next meeting was scheduled for Wednesday October 20, 2004 at the Chili Town Hall.