

# Village of Williamsville Local Waterfront Revitalization Program Waterfront Advisory Committee Meeting Summary

**Date of Meeting:** February 26, 2020  
**Meeting Time:** 6:00 PM  
**Meeting Location:** Williamsville Village Hall

**Attendees:**

<input type="checkbox"/>	Nick Roth	<input type="checkbox"/>	Noel Bartlo
<input type="checkbox"/>	Maggie Winship	<input checked="" type="checkbox"/>	Judy Kindron
<input type="checkbox"/>	Ben Vilonen	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Peter Warn	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Keaton DePriest	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	Sheryl Davies	<input checked="" type="checkbox"/>	Wendy Salvati, WWS Planning
<input type="checkbox"/>	Jane Vohwinkel	<input checked="" type="checkbox"/>	Lauren Darcy, Buffalo Niagara Waterkeeper
<input checked="" type="checkbox"/>	Marisa Riggi	<input type="checkbox"/>	Emma Phillips, C&S

General

Wendy advised the group that she conducted a brief presentation on the LWRP for the Williamsville Business Association. Keaton set up this presentation to ensure that the business community was aware of the project and allow them to offer any input. Wendy provided copies of the survey questionnaire to the attendees.

Policy Follow Up

Wendy Salvati said that Jane Vohwinkel could not make the meeting but did provide some thoughts on the policies, in particular Policy 2, paved surfaces and general thoughts on addressing pesticide runoff. Her comments were taken into consideration as Wendy reviewed the proposed revisions to the draft policies that were noted at the last meeting, and additional revisions were proposed as follows:

- Policy 1: There was great deal of discussion about the proposed narrative in Policy 1 that deals with dam reconstruction and the court settlement. As many things have changed since this court decision was rendered, the clarity of this decision and existing conditions that effect the Village’s ability to comply with its provisions need to be examined.

While it is acknowledged that the 1946 court settlement cannot be undone, there may be competing interests and legal responsibilities that now make it more difficult for the Village to fully meet the

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requirements of the Court's decision. Have any other court decisions been made since the original decision was filed in 1946 that would affect the original settlement. It was noted that land use and geography have changed significantly since the dam was built in 1929 and the court settlement was filed. Dense residential development now lines the shoreline south of Island Park and dam operations impact flooding upstream and residential properties. Areas that flooded in the past (which initiated construction of the dam) are likely different today; for instance, the Main Street business district around the creek no longer floods. Sheryl Davies added that the tension between existing Village flood damage and prevention regulations and the court settlement should be highlighted. It was also noted that there is a general lack of understanding about risk and flood dynamics by property owners who live along the creek.

It was also noted that it is important to have the Village Attorney (Chip Grieco) weigh in on this matter. Has he read the court settlement, and can he investigate whether any additional court decisions or changes have been made? He needs to provide comments on the proposed narrative in Policy 1, as well as sections of the inventory that discuss the court settlement and the dam. Without his input, we cannot resolve this matter and finalize those sections of the draft LWRP. Keaton DePriest said that he would get in touch with Chip and make sure that he provides his opinion as soon as possible.

- Policy 2: After reviewing and discussing Jane's comments for Policy 2, it was decided that no changes would be made to the policy narrative. Her concerns were determined to relate to water quality and would be addressed elsewhere in the policies.
- Policy 17: Vegetation (or lack thereof) along the east side of Island Park was discussed. There is an overall need to implement a "living shoreline" approach that has been introduced in other areas, such as Grand Island. Sheryl mentioned that beaver habitat is being evaluated as a potential means of addressing issues like this. She also said that the rocky ledges along the shoreline of the creek can be helpful for establishing vegetation. The existence of utility lines or crossing in Ellicott Creek was raised. Wendy said she will ask Ben Vilonen if he is aware of anything.
- Policy 37: Some narrative revisions were made to the list of best management practices in this policy to address Jane's concerns about pesticide contamination and general water quality.

### Inventory Review

Wendy reviewed recent revisions to the inventory narrative that relate to the dam (Sections 2.4.2 – water dependent uses, 2.4.3 – abandoned and deteriorated uses, and 2.5.4 – flooding and erosion). Narrative was updated to reflect recent research and discussions. However, this narrative should be reviewed by the Village Attorney for content accuracy. Wendy said that she included narrative in Section 2.5.3 (water quality) on the system that is utilized by the Buffalo Niagara International Airport to mitigate deicing fluid contamination. She also updated some of the information in Section 2.6 (historic) related to the history of mills, the dam and raceways in the vicinity of the falls and Island Park. Fun fact – Jonas Williams died

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relatively broke after having to sell off his mills and other properties; living the high society life was unsustainable and eventually caught up with him and his wife.

Wendy said that she contacted Ted Meyers at the NYSDEC to confirm what Ben Vilonen had stated about regulation of the dam. She also gathered information about an ongoing flooding and erosion study commissioned by NYSDEC, which was included in Section 2.5.4. The consultant hired by NYSDEC has commenced their study of Ellicott Creek; Ted is supposed to advise Wendy on the actual area of the creek that is being studied and the date this study is expected to be completed. The results of this study will be pertinent to future study and decisions made for the dam and localized flooding and erosion.

Wendy said that Ted Meyers also told her that the Army Corps. of Engineers (ACOE) had conducted a flooding and erosion study that was mentioned at the last committee meeting. This study was conducted in the early 2000's, and proposed a number of alternative to address existing problems that were presented to the Town of Amherst, but the study and additional efforts were dropped as the Town showed no interest in the ACOE's recommendations. Lauren Darcey (Buffalo Niagara Waterkeeper) said she will try and track down that study so we can see what it was actually about and what was proposed.

Next Steps/Action Items

Waterfront Advisory Committee members who attended the February meeting are reminded to **record their time** for meeting participation, as well as review of materials prior to the meeting.

- Prepare and distribute the WAC committee meeting summary.
- Wendy will make minor revisions to draft Sections II and III, as discussed at the meeting, and provide committee members with the link to the dropbox file that includes these files. Committee members are asked to review these sections and offer final comments at the next meeting.
- Keaton DePriest will reach out to the Village Attorney regarding the NY Supreme Court settlement. It is hoped that he can report back to the Committee on this at the next meeting.
- Wendy to follow up with the NYSDEC regarding the flooding and erosion study of Ellicott Creek, and contact Ben Vilonen regarding utility lines in the creek.
- Lauren Darcy will investigate the Army Corps. study of Ellicott Creek.

**The next WAC meeting will be held on Wednesday, March 25, 2020, at 6:00 at Village Hall.** This meeting will include final discussion on the inventory and policies and commencement of discussion on proposed projects for Section IV of the LWRP.

Meeting adjourned at 7:45 pm.

Respectfully Submitted,

*Wendy Weber Salvati*