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# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

June 27, 2016

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: Derby Parkland Acquisition**

Dear Honorable Members:

Enclosed please find a proposed resolution and accompanying memorandum from the Department of Parks, Recreation and Forestry requesting authorization to accept the donation of a parcel of vacant land to become Erie County forestry land. The land is located in the Town of Derby, New York.

Should your Honorable Body require further information, I encourage you to contact Daniel Rizzo, Commissioner of Parks, Recreation and Forestry. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/md  
Enclosure

cc: Daniel Rizzo, Commissioner of Parks, Recreation and Forestry

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Parks, Recreation and Forestry  
**Re:** Derby Parkland Acquisition  
**Date:** June 27, 2016

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### **SUMMARY**

The Western New York Land Conservancy approached the Department of Parks, Recreation and Forestry about the possible donation of an 8.2 acre parcel of land to become Forestry land within the Parks Department. The parcel is located in the Town of Derby (8.2+/- acres- SBL 206.00-1-8.11).

### **FISCAL IMPLICATIONS**

The land is being donated at no cost to the County. In order to close the sale and transfer, closing costs for a title search and related expenses will be required in an amount not to exceed \$3,000. The funds for this transaction are available from Expense Account 516020, Professional Services Contracts and Fees, Fund 110, Funds Center 16200.

### **REASONS FOR RECOMMENDATION/ BACKGROUND INFORMATION**

The "Lakeview Pocket Preserve" is located at Lakeshore Road and Sweetland Road adjacent to St. Columban Center in Derby, NY. The property is approximately three (3) miles north of Wendt Beach County Park and sits atop a bluff overlooking Lake Erie. The bluff does not provide beach access. The property is completely forested with many of the trees appearing to be at least 100 years old. Species on site include oak, hickory, beech, maple, basswood, American hophornbeam and hemlock. The property is within the Big Sister Creek watershed, and preliminary delineation indicates there is approximately one (1) acre of scattered wetlands. The landowner has donated the approximately 8.2 acre parcel to the Western New York Land Conservancy, and they have agreed to transfer ownership of the property to Erie County to remain parkland in perpetuity.

### **CONSEQUENCES OF NEGATIVE ACTION**

The Parks Department will not acquire this parcel, missing an opportunity to preserve this area for generations to come and being open for the general public to visit.

### **STEPS FOLLOWING APPROVAL**

The Department of Parks, Recreation and Forestry will work with the Land Conservancy, the Department of Environment and Planning, the Director of Real Property Tax Services, and the County Attorney's Office to transfer this parcel to the Parks Department as a forestry lot.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PARKS, RECREATION AND FORESTRY

Re: Derby Parkland Acquisition

WHEREAS, the Erie County Department of Parks, Recreation and Forestry is requesting authorization to accept the donation of one parcel of land from the Western New York Land Conservancy to be converted into a County forestry lot; and

WHEREAS, the "Lakeview Pocket Preserve" in Derby, New York, Erie County, would allow Erie County residents to access this lot on the Lake Erie shoreline as public parkland in perpetuity.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Department of Parks, Recreation and Forestry is authorized to enter into an agreement with the Western New York Land Conservancy to accept the donation of one parcel, approximately 8.2 acres of land, SBL-206.00-1-8.11, located at 6892 Lakeshore Road, Derby, New York 14047 to become a forestry lot; and be it further

RESOLVED, that any funds in an amount not to exceed \$3,000 necessary to effectuate this property transfer, including but not limited to a title search shall be appropriated from Fund 110, Funds Center 16200 and Account 516020, Professional Services Contracts and Fees; and be it further

RESOLVED, that certified copies of this Resolution be sent to the Erie County Executive, the Commissioner of Parks, Recreation and Forestry, the Commissioner of Environment and Planning, the Erie County Division of Budget and Management and the Erie County Department of Law.