

Western Border Parkland
Short Term Usage and Maintenance Plan
September 7, 2009

During the past several months the Parkland sub-committee has worked to prepare a comprehensive report detailing the usage and maintenance programs for each parcel of public land in the Village. We expect this work to be completed in February-March of 2010. The document is intended to serve as a statement of policy and a guide for both commissioners as they maintain areas under their responsibility and for residents as they maintain their own properties.

Prior to the release of this report and its review by the Board of Trustees, the sub-committee wishes to issue the following short-term maintenance plan for the Western Border Parkland.

Background

There has been some disagreement regarding the Village obligation to perform a SEQRA review in regards to our current maintenance activity, as it is defined in the Parks Policy Resolution (October 11, 2005) and the Park Implementation Resolution (February 14, 2006). It is the belief of the Parks Commissioners that they have adhered to the requirements of these resolutions in carrying out maintenance activities in the Western Border Parkland.

We engaged a consultant to help us review our SEQRA obligations as well as our maintenance methodologies. In respect to SEQRA, the consultant felt that our activities constituted an Unlisted Action. According to existing Village of Shoreham ordinances, this would require a Type I SEQRA review. We then held a conference call with Betty Ann Hughes, Chief of SEQRA and Training of the New York State Department of Environmental Conservation (DEC) in Albany. This conversation helped clarify our current position.

When the Board of Trustees adopted the resolutions mentioned above, the Board should have initiated a Type I SEQRA review at that time. The Board failed to do so. However, the statute of limitations for an appeal of the action and a call for a SEQRA review has expired and the resolutions, though born in error, remain in effect.

Should the Board of Trustees approve the final, comprehensive plan of this committee, the Village will be required to perform a Type I SEQRA review, since this is a revision of Village policy regarding the public parcels.

Short-term Program for Maintenance of the Western Border

Parkland

The committee intends to include specific guidelines for the long-term maintenance of Western Border Parkland in its final report. However, the committee wishes to put forth the following description of its agreed-upon short-term program so that constructive maintenance activities in the area can be immediately resumed.

In order to continue a program of maintenance of the Western Border Parkland and to provide sufficient time to assess alternate methodologies and to organize a work-force to perform these methodologies, the committee endorses the following short-term program.

1) General Goal

The committee's purpose is to review existing practice of, and to develop recommendations for, the use and maintenance of municipal parklands that beautify and enhance our Village life.

2) Specific Goal for Western Border Parkland

The specific goal for the Western Border Parkland is the restoration of the area to its native state to provide a buffer and walking trail for passive enjoyment and education. In addition, we hope to do so while dramatically reducing, and

eliminating, if and when possible, the use of herbicides in the maintenance of the Western Border Parkland.

3) Herbicidal Applications

Application of herbicides will be in accordance with the recommendations of Plant Conservation Alliance as well as our consultant (William Bowman of Land Use Ecological Services, Inc to eliminate the problem of over-spraying and unintentional destruction of native flora. (At our next meeting the committee will review the PCA and consultants recommendations).

Application of herbicide will be performed by a licensed NYS certified pesticide applicator and will not exceed 5 gallons in 2009. The future herbicide use will be determined in the final report of SEQRA by Spring, 2010.

4) Application Guidelines

The Park Commissioner will perform herbicidal applications in a manner consistent with the *Herbicide Application Guideline* found below. The progress of herbicidal removal will be reviewed during the annual review process described in the Work Review section below.

5) Notification and Record-keeping Guidelines

Pre-Application Postings -

The commissioners or any other certified applicators will notify the community when herbicidal application is going to be made. Given the difficulty of specifying

an exact time (man-power availability, weather conditions, etc.) the posting should indicate a reasonably constrained range of days when the application is likely to occur. In all cases the posting must be made at least 24 hours before the action is undertaken. All legal posting will be done giving date, time, etc as required by law in areas of application.

Post-Application Postings –

After application, the treated areas must be posted with pesticide application signs in accordance with New York State pesticide law.

Record Keeping –

A filing of all information required by NYS DEC, including date, time, location, and wind direction, will be made at least once per month during this interim time and will be filed in the Office of the Shoreham Village Clerk. More current filing may be obtained directly from the Park Commissioners upon request.

6) Alternate Methodologies and Set Aside Areas

Exploration and testing of alternate maintenance methodologies will begin immediately. Certain areas of the Parkland will be reserved for the exploration of these alternate approaches. There will be regular reviews over the next two years to assess the success of both the “alternative” and conventional (herbicide) invasive control methods in order to assess the cost and efficacy of each method. Find details in the *Work Review section* below.

Herbicide Application Guideline

1. English ivy: Large areas of English Ivy growth will be treated with herbicides only in accordance to the PCA (p2 of 5. English Ivy). Only targeted swabbing or wicking will be done on isolated re-occurring growth.

2. Wisteria: Herbicide application for wisteria will follow PCA Guidelines. Only targeted swabbing or wicking will be done on isolated re-occurring growth.

3. There are various other invasive and noxious plants present in the parkland including garlic mustard, bittersweet, winged euonymus, bamboo, Japanese knotweed, multiflora rose, and periwinkle. Wild grape, catbrier and poison ivy is not included here because it is a native plant. There are no plans to target any of these herbaceous or woody invasive plants at this time.

4. Paths: because of the danger posed by deer ticks to passers-by, paths will be kept clear of vegetation for a width of ~3 feet, using mechanical means.

5. Fence lines: in the northern section of the parkland, the fence line will be kept clear of vegetation for a width of 3-4 feet using mechanical means. Owners of abutting properties will be notified by letter of work being done.

6. Further, the Village will notify the Town of Brookhaven prior to any application abutting the Town's Critical Environmental Area, which extends from the Long Island Sound to Dryad Road.

7. Usage: The maximum recommended yearly dose of Roundup is 10.6 quarts per acre. No more than 10.6 quarts will be applied to any given acre in any given year. Future use of Roundup beyond the term of this plan will be determined by SEQRA review in 2010.

Set Aside Areas

The following border parkland areas, which will be clearly delineated with a single stake and mapped at each division in the field have been set aside to demonstrate that alternate methods may be able to both clear the parkland and keep it clear of invasive plants without using chemical herbicide. The Village may set aside monies for these alternative methods of invasive removal. Volunteers from The Shoreham Village Association and the Village have agreed to demonstrate such methods, with thorough ecological care and supervision, in the following locations:

Set Aside Areas List

- i. The parkland behind the R. McCarrick property at the southern end of the border park, off King Road, ending at the end of the Toscano property at the Toscano/Emma property line (2)
(an already treated area with wisteria grow-back.)

- ii. The parkland behind the Merendino property, between the neighbors G. McCarrick to the south and W. Vogel to the north (an already treated area with wisteria and wild grape grow-back.) and the area behind Ciboroski between the northern Kavanaugh property line to the south and the Ciboroski/Conkling property line to the north, because they possess some unusual native plants that should be protected from any further herbicide damage.

- iii. The parkland north of Border Road and west of the woodland trail, north to the park at Dryad Road across to the entrance of the park at Prospect, a largely untreated area, has with few

problems. A section near the junction along the park with the south border park is excepted so that it can continue to be cleared of recurring English ivy.

iv. The parkland behind the M. Madigan and C. Tighe houses on Prospect Street.

The northern boundary of this section will be the north property line of the Tighe house, and the southern boundary will be the southern end of the Madigan stockade fence to the west of her house. This section will extend west to the fence with Rocky Point on the western edge of the park. An area of about an acre immediately behind the Tighe house, overgrown with English ivy, has not been treated because it was set aside in November, 2007 and is currently being cleared manually by a volunteer workforce to demonstrate the efficacy of using hand-removal for English ivy. The rest of this section has been treated over the past few years, mostly for English ivy but also for masses of catbrier and some wisteria and wild grape.

Work Review

There will be an inspection of the Western Border Parkland by Village representatives and Parkland Committee on June 30, 2010 to assess the progress of both the herbicidal applications and the alternate methodologies.

At that time, it is anticipated that all the targeted species—English ivy, wisteria and poison ivy (along walking trails) will have been removed from the Set Aside Areas and herbicide-treated areas. In the succeeding year, the Village will weigh the “staying power” of each approach in preventing the immediate grow back of the targeted species. The Village will also compare the status of native plants in areas managed by each method. At that time, an assessment will be made that will contribute to the overall comprehensive management plan for the Village parklands.