

***CLIENT NEWS FROM BONCKE MUELLER ELDRED ASSOCIATES, P.C.*****Migration vs. Sprawl**

By Bruce G. Boncke, President


My family and I spent a lot of time traveling throughout New York State in 2000. We visited many places and I read a lot of information on the history of many of these places. I was particularly interested in learning about our historical use of the resources we have, such as our canal system, highway systems, waterways and farmland. As I traveled and learned, it was all done through the eyes of someone who has spent 30 years in the engineering, land planning and development business. I am humbled by what a little space in time those 30 years seem to take up in the larger perspective of our history, and I'm a bit overwhelmed by the responsibility we have to make the right decisions for the future. This year I represent the 3,500 members of New York State

Builders Association (NYSBA), and as the president of the organization, the responsibility and opportunity for a positive long term impact is truly exciting. A few thoughts have already begun to collect, and I thought that I'd share them with you.

In my opinion, we do not have an open space problem in New York State; we have an acute housing problem. Anyone getting lost on the back roads around any of the tiny villages in the Catskills would have a hard time arguing the need to purchase development rights! The need for open space is largely based in politics and the need for votes from constituencies with a "close the barn door" perspective. We have wonderful resources that

*Continued on Page 2***Boncke Mueller Eldred  
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- Site Engineering
- Land Planning
- Landscape Architecture
- Surveying Services
- Construction Services
- Wetland Services
- Economic Development
- Community Development Services
- Approvals and Permitting
- Infrastructure Engineering
- Feasibility Studies
- SEQRA Compliance



"As I read about our history, one word seems to be quite common when describing growth in our state and nation: 'migration'."

**Supreme Court Rules on "Isolated Wetlands"**

Last month, the United States Supreme Court rendered a decision that rejected a claim of jurisdiction by the US Army Corps of Engineers over an isolated wetland in an abandoned gravel pit. For years, the Corps has relied on the "Migratory

Bird Rule" to extend their jurisdiction over isolated bodies of water that have no connection in form or function to "navigable" waters, which are traditionally regulated by the Corps.

*Continued on Page 4*

## Migration vs. Sprawl - Con't.

are already well protected by a combination of natural features and regulation. What a shame we spend so much political, legislative and regulatory time on open space preservation policies and do not have a state housing policy. As I observed our vast open spaces, I couldn't stop wondering who we are saving them for. I am very concerned about the lack of affordable housing and economic opportunity for our children, parents, school teachers, service providers and volunteers who will not be able to enjoy these open spaces because they will likely be living in other states. Maybe they will come back to visit and spend their vacation dollars, instead of their tax dollars, to enjoy our open space.

As I read about our history, one word seems to be quite common when describing growth in our state and nation: "migration". It is used often in describing the history of our canal system and the many port communities it spawned. For centuries, it seems that migration was a good thing and we encouraged it. We built canal, roadway and rail systems to encourage migration and growth, which utilized the abundant resources of the state. Migration was the very reason all our communities were formed. I am a product of the baby boom, TV western generation and remember the historical perspective of "go west young man" and migrate to

the "wild west". Now any young man (or woman) looking to migrate to the west, or just the next Town, is going to find many obstacles including: growth boundaries, wetland regulations, endangered species regulations, no growth attitudes, moratoriums, impact fees and a multi-year long procedures to get an approval to build his (her) dream house. What he likely won't find is an affordable place to raise a family. I want to know how we took hundreds of years of good historical migration and in a couple short years redefine it as *sprawl*? Who decided that migration is a bad thing?

The planning and regulatory tools that New York State already has in place will allow, and in many cases require, us to be better stewards of the environment for future generations. Open space is routinely now designed into development projects and our industry is constantly reacting to the changing needs of our migrating society. The challenge we have is meeting these needs in an anti-sprawl environment without a housing policy that would promote affordability. Boncke Mueller Eldred Associates, P.C. will continue to work in both the private and public development arenas toward a better, more economically sustainable future affordable to all generations.



## BME Expands Campus Work to Keuka College



Boncke Mueller Eldred Associates, P.C. was recently awarded a contract for comprehensive design and engineering services for the expansion of the Keuka College Athletic Field Complex. This latest campus project follows on the heels of other projects at Roberts Wesleyan College and the Rochester Institute of Technology.

At completion, the 34 acre project will include NCAA regulation size soccer, lacrosse, baseball and softball fields, as

well as other recreational amenities and support facilities. Other factors involved in the project include pedestrian and vehicle circulation, stormwater management, soil conditions, sewage disposal, irrigation, lighting and power.

Boncke Mueller Eldred Associates, P.C. is actively expanding its practice onto regional educational campuses. The diversity of services that we offer in educational settings includes land planning and design, infrastructure design and engineering, surveying and construction oversight. Our growing base of educational campus experience coupled with our understanding of the built environment yields campus designs that support educational, recreational and aesthetic goals.



**Keuka College Campus**




## Boy Scouts Watch Surveying Demonstration

BME Survey and Construction Services staff members Bruce Kubli and Tom Danks recently took 10 Cub Scouts from Pumpkin Hook into the field to demonstrate surveying equipment and techniques. BME is proud to support Scouting's mission to expose the boys to different professions and trades, and welcomes all such opportunities with other organizations.

If you know of an organization that might benefit from speaking with one of our professional staff, please call Aaron Gagné to discuss and arrange the visit.





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## **Supreme Court Rules on “Isolated Wetlands” - Con't.**

The one thing that is clear as a result of this decision is that the practice and policy of the Corps is at odds with the views of the Court. What we do not yet know is how the Corps will formally react to the decision, and what kind of a position they will take with respect to the regulation and control of these “isolated” wetlands.

At this point, we are reviewing the situation and formulating our approach to the Corps when addressing activities effecting “isolated” wetlands. More information will be available as technical and procedural guidance is issued by the respective Federal agencies.

## **City of Rochester Brownfield Assistance Program**

The City of Rochester has announced a new program available to both owners and buyers of real estate within the City who are interested in redeveloping sites that may require environmental assessments and/or environmental engineering studies. Sellers of sites and buildings are also eligible for assistance under the program. The project makes approved applicants eligible for up to 2/3 reimbursement of the costs of these studies and investigations up to a total project cost of \$75,000. The property must be in a commercial or industrial zone, provide a community-wide economic benefit, and the intended re-use must be a property-tax producing entity. If after completing the studies and/or investigations, the project does not move forward, the costs will be funded at 100%, eliminating the exposure of the potential buyer, seller or developer. If you're interested in learning more about the program, or in assistance in accessing the funding, please contact Aaron Gagné at BME.