



**Town of Gardiner
Open Space Commission
2019 Annual Report**

Gardiner Open Space Commission Members

Rebecca Benner

Linda Geary (Alternate)

Kellie George (Alternate)

Kay Hoiby

Jean McGrane (Chair)

Laura Rose

Laura Wong Pan

Remembering Why We are Here

“When one tugs at a single thing in nature, he finds it attached to the rest of the world.”

Chief Seattle

Remembering Why We are Here

“Whether it is the town’s water resources, its farmland, its wildlife habitats, its rural road, or the Shawangunk Ridge, Gardiner residents have great appreciation for the town’s resources. They provide clean drinking water. They help to bolster the local economy. They provide habitat for wildlife. They contribute to the town’s scenic and rural character.”

Town of Gardiner Open Space Plan

TOG Open Space Plan Conservation Priorities

TOG Open Space Plan identifies high priority areas for conservation including:

- Parcels adjacent to the Ridge, along the base of the talus slope.
- Unfragmented habitat for wildlife and forests connecting the Ridge to the Valley.
- Areas along our waterways, including the Palmaghatt Kill, Walkill, Shawangunk Kill, Coxing Kill, Marakill and Klyne Kill.
- Scenic View preservation.

The Open Space Commission's Work May, 2018 – to date.

Detail Review

- Open Space Preservation History and Open Space Plan

Outreach and Research

- Neighboring Towns and non-profits for best practices and advice
- Representatives of Planning Board and the Environmental Conservation Commission (ECC)
- Best Practices
- TOG local laws re conservation easements

Priority Focus - Conservation Easements

TOG Open Space Preservation History

Private Individuals - land or conservation easement donations to Land Trust or Town

Town Action/ Significant Dates:

- Open Space Plan – 2005
- Open Space Law – 2006
- Open Space Bond Act - 2006
- Open Space Development Law (Zoning) - 2008
- Kiernan Farm - 2010
- Hess Farm - 2014
- Open Space Law Revision -2015
- Reconstituting Open Space Commission – April 2018

Outreach and Research: Municipalities and Non-Profit Land Trusts

Meetings with Municipalities

- New Paltz, Shawangunk, Marlboro, Warwick

Regional Land Trusts

Mohonk Preserve

Open Space Institute

Scenic Hudson

Wallkill Valley Land Trust

Preserved Open Space in the Town of Gardiner

Creation of comprehensive database of all properties preserved for open space purposes

Database to be presented to Town Board in October.

Town of Gardiner Land owned or held for conservation purpose

8 - Town owned properties given for conservation purposes

5 - Town held Conservation Easements

Outreach and Research:

TOG Town Law re: Conservation Easements

- Mandated conservation easements for certain projects before Planning Board
- TB to adopt specimen conservation easements for agricultural and non-farm lands
- Annual monitoring of conservation easements by Code Enforcement Officer
- Annual Review of monitoring by Gardiner's OSC

Open Space Commission Year 1 priority: focus on conservation easements

- ❑ Research existing systems for evaluating, accepting and managing Town held conservation and agricultural easements
- ❑ Develop tools and recommendations for implementing a municipal conservation easement program

Municipal Conservation Easement Program: Key Elements

For Existing easements held by the Town

- Know what you have
 - Comprehensive Database of Preserved Lands Created by GOSC - completed
- Collect additional information if needed
 - Baseline documentation
 - Status of property use
- Monitor annually
 - Monitoring system needs to be implemented

Municipal Conservation Easement Program: Key Elements

For All New Proposed Conservation Easements

- Maximize the conservation value of proposed conservation easements
- Ensure easement document protects interests of all parties and withstands the test of time
- Quantify conditions on property through detailed baseline inventory **prior** to acceptance of easement
- Ensure costs are covered for the creation, monitoring and enforcement of the easement

Municipal Conservation Easement Program: *Maximize the conservation value of proposed easements*

- All conservation easements must provide public benefits.
- Essential to identify the WHY of this particular easement. What's the benefit to the natural world and to the people of the Town of Gardiner?

Maximize the conservation value of the proposed easement

How to get this...

- Involve representatives for the Town early in the process of discussion and planning of easement (GOSC, ECC, Land Trust)
- Ensure property has been evaluated by a qualified party, preferably a conservation biologist, to characterize and identify the Conservation Value



Municipal Conservation Easement Program: Easement Document that Protects Interests and Stands Up to Legal Scrutiny

- Town Board needs to adopt model Conservation and Agricultural Easement Templates for properties acquired under Open Space Law.
- Recommend these model easement templates be provided to all new applicants prior to submitting applications to Planning Board.

Municipal Conservation Easement Program: *Complete baseline assessment and ensure long term monitoring*

Each easement will need:

- Baseline assessment
- Annual monitoring
- A protocol for enforcement.
- Funds to cover the costs of assessment, monitoring and enforcement

Baseline Assessment: Importance

- Landowner & municipality agreement concerning condition of property
- Practical tool for ongoing stewardship
- Critical for legal defense of the CE
- Basis for education & research

Baseline Assessment: Details

- Includes
 - Text report, map, photos documenting condition as of closing
 - Description of attributes protected by CE (human and wildlife uses of the property)
 - Conditions or uses “grandfathered” or not to be permitted to continue.
 - Location, size, use of all infrastructure , etc.
- Prepared by qualified representative for the Town prior to Town’s acceptance of the Easement.

Ensure Long Term Monitoring

Conduct Annual Monitoring – Ensure annual monitoring of all conservation easements owned or held by the Town.

Assign Responsibility - Determine who is responsible for monitoring all easements for the Town. Conduct annual monitoring.

Maintain Records - Keep documentation for long term sustainability of easement.

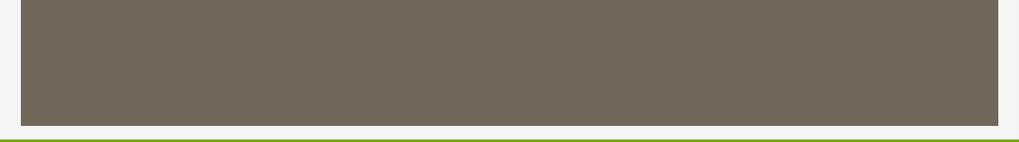
Cover Easement Program Costs

Ensure systems in place to COVER expenses incurred by Town for conservation easement:

- evaluation
- baseline inventory
- long term monitoring

Future Action for Town Board

1. Conservation Easement Template - Review and approve Conservation Easement Template.
2. Agricultural Easement Template – Currently being drafted by GOSC for submittal to TB in near future.
3. Review and update Town Laws related to Conservation Easements and Open Space Preservation.
4. Research options for covering costs for future conservation and Agricultural town held easements.
5. Implement monitoring program for current Town held CEs.



“One touch of nature makes the
whole world kin.”

Shakespeare