

Town of Gardiner Application for Protection of Open Space and Farmland (2021)

Thank you for submitting an application to the Town of Gardiner for the conservation of your property, through either the transfer of a conservation easement or transfer of title. We are fortunate to receive your application and would like to learn as much as possible about your land to help us make a preliminary decision.

The responsibility of the Gardiner Open Space Commission, to whom this application is being submitted, is to evaluate each application, and make recommendations to the Gardiner Town Board, as to which applications should be considered.

It is the responsibility of the Town Board to accept or not accept the applications.

Please answer the questions appropriate to your property. Indicate N/A (not applicable) where necessary. If the space provided is insufficient for you to answer a question, please attach additional sheets and reference the section and sub-section. If you have a tax map or survey map, or any other documents that you would like us to consider, please provide copies.

1. Information about the Applicant

A. Landowner(s):

Name	Address	Email	Telephone
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

B. Managers or Farmers:

If these premises are managed or farmed by any person(s) other than the owner(s), please list their names and contact information:

Name	Address	Email	Telephone
_____	_____	_____	_____
_____	_____	_____	_____

2. Property information

A. Property location.

Section	Block	Lot	Acres (est.)
_____	_____	_____	_____

Total Acres: _____

B. Source of the acreage estimate:

Survey ____ Tax map ____ Deed ____ Tax bill ____ Other (Identify) _____

C. Will any of the property be exempted from the application?

Yes ____ No ____

If yes, identify the location, approximate shape and the acreage of the exempted areas on a map and please attach map showing what is exempted.

D. Previous Applications

If applicable, state the date(s) of any previous applications made to donate or sell the development rights to this property, and the outcome.

E. Current zoning

F. Is this a working farm? Yes ____ No ____

If so, is property within an Ulster County Ag district? Yes ____ No ____

Is there a current agricultural tax assessment? Yes ____ No ____

Does this farm have a current U.S.D.A Farm Conservation Plan? Yes ____ No ____

(If yes, please provide a copy with this application)

G. Describe any improvements which you plan to make to the premises and when you plan to make them (please estimate):

Improvement	Size (sq. ft. or acres)	Use

3. **Conservation Values of the Property (If the answer is yes, please expand):**

- A. Why do you think your property should be conserved?

- B. Do you know of any rare animals or plants that are on your property?

- C. Do you know if you are close to any conserved property?

- D. Are any rivers, streams or wetlands on or near your property?

- E. Are there significant scenic views on or from your property?

- F. Is your property adjacent to the Rail Trail or any other municipal park or nature preserve?

- G. Describe all bodies of water which are on or adjacent to the premises. For bodies of water on the premises, describe the approximate size, location. Please provide a map if possible).

- H. Identify anything special about the premises (i.e.: historical significance, uniqueness of the agricultural operation, etc.):

SKIP TO QUESTION #5 IF YOUR PROPERTY IS NOT A FARM

4. Agricultural Use of the property

A. Please describe your property, (i.e., whether it is wooded, open fields, number of buildings, wetlands, etc.) and, if applicable, agricultural use of the property (for working farms)

B. Identify the acreage use of the land to be considered for the donation or purchase. Refer to tax bill or farmland assessment forms. Total should equal acres listed on bill. Please include a copy of your most recent farmland assessment form or tax bill with this application.

Field	Acreage	
Pasture	_____	
Open fields (fallow)	_____	
Orchard	_____	
Nursery	_____	
Woodland	_____	(working forest, timber)
Woodland	_____	(non-working forest)
Vegetable	_____	
Tree farm	_____	
Dairy	_____	Number of head: _____
Cattle (beef)	_____	Number of head: _____
Poultry	_____	Flock size: _____
Equine	_____	Number of horses _____
Other	_____	Number of other _____

(ex. sheep, goats, hogs)

C. List in order of importance (#1 being the most important) the types of agricultural enterprises on your premises (i.e.: dairy, hay, trees, field crops, etc.)

D. If you intend to use the premises differently in the upcoming five years from how it has been used over the past year, describe the changes you intend to make:

E. Describe all non-residential improvements, if applicable, which assist in or support agricultural use on these premises. (i.e.: barns, sheds, housing for farm workers, drainage systems, irrigation systems, etc.):

Improvement	Size (sq. ft. or acres)	Use
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

5. **Buildings on the property**

A. Describe all non-residential buildings on the property state their use (indicate on map if possible)

B. Describe the type and size of all non-agricultural uses which are operational on the property (i.e.: business office, home occupations, etc.)

C. Describe each residence on the property. For "Resident Interest", indicate if the resident is the property owner, a relative of the owner, the farm operator, ag labor or unrelated tenant.

Size (sq. ft. Date constructed Number of residents/capacity Resident Interest

6. Property Legal Status

A. Name each person or organization (other than the persons who hold title) who have a legal interest in the premises (including, but not limited to, mortgage claim, lease, use easement, easement, right-of-way, etc.) and describe the interest:

Name and Address Interest

Is the property listed for sale? Yes ____ No ____

Within the past year, has the sale of the property been under negotiation?
Yes ____ No ____

If yes, describe the negotiations and their status:

Is the property under agreement of sale or does anyone have an option to purchase?

Yes ____ No ____

Describe any application for development of the premises which was filed within the last three years. Provide date of preliminary approval, date of final approval and documentation of approvals, if applicable

Liens/Easements/Rights-of-way: Please list any liens, easements or rights-of-way that exist on the premises.

7. **Future building reservations.**

Are you planning to reserve the right to construct a residence or other building and other appurtenant structures on this property, after it is encumbered by a conservation easement? If you are requesting a future building opportunity, please state the location and size of the proposed building and indicate such location on an attached map and its proposed use.

8. **Cost and Development Pressure**

A. **Conservation Easement**

Are you interested in transferring a conservation easement to the Town, to restrict future development on your land?

If so, are you interested in making a donation, or are you interested in being compensated for the transfer?

Are you willing to cover any costs associated with the conveyance (such as survey, title search, appraisal)?

Do you plan to apply for a conservation tax deduction?

B. Transferring property

Are you interested in transferring your property to the Town, provided the Town is interested in receiving the transfer?

If so, are you interested in making a donation, or being compensated for the transfer?

Are you willing to cover any of the transactional costs?

C. Development Pressure

What development pressure, if any, exists for your property?

D. Conflicts. In the interest of full disclosure regarding conflicts of interest, please disclose whether any owner or their family serves in a position of public trust with Ulster County or the Town of Gardiner, whether voluntary or paid.

Name

Municipality

Position

9. Acknowledgments and Authorizations

- A. All persons signing this application certify that the information provided in this form is true. Applicants understand that this application will be disqualified if the applicant willfully provides false information.
- B. All persons signing this application agree to cooperate in the review of this application and to provide such additional information which the Open Space Commission or the Gardiner Town Board deems necessary.
- C. Because the purpose of this program is to convey, or permanently deed restrict your premises against residential, commercial, industrial and in the case of currently non-agricultural use, agricultural use and development, you should consult with an attorney and/or financial advisor with respect to how this restriction could affect you.
- D. Landowner(s) signature(s) below authorize the submission of this application to the Town of Gardiner. All current owners must sign:

Name (print)	Signature	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

Please sign below to attest to the accuracy of the information in this application.

_____	Date: _____
Signature	

Print name	

Please deliver applications and all supporting materials to:

Town of Gardiner
Attn: Open Space Commission
P.O. Box 1
Gardiner, New York 12525