

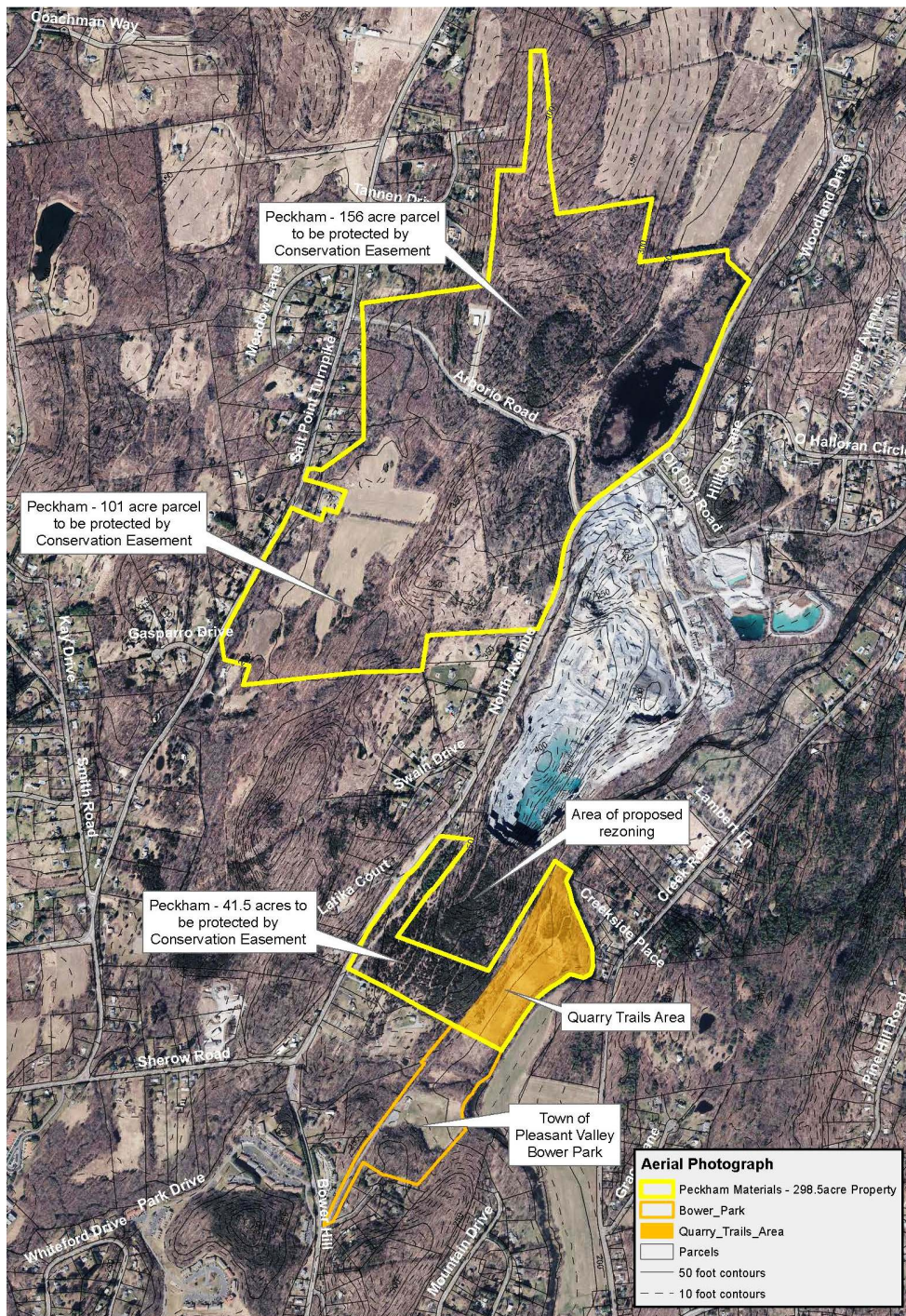


## **The Dutchess Land Conservancy Statement Regarding the Peckham Property in Pleasant Valley**

The mission of the Dutchess Land Conservancy (DLC) is to preserve the scenic, agricultural and environmental resources of Dutchess County in order to ensure its rural character and open landscape. The DLC encourages communities to balance economic growth with the conservation of important natural resources and working landscapes. The preservation of the land is accomplished through conservation easements held and overseen by the DLC. The DLC does not take ownership of the land, but is responsible under the terms of those easements for ensuring the development restrictions placed on the land are never violated. The DLC currently holds conservation easements on and is responsible for oversight of over 43,700 acres of preserved land in Dutchess County.

Peckham Materials Corp., the current owner and operator of the Peckham quarry in Pleasant Valley, is requesting the Town to rezone 22.43 acres on the southern end of its existing quarry from Low Density Residential to Quarry District. In conjunction with the rezoning, Peckham proposes to protect 298.5 acres (the balance of its property) with perpetual conservation easements. The conservation easements will preserve all 298.5 acres to protect open space, forested aquifer recharge areas, wetlands and wildlife habitat, important farmland soils, and contribute to the preservation of the rural character of the Town of Pleasant Valley in furtherance of the priorities of the Comprehensive Plan and Open Space Plan. Development restrictions of a conservation easement are held in perpetuity, as opposed to zoning districts designated by a town board, or site plan restrictions imposed by a planning board, all of which are subject to change by a future board. Conservation easements are not affected or altered by changes in zoning laws or town laws thereby ensuring any future use of the lands is limited to and consistent with the conservation easements.

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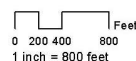


### **Peckham Materials Property**

Town of Pleasant Valley  
Dutchess County NY  
February 17, 2021



298.5 acres +/- (Acreage per Tax Parcel Data and Survey)



### **Aerial Photograph**

2016 digital Ortho-imagery created by NYS Office of Information Technology Services, GIS Program Office. Image pixel size is 0.5' GSD. Image type is 4-band, RGB & NIR. Image horizontal accuracy is within 4' at the 95% confidence level (NASSDA).





# DUTCHESS LAND CONSERVANCY

*Preserving Open Land in Dutchess County*

The decision on whether to grant the rezoning of the 22.43 acres rests with the Pleasant Valley Town Board. The DLC believes that the 298.5 acres of land which would be protected by conservation easement is of ecological importance to the Town of Pleasant Valley. The 298.5 acres to be protected includes 93 acres of prime and important farmland soils, 35 acres of wetlands, 173 acres that is part of a Zone I Aquifer Recharge Area, 173 acres of forest habitat, frontage on the Wappingers and Great Spring Creek and has significant frontage on North Avenue, Arborio Road and Salt Point Turnpike. This area is important for both wildlife habitat and natural resource protection, neither of which would be protected by possible future housing developments. Due to the important resources which would be protected in perpetuity by conservation easement, including the groundwater recharge area which supplies the water wells for many of the nearby residents, the DLC agreed to hold a conservation easement on the 298.5 acres. The important considerations are listed below.

## **Public Benefits of Protecting the 298.5 acres by Conservation Easement to be held by the DLC**

- No future surface or subsurface soil mining or quarrying of the 298.5 acres protected by conservation easement would ever be permitted, regardless of current or future zoning.
- The conservation easement would permanently protect the open character of the property as it now exists. The open space, forested aquifer recharge areas, wetlands and wildlife habitat, and important farmland soils that make up this land would be protected in perpetuity. Preservation areas established under the conservation easement would ensure that these areas are never disturbed.
- The 41.5-acre parcel to the south of the quarry allows public access along walking trails across a portion of it that connect to adjacent Bower Park. This access is allowed by way of

agreement between the Town, and Peckham, with no guarantee of future access. Protecting this land would expand this recreational area and ensure trail access, as well as fishing and recreational access to the Wappingers Creek for local residents. This land would be permanent open space.

- The 257-acres west of North Avenue would be restricted, with the conservation easement designating the majority of the land as preservation area which could not be altered from its present state, yet the land would remain on the tax rolls with no residual effect to the Town's tax base. Maximum future development would be limited to five houses with a total disturbance of no more than 20 acres on the entire 257-acres. Current Zoning for this land is mix of 1, 2 and 3-1/2-acre residential zoning. The existing Peckham office would continue as a pre-existing Town approved commercial use as long as there is never any greater impact than currently exists. This includes the preservation of the forest that currently surrounds the office.
- Conservation easements, unlike zoning laws, are legal restrictions that last into perpetuity. Zoning laws, though they may seem like forever, are constantly subject to revision. The DLC takes extreme care to continually monitor the conservation easements it holds and to meet its obligations under the law to enforce the provisions of all easements held by the DLC.
- Any portion of the Peckham property which is subject to either the Forest Tax Law or the Agricultural Districts Law is **not** subject to a permanent protection. Those are simply property management programs authorized by the State of New York that can be discontinued at any time should the participant be willing to pay the appropriate penalties. They do not preserve the wildlife habitat, farmland, or open space in perpetuity.
- Finally, a landowner may execute a conservation easement with any qualifying organization, including conservation organizations located in other states. The DLC is local and committed to serving as a resource for Dutchess County. Given the choice, local is always better and provides for more reliability in the enforcement of the easement restrictions.