

59807

DATE: November 15, 2017

TO: Board of Acquisition and Contract

FROM: Eileen Mildenberger
Acting Commissioner of Planning

SUBJECT: Resolution Authorizing the County of Westchester to acquire a property interest in the form of two Conservation Easements on real property consisting of approximately 172 acres of farmland known as Stuart's Fruit Farm, located at 62 Granite Springs Road, in the Town of Somers.

The Westchester County Board of Legislators adopted Bond Act No. 194-2017 on November 13, 2017, which authorized the County of Westchester (the "County") to issue \$400,000.00 in bonds to finance Capital Project BLA04 -Stuart's Fruit Farm Conservation Easement as well as Act 195-2017 which authorizes the County to acquire a property interest in the form of two conservation easements (the "Easements"), one on two contiguous parcels of real property and the other on a separate parcel, totaling approximately 172 acres of farmland known as Stuart's Fruit Farm located at 62 Granite Springs Road in the Town of Somers (the "Property"), from the title owners, Robert Stuart and Mary Lee Gerlach. The purpose of the Easements, which will run with and bind the Property in perpetuity, is to conserve viable agricultural land by preventing the conversion of the Property to non-farm uses, except for those allowed under the Easements. The purpose is consistent with the County's Agricultural and Farmland Protection Plan adopted in November, 2004. The County's share of the estimated cost including preliminary costs and costs incidental thereto, and the financing thereof is \$400,000.00; however, the aggregate estimated cost of the project is \$2,825,400.00 and funding will be provided for the balance from the following other sources: the New York State Department of Agriculture and Markets, Hudson Valley Agricultural Enhancement Program, the Town of Somers, the Westchester Land Trust, Inc. and Scenic Hudson Land Trust, Inc.

The goal and objective of this acquisition is to restrict the development of in the Property and to preserve the Property as agricultural land in perpetuity. The agreement will also reduce the potential for sprawl, preserve the cultural history of the County, and enhance the scenic vista and community character of the County. The project will be monitored by the Westchester Land Trust, Inc. as the Lead Grantee for the Easements.

I recommend approval of the acquisition of these Easements.

EM/CP/PN/JC/DK
Attachment

R E S O L U T I O N

UPON A COMMUNICATION FROM THE ACTING COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED, that the County of Westchester is hereby authorized to acquire a property interest in the form of two conservation easements; one on two contiguous parcels of real property and the other on a separate parcel totaling approximately 172 acres of farmland known as Stuart's Fruit Farm located at 62 Granite Springs Road in the Town of Somers from the title owners, Robert Stuart and Mary Lee Gerlach; and be it further

RESOLVED, that the cost to the County to acquire its share of the conservation easements shall not exceed \$400,000.00, while the funding for the balance of the aggregate estimated cost of the project of \$2,825,400.00 will be provided from the following other sources: the New York State Department of Agriculture and Markets, Hudson Valley Agricultural Enhancement Program, the Town of Somers, the Westchester Land Trust, Inc. and Scenic Hudson Land Trust, Inc.; and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute any documents and take any actions necessary to effectuate purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
318	19	BOND ACT 194-2017 BLA04-00-S	6050	N/A	\$400,000.00

Budget Funding Year(s) FY 2017 Start Date _____ End Date _____
(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$400,000.00 Federal Aid _____
(must match resolution)

Other \$400,000.00 _____