



CHERYL ROCKETT <crockett@phillipstown.com>

## Hudson Highlands Reserve Finding Statement

7 messages

Katrina R. Shindledecker <katrina.shindledecker@hhlt.org>  
To: CHERYL ROCKETT <crockett@phillipstown.com>

Thu, May 26, 2022 at 5:08 PM

Dear Cheryl,

I recognize that we are out of the 10-day public comment period for Hudson Highlands Reserve, but wanted to impart the following feedback to the Planning Board on the draft Findings Statement.

My thanks to all for their consideration.

Best to you for the upcoming holiday weekend,  
Katrina

\*Note: the pagination is based on the 05/11/2022 draft

### Page 4 (Location and Description of the Proposed Project):

Suggested edit to the paragraph starting "Appendices I and J to the DEIS...The final version of the HOA agreement documents, including the provisions for enforcement of limitations and prohibitions on homeowners; activities, will be submitted by the Project Sponsor for review and approval as part of the Town's subsequent site plan and conservation subdivision review process." [ADD: Any revision by the HOA to the agreement documents, through construction or once the conservation subdivision is fully constructed will be presented to the Town for review and approval.]

### Page 5 (Location and Description of the Proposed Project):

A. Suggested edits to the sentence, "At this time, the Project Sponsor has not designated the easement holder, but has prepared an agreement setting forth the rules and regulations associated with the Conservation Easement"

"At this time, the Project Sponsor has not designated the easement holder, but has prepared an agreement document draft setting forth the terms, including permitted and prohibited activities, rules and regulations associated with the Conservation Easement area"

B. Other comments on the proposed conservation easement:

- The final conservation easement should be reviewed and approved by the Town to ensure it fully protects the protected property's conservation values.
- A baseline documentation report should be prepared with an affidavit signed by the Town, conservation easement holder, and grantor certifying that it is an accurate representation of the properties conditions upon conveyance of the erasement.
- The conservation easement holder should commit to annual monitoring (and providing the Town with a copy of the monitoring report).
- Will the conservation easement holder receive a stewardship contribution?
- Will the HOA be required to take stewardship action on the conservation easement area - e.g. remove invasive species, habitat restoration?
- Will the conservation easement holder also be provided with an access agreement to ensure they can access the conservation easement area, and have a place to park?
- The conservation easement terms should allow for boundary marking to ensure the adjoining property owners (part of the HOA or otherwise) know the property line - survey pins or monuments would be helpful for the conservation easement holder/monitor.

### Page 7 & 8 (Project Phasing):

A lot of roadway is required before any new homes may be installed.

### Page 8:

A. Please clarify footprint versus total sqft for house.

Is there a maximum footprint. Could you have a one-story 3,000 sqft house?

B. Please outline the next steps. When is the Planning Board's Site Plan and conservation subdivision review stage?

C. On the bullet points

- exterior swimming pools are prohibited; what about hot tubs, lap pools, suunas, etc...

- Is short term rentals defined (are 1, 4, 6 Or 12 month rentals permitted) or will it change with zoning?

Page 9:

A. The second paragraph under Stormwater mentions "future site plan/subdivision approval" Does that refer to this approval or might additional subdivision be requested at a future date?

B. Who approves the SWPPP?

Planninmg Board/Town Board/Conservation Board?

Page 10:

A. Please define "appropriate" plant materials in the third bullet

B. Straw bales should be required for the fourth bullet in lieu of hay bales which may introduce invasive seeds/species.

Page 12:

A. According to the second bullet on this page, they are marking the property line to "restrict the extent of, lawns on the residential lots near the pond." Will the area around the pond (and part of the conservation easement be mowed, planted, managed or let go)?

B. According to the second paragraph on this page, the "Project Sponsor has committed to have the HOA, through the assistance of the retained lake management firm, prepare and implement a pond management plan to ensure permanent care for the pond once the Proposed project is constructed." Does this mean that the pond maintenance won't commence until the community building and all of the proposed homes are constructed (and perhaps have certificates of occupancy)- which may be 5 to 10 years from now?

Page 13:

What will "monitoring" of Clove Creek (or any other water body) entail?

Page 15:

How does the HOA define "clear cutting" "selective tree removal" and "native plants"?

Page 16:

The proper name is Clarence Fahnestock Memorial State Park.

Katrina Shindledecker  
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