

**The Dutchess County Partnership for Manageable Growth  
Open Space and Farmland Protection  
Matching Grant Program**

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**Introduction**

The Open Space and Farmland Protection Matching Grant Program was established as a proposal of the County Executive and adopted in December 1999 (Resolution 990382) to implement the *Dutchess County Agriculture and Farmland Protection Plan* and to protect important agricultural and open space resources. All applications are reviewed upon receipt, pending confirmation of sufficient primary funding which establishes the basis for the partnership and which is required to make the projects viable. Applications submitted to the Dutchess County Planning Board are reviewed in accordance with the Program Guidelines (Attachment A) and Criteria (Attachment B).

Public/private collaboration is strongly encouraged. Funding award contracts with Dutchess County will be based on the specifics of each proposal and the requirements of the primary funding source. Funding will be awarded after approval by the Legislature and execution of the contract.

**Application Cycles** — Applications will be considered in 2 annual cycles:

1. Applications for the first round of open space and/or farmland protection matching grants must be postmarked by **January 31st**.
2. Applications for the second round of open space and/or farmland protection matching grants must be postmarked by **July 31st**.

Applications should include complete copies of all applications submitted for primary funding as well as any additional information requested by Dutchess County. (See attached Application Components.) Please submit one (1) original and ten (10) additional copies of applications for matching funds to:

**DCPMG Open Space and Farmland Protection Program  
Dutchess County Planning Board  
27 High Street  
Poughkeepsie New York 12601**

## Application Components

### A. Cover Sheet

- Title of Proposed Project;
- Category (Open Space or Farmland);
- Location of Proposed Project;
- Parcel number(s) and acreage;
- Name of land owner;
- Sponsoring organization and/or municipality if applicable, and contact person;
- Address, telephone number, FAX number of applicant(s);
- Total estimate cost of Proposed Project;
- Amount and source(s) of primary funding;
- Amount of matching grant requested;
- Signature of land owner(s).

### B. Project Summary — A brief description of the Proposal, including:

- Description of property and current use;
- Property's local and regional importance as an open space and/or agricultural resource;
- Development pressures or imminent threats to resource;
- Steps taken to secure requisite private and/or public funding;
- Compliance with municipal planning documents including comprehensive plans, open space or resource protection plans, Local Waterfront Revitalization Plans (LWRPs), etc;
- Compliance with County plans including *Directions*, the *Agriculture and Farmland Protection Plan*, and the *Greenway Compact Program*.

### C. Complete copy of application(s) submitted for primary funding

### D. Maps and visual documentation listed below (if included in application submitted for primary funding, indicate location by page number):

- Location map;
- Tax parcel map;
- Topographic map;
- Soils map of farmland;
- Photographs including existing structures;
- Aerial photographs if available.

### E. Budget detailing the total estimated cost of completed project including the following items (please indicate any additional expenses required by primary funding source):

- Land acquisition: estimated cost per acre and total. (Note: Appraisals are not required at this time but will be required if matching funds are awarded. If available, please include summary and identify certified appraiser);
- Survey;

- Baseline mapping and documentation;
- Title search and insurance;
- Administrative costs including negotiation of contracts;
- Stewardship/Monitoring program costs.

**F. Documentation of funding awards including amounts, program requirements, and anticipated timetable for receipt of funds.**

If applications for primary funding are pending, include source(s), amount(s) requested, and projected date of award announcement(s). Include copies of all successful and pending applications for primary funding with this application as well as documentation of confirmed awards.

**G. Environmental Assessment Form (EAF), Part One**

The Dutchess County Legislature will act as Lead Agency in a coordinated environmental review of each recommended proposal pursuant to SEQRA. An EAF Part 1 form, to be completed by the applicant, is included in this application packet (see Attachment C).

**H. Stewardship/Monitoring Plan**

Describe the plan for monitoring the land to insure compliance with the terms of the conservation easement and the plan for maintenance of the acquired public property. Identify the name of the responsible organization or municipality, as well as projected costs and sources of stewardship funding for continued oversight (see Maintenance and Monitoring).

Note: NYS funding awards may be used for monitoring only if costs have been included in the budget submitted with the application for primary funding.

**I. Letters of Support**

## Awards Process

Applicants recommended by the Planning Board to receive matching funds will be assisted by an implementation team that will include representatives from the Dutchess County Attorney's Office, the Department of Planning and Development, and the sponsoring organization or municipality, and others as deemed appropriate.

The Dutchess County Legislature will act as Lead Agency in a coordinated environmental review of successful proposals as required by the New York State Environmental Quality Review Act (SEQRA). The County will be responsible for completing Part 2 (and Part 3, if necessary) of the Environmental Assessment Form for each recommended application.

A project-specific contract defining all project terms, conditions and responsibilities of the applicant and other involved parties will be developed by the County for all proposals awarded matching funds. The final contract agreement will specify information which must be supplied by the grantee in order to access County funding awards, including but not limited to:

- Detailed budget report;
- Appraisal by a New York State Certified General Real Estate Appraiser;
- Title policy insuring, at a minimum, the County's interest in the property or property rights being acquired;
- Approved conservation easement when applicable;
- Approved monitoring or stewardship plan designating the responsible organization(s).

Upon agreement by the applicant and the County to the provisions of the contract, it will be submitted for approval to the Dutchess County Legislature and to primary funding organization(s) as required.

## Maintenance and Monitoring of Acquisition

The particular terms of each matching grant award will depend on several factors, including the requirements imposed by the primary funding organization. Where appropriate, the County's interest in the grant property may include a third-party enforcement right to insure that the terms of its contract with the applicant will continue to be met and may also include the right to share in the pro rata proceeds of any easement that is extinguished.

Dutchess County does not intend to assume responsibility for either the maintenance of publicly held properties or the monitoring of properties placed under conservation easement. It will be the responsibility of applicants to submit a maintenance and/or monitoring proposal and to **include anticipated costs in the total cost of the proposed acquisition**. In the case of **collaborative efforts** (i.e. between land trusts and municipalities), specific responsibilities for oversight will be negotiated during the award implementation process.

In the case of **conservation easements on open space and/or agricultural land**, the County or a municipality may enter into a contract with a land trust to monitor compliance with the terms of the easement. The land trust's annual expenses would be paid from a stewardship endowment established at the time of the closing. Costs will vary according to the size and complexity of properties involved. Interest from the endowment would cover the following activities:

- Annual monitoring (fly-over, site visit, etc.)
- Annual compliance report to County
- Discussion of any violations with land owner
- Notifying County of failure to resolve problems cited
- Monitoring change of ownership, meeting with new owner

In the case of fee simple acquisition of property by a land trust, the land trust would assume responsibility for maintenance, monitoring, and liability. In the case of acquisition by a municipality, the maintenance, monitoring, and liability would be the responsibility of the municipality.

Again, the details of each acquisition will differ. Agreements between the County and applicants will be negotiated individually following award announcements.

**Attachment A:**  
**Program Guidelines**

- The Dutchess County Partnership for Manageable Growth for Open Space and Farmland Protection will be dedicated to either fee simple purchase or purchase of the development rights or conservation easements of priority resources in partnership with project sponsors and funding organization.
- Applications will be reviewed and recommended by the Dutchess County Planning Board. The amount of grant funds recommended shall be determined at the discretion of the Dutchess County Planning Board. The Board's recommendations will be forwarded to the County Executive and County Legislature when an appropriate agreement has been negotiated.
- To insure equitable and cost efficient distribution of County funds, a series of criteria based specifically on Dutchess County conditions and priorities will be applied to each proposal. Selection will be based on the property' conformance to established criteria (see Attachment B: Criteria for Open Space and Farmland Protection).
- The acquisition of any easements, development rights or other interests in land shall require the approval of the Dutchess County Executive and the Dutchess County Legislature. Dutchess County will serve as Lead Agency under the New York State Environmental Quality Review Act.
- The program for farmland protection will provide a matching portion of fee simple, development rights, or conservation easement purchase price up to fifty percent (50%) of the total project cost. Applicants will have secured the remainder from public or private sources that must be identified at the time of application for County funds.
- The program for open space protection will provide a matching portion of fee simple, development rights, or conservation easement purchase price up to fifty percent (50%) of the total project cost. All municipal open space acquisitions will require municipal funding support. Municipal open space projects may be funded up to one third of the total project cost. Municipal open space grants may be increased to fifty (50%) of the project cost provided that there is at least twenty-five percent (25%) of municipal participation.
- Municipal applications for open space funds shall require municipal participation in the Greenway Compact by the local government.
- Municipal sponsors may include Cities, Towns and Villages. Municipalities may partner with other entities, but will be considered the lead applicant.
- County agents such as the Agriculture and Farmland Protection Board, the Soil and Water Conservation District, and the Environmental Management Council and not for profit organizations including land conservancies may sponsor farmland applications in cooperation with landowners.

- Municipal endorsement of farm and open space acquisition proposals is desirable but will not be required.
- Dutchess County's match shall be based on land interest only and shall be based on current appraised value.
- There shall be two application rounds per year. All applications will be reviewed upon receipt by the Planning Board, but no county funds will be committed until funding partners have been identified and additional funding sufficient to complete the proposed acquisition has been confirmed.
- An implementation team will be established for each acquisition recommended by the Dutchess County Planning Board. Team members will include key stakeholder organizations, the County Attorney's Office, the Department of Planning and Development, and other interested parties.

**Attachment B:**

**Criteria for Dutchess County Open Space and Farmland Protection**

Items to be ranked on a scale from “A” (highest value) to “E” (lowest value).

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
<b>LOCAL AND REGIONAL SUPPORT</b>					
Priorities established in municipal Comprehensive Plan					
Inclusion in NYS Open Space Plan					
Inclusion in municipal, county, or regional trail system					
Municipal designation scenic road and/or vistas					
Additional funding source(s) confirmed					
<b>RESOURCE PROTECTION</b>					
Scenic viewshed					
Key gateway area					
Watershed, aquifer protection					
Wildlife habitat					
Historic resource					
Recreational value/public access					
<b>AGRICULTURAL SIGNIFICANCE</b>					
Soil quality					
Economic viability of farm operation					
Location in or near critical mass of productive farmland					
Potential continuity of farm operation					
<b>DEVELOPMENT PRESSURE</b>					
Importance to rural character of municipality					
Accelerated residential growth					
Commercial expansion on key roadways					
Imminent threat					

**Attachment C:**  
**SEQR Full Environmental Assessment Form**  
**(Part 1 only)**

**617.20**  
**Appendix A**  
**State Environmental Quality Review**  
**FULL ENVIRONMENTAL ASSESSMENT FORM**

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

**Full EAF Components:** The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

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**THIS AREA FOR LEAD AGENCY USE ONLY**

**DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions**

**Identify the Portions of EAF completed for this project:**

Part 1

Part 2

Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.\***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

\*A Conditioned Negative Declaration is only valid for Unlisted Actions

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Name of Action

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Name of Lead Agency

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Print or Type Name of Responsible Officer in Lead Agency

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Title of Responsible Officer

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Signature of Responsible Officer in Lead Agency

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Signature of Preparer (If different from responsible officer)

# PART 1--PROJECT INFORMATION

## Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action

Location of Action (include Street Address, Municipality and County)

Name of Applicant/Sponsor

Address

City / PO

State

Zip Code

Business Telephone

Name of Owner (if different)

Address

City / PO

State

Zip Code

Business Telephone

Description of Action:

**Please Complete Each Question--Indicate N.A. if not applicable**

**A. SITE DESCRIPTION**

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use:      Urban                  Industrial                  Commercial                  Residential (suburban)                  Rural (non-farm)  
    Forest                  Agriculture                  Other

2. Total acreage of project area:                  acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	acres	acres
Forested	acres	acres
Agricultural (Includes orchards, cropland, pasture, etc.)	acres	acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	acres	acres
Water Surface Area	acres	acres
Unvegetated (Rock, earth or fill)	acres	acres
Roads, buildings and other paved surfaces	acres	acres
Other (Indicate type)	acres	acres

3. What is predominant soil type(s) on project site?

- a. Soil drainage:                  Well drained                  % of site                  Moderately well drained                  % of site.  
    Poorly drained                  % of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System?                  acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site?                  Yes                  No

a. What is depth to bedrock                  (in feet)

5. Approximate percentage of proposed project site with slopes:

0-10%      %      10- 15%      %      15% or greater      %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places?                  Yes                  No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks?                  Yes                  No

8. What is the depth of the water table?                  (in feet)

9. Is site located over a primary, principal, or sole source aquifer?                  Yes                  No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area?                  Yes                  No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No

According to:

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes No

Describe:

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes No

If yes, explain:

14. Does the present site include scenic views known to be important to the community? Yes No

15. Streams within or contiguous to project area:

a. Name of Stream and name of River to which it is tributary

16. Lakes, ponds, wetland areas within or contiguous to project area:

b. Size (in acres):

17. Is the site served by existing public utilities?                      Yes                      No
- a. If **YES**, does sufficient capacity exist to allow connection?                      Yes                      No
- b. If **YES**, will improvements be necessary to allow connection?                      Yes                      No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?                      Yes                      No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617?                      Yes                      No
20. Has the site ever been used for the disposal of solid or hazardous wastes?                      Yes                      No

**B. Project Description**

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor:                      acres.
- b. Project acreage to be developed:                      acres initially;                      acres ultimately.
- c. Project acreage to remain undeveloped:                      acres.
- d. Length of project, in miles:                      (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed.                      %
- f. Number of off-street parking spaces existing                      ;                      proposed
- g. Maximum vehicular trips generated per hour:                      (upon completion of project)?
- h. If residential: Number and type of housing units:
- |            | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially  |            |            |                 |             |
| Ultimately |            |            |                 |             |
- i. Dimensions (in feet) of largest proposed structure:                      height;                      width;                      length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is?                      ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site?                      tons/cubic yards.
3. Will disturbed areas be reclaimed                      Yes                      No                      N/A
- a. If yes, for what intended purpose is the site being reclaimed?
- b. Will topsoil be stockpiled for reclamation?                      Yes                      No
- c. Will upper subsoil be stockpiled for reclamation?                      Yes                      No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site?                      acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes No

6. If single phase project: Anticipated period of construction: months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated (number)

b. Anticipated date of commencement phase 1: month year, (including demolition)

c. Approximate completion date of final phase: month year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No

8. Will blasting occur during construction? Yes No

9. Number of jobs generated: during construction ; after project is complete

10. Number of jobs eliminated by this project .

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount

b. Name of water body into which effluent will be discharged

13. Is subsurface liquid waste disposal involved? Yes No Type

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? Yes No

16. Will the project generate solid waste? Yes No

a. If yes, what is the amount per month? tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name ; location

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain:

17. Will the project involve the disposal of solid waste?      Yes      No

a. If yes, what is the anticipated rate of disposal?      tons/month.

b. If yes, what is the anticipated site life?      years.

18. Will project use herbicides or pesticides?      Yes      No

19. Will project routinely produce odors (more than one hour per day)?      Yes      No

20. Will project produce operating noise exceeding the local ambient noise levels?      Yes      No

21. Will project result in an increase in energy use?      Yes      No

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity      gallons/minute.

23. Total anticipated water usage per day      gallons/day.

24. Does project involve Local, State or Federal funding?      Yes      No

If yes, explain:

**25. Approvals Required:**

Type

Submittal Date

City, Town, Village Board                      Yes              No

City, Town, Village Planning Board              Yes              No

City, Town Zoning Board                      Yes              No

City, County Health Department              Yes              No

Other Local Agencies                      Yes              No

Other Regional Agencies                      Yes              No

State Agencies                      Yes              No

Federal Agencies                      Yes              No

**C. Zoning and Planning Information**

1. Does proposed action involve a planning or zoning decision?      Yes              No

If Yes, indicate decision required:

Zoning amendment

Zoning variance

New/revision of master plan

Subdivision

Site plan

Special use permit

Resource management plan

Other

2. What is the zoning classification(s) of the site?

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

4. What is the proposed zoning of the site?

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

6. Is the proposed action consistent with the recommended uses in adopted local land use plans?                      Yes                      No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile?                      Yes                      No

9. If the proposed action is the subdivision of land, how many lots are proposed?

a. What is the minimum lot size proposed?

10. Will proposed action require any authorization(s) for the formation of sewer or water districts?      Yes      No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection?)

Yes      No

a. If yes, is existing capacity sufficient to handle projected demand?      Yes      No

12. Will the proposed action result in the generation of traffic significantly above present levels?      Yes      No

a. If yes, is the existing road network adequate to handle the additional traffic.      Yes      No

**D. Informational Details**

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

**E. Verification**

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name

Date

Signature

Title

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.