

Easement Committee Guidelines for the Subdivision of Tax Parcels within WAC Conservation Easements (CE)

The Easement Committee has adopted the following guidelines regarding subdivisions of properties under CE:

1. Proposals for subdivision of individual tax parcels shall be approved if the following conditions are met:
 - a. All tax parcels are at least 7 acres in size .This minimum size will ensure that the subdivided parcel remains eligible for an agricultural exemption under New York State Agricultural Markets Law, 25 AA, Section 301.
 - b. The application from the Grantor meets the minimum requirements set forth in these Guidelines;
 - c. All other requirements and standards of the existing CE, as applied to the new tax parcels, are met.
 - d. If the Conservation Easement specifically restricts subdivisions in a certain way (i.e establishes a minimum size), then that restriction will be respected by and incorporated into the approval process.

2. Upon requesting approval to subdivide a tax parcel within a CE, the grantor shall submit a Subdivision Plan for review by the Easement Committee. The plan shall include the following information for each tax parcel within the CE:
 - a. A map of the CE property that includes the size and boundaries of all proposed individual tax parcels, CEs, and use areas within CEs;
 - b. Nature of agricultural and/or forestry activity currently occurring on the property;
 - c. Physical description of the property, including relevant structures, use areas such as ACEAs, Forestry Conservation Easement Areas (FCEA), Resource Protection Areas (RPA), and Acceptable Development Areas (ADA);
 - d. Description of proposed or existing agricultural and /or forestry activities planned for all tax parcel(s).This should include a description of current or proposed agricultural activities that will continue after the proposed subdivision and whether activities will continue under an existing Whole Farm Plan (WFP) or require a new or revised WFP;
 - e. A description of how buildings, structures, residences, and all other established rights will be allocated among the new CEs and tax parcels, and how the proposed allocation among the parcels will support existing or proposed agricultural activities for new parcels;
 - f. A description of how the configuration of use areas (ACEA, FCEA, RPA, ADA) for all parcels will support proposed agricultural and/or forestry activities described in section 2d;
 - g. Written confirmation from the municipality that the proposed

subdivision is consistent with local zoning ordinances. If the municipality refuses to provide such a statement, the Stewardship Specialist shall indicate this in the narrative statement included in the packet.