

Lot #11 Conservation Easement
5100 Bristol Road
Canandaigua, NY 14424

March 8, 2021
Metrose 11-lot Subdivision

A perpetual conservation easement restricting development of the open space land and allowing use only for agriculture, forestry, passive recreation, protection of natural resources or similar conservation purposes, pursuant to § 247 of the general municipal law and/or §§ 49-0301 through 49-0311 of the environmental conservation laws, shall be granted to the town, with the approval of the town board.

The conservation easement shall prohibit residential, industrial or commercial use of open space land (except in connection with agriculture, forestry and passive recreation) and shall not be amendable to permit such use. Local utility distribution lines, stormwater management facilities shall be allowed as indicated on the proposed site plans. Future driveways, trails and agricultural structures may be permitted on preserved open space land with planning board approval provided that they do not impair the conservation value of the land. Forestry shall be conducted in conformity with applicable best management practices as described by the New York State Department of Environmental Conservation's Division of Lands and Forests or Ontario County Soil and Water Conservation District.

The intension is to restrict the building of housing sub-divisions on the land, which includes all permanent buildings including apartments, houses, building and/or condos. This parcel of land shall provide an open space buffer between residential properties. The purpose of this easement is to conserve open space within the town's residential areas. Agricultural uses shall be allowed on this property. Trails and other passive recreation shall be allowed on the conserved land. Small sheds, portable outhouses, etc. that normally sit on the surface on cement blocks or pressure treated lumber are allowed. Temporary buildings such as tents, teepees, Seneca long houses, etc. are allowed as long as they don't require excavating for their foundations.

Mowing of grass and agricultural lands shall be allowed. Mowing should not impact the preservation of mature trees and forest.

Prohibited activities:

1. No clear cutting of trees. Landowner may remove dead trees and perform normal forestry management practices involving occasional cutting of live softwoods and brush. Landowner may remove trees growing up under larger trees to help the larger trees. Live older hardwoods are not to be cut down for any reason, especially (but not limited to) oak, maple and hickory. No cutting of large trees neither for sale of their lumber nor for firewood use unless they are already dying or dead. Forestry vehicles may access the land as required.
2. No commercial mining or gravel or clay extracting, or of any other minerals, no deep well drilling, for water, or oil, or gas.
3. No public use for motorized vehicles, whose tires tend to make ruts and damage the

moss and grass covering of the trails. A small gravel parking area off the dedicated road is acceptable as a trail head may be added in the future.

4. Any trails are to be used for hiking, on soil or natural materials. No paving of trails with cement or asphalt. Landowner has the right to restrict who may hike there.
5. Benches and rustic seats may be added for meditation and resting to enjoy nature.
6. No permanent roads to be built through the property. Foot Bridges and steppingstones may be added, as long as they don't require deep foundations.