

Conservation Easement
2235 County Road 28
Canandaigua, NY 14424

August 1, 2017
Bill Dewey, owner

These prohibitions need to be permanent, regardless of who legally owns the land.
They are to become a conservation easement controlled by the Town of Canandaigua.

The intension is to restrict the building of housing sub-divisions on the land, which includes all permanent buildings including apartments and condos, barns and large permanent sheds, which require a foundation. 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. The issue is to never disturb Native American graves and never dig for artifacts from previous civilizations.

Prohibited activities:

1. No construction of permanent buildings such as houses or apartments, condos, stores, etc. No excavating for foundations or landscaping retaining walls, etc. anywhere on the easement. No septic tanks and no frost-line-deep trenches for water, electric or other pipelines or utilities. Post holes to frost line for signage, trail markers, etc. are allowed.
2. 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. (Some of the oaks are 200+ years old, and will outlive all of us if we leave them alone). No cutting of large trees neither for sale of their lumber nor for firewood use unless they are already dying or dead.
3. No commercial mining or gravel or clay extracting, or of any other minerals, no deep well drilling, for water, or oil, or gas.
4. 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 on the county road is acceptable as a trail head, on the pipeline easement with pipeline permission.

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5. Trails are to be used for hiking only, on soil or natural materials. No paving of trails with cement or asphalt. Land owner has the right to restrict who may hike there, and the town may patrol it annually.
6. Benches and rustic seats may be added for meditation and resting to enjoy nature.
7. No public use for horseback or other pack animals, again to keep the trails as natural as possible.
8. No permanent roads to be built through the property. Foot Bridges and stepping stones may be added along the brook or drainage ditch, as long as they don't require deep foundations. Surface retaining walls are allowed if required for flood control, but must not require below-frost-line footers.