

# Town of Bethlehem Farms and Forests Conservation Program

## Conservation Project Evaluation Criteria

*To be completed by Town staff in partnership with landowner applicant(s).*

**Town of Bethlehem Planning Department Contacts:**

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- Karen Shaw, Open Space Coordinator: 518-439-4955 x 1106, [kshaw@townofbethlehem.org](mailto:kshaw@townofbethlehem.org)

When the Town receives a **Conservation Project Landowner Application**, the Director of Planning and Open Space Coordinator work closely with the landowner(s) through the application and evaluation process to determine whether the project is eligible for a Town conservation project and if so, identify the best conservation options provided by the Town. The Town’s Conservation Easement Review Board (CERB) is the advisory body for this program and evaluates and reviews all conservation project applications, ultimately sending any recommendations to the Town Board for approval.

### **Project conservation benefits**

- **Project Benefit Summary:** After evaluating all information, what are the KEY conservation benefits for this project that are valuable to both the community and the landowner(s)?

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- Does the project protect at least one of the **4 Town of Bethlehem Conservation Values**, as described in the Town’s Open Space Plan (and summarized below)?

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- What is the project’s quantitative conservation value rating using the Town’s **Conservation Criteria Assessment (CCA)**, as developed for the Town’s “Open Space Plan: Conservation Criteria Implementation” approved by the Town Board in 2017? (0-7: “moderate”; 8-11: “high”; 12-25: “significant”): \_\_\_\_\_

- Zoning District: \_\_\_\_\_ School District: \_\_\_\_\_

- Current use of land: \_\_\_\_\_

- Is the property adjacent to, or potentially connected with, other protected lands in town?: \_\_\_\_\_



- Located in Agricultural District?: \_\_\_\_\_
  
- Receiving an Agricultural Assessment?: \_\_\_\_\_
  
- Does the project include an active farm and/or soils important for future potential farming activity?  
\_\_\_\_\_
  - Does the project identify a farming business for agricultural use of the property?  
\_\_\_\_\_
  - If no farming business is identified, is there interest in finding a successor farmer/farming business for this land (e.g. utilizing American Farmland Trust’s Farmland Finder Network, etc.)?  
\_\_\_\_\_
  
- What is the perceived level of development risk to the proposed project (proximity to public water/sanitary sewer, allowable land uses, proximity to residential neighborhoods/commercial areas)?  
\_\_\_\_\_  
\_\_\_\_\_
  
- Does the project contain lands or structures of historic or cultural significance? Does the project contain, or is the project adjacent to, locally important historic and cultural resources as listed on the National Register of Historic Places by the NYS Historic Preservation Office, or as referenced in “Town of Bethlehem Historic Properties List” (McGrath, 1996), or in other relevant documentation/inventories?  
\_\_\_\_\_  
\_\_\_\_\_
  
- Could the project provide public access for passive or active recreation? Is the land adjacent to an existing park or is land in an area where parkland is needed (See Parks Master Plan, Appendix C, GAPs Map)?  
\_\_\_\_\_
  
- Does the project contain scenic qualities, viewsheds, or vistas?  
\_\_\_\_\_

**Resources of conservation value identified on the property (check all that apply):**

- a. \_\_\_ Farmland – active
- b. \_\_\_ Farmland – fallow/open lands, prime farmland soils, or soils of statewide importance
- c. \_\_\_ Adjacent to farmland, providing a buffer between farmland and other land uses
- d. \_\_\_ Forest land – active or formerly timbered lands, inactive forests (no logging activity)
- e. \_\_\_ Lands of important wildlife habitat or ecologically significant area, wildlife corridor
- f. \_\_\_ Wetlands, groundwater recharge areas, vernal pools, lands important for the protection of water quality or flood attenuation (and their associated buffer areas)
- g. \_\_\_ Streams, ponds, or the Hudson River, and their associated streambank areas (riparian buffers)
- h. \_\_\_ Unique geological or physical features or forms
- i. \_\_\_ Historic, cultural features or value, or lands adjacent that will help protect the integrity of the historic or cultural features
- j. \_\_\_ Scenic features or providing scenic views or vistas
- k. \_\_\_ Potential for public active or passive recreation uses, such as trails



- l. \_\_\_ Potential for public waterfront, water access
- m. \_\_\_ Potential for creating greenways for wildlife corridors (with or without public access)
- n. \_\_\_ Potential for linking with local or regional trail (land or water trail) systems
- o. \_\_\_ Lands that contribute to the health of the Hudson River Estuary ecosystem
- p. \_\_\_ Other: \_\_\_\_\_

**Most appropriate program options for this project:**

- o Term Conservation Easement Exemption (“lease of development rights to the Town): \_\_\_\_\_
  - o Desired conservation easement term length:
    - o \_\_\_ 15-29 years for a 50% tax exemption
    - o \_\_\_ 30-49 years for a 75% tax exemption
    - o \_\_\_ 50-75 years for a 85% tax exemption
    - o \_\_\_ perpetuity/forever for a 90% tax exemption
- o Parkland Set Aside funding \_\_\_\_\_
  - *Send to Parks and Recreation Department for review and comment before proceeding to CERB*
- o Farms and Forests funding \_\_\_\_\_
  - Sale of a permanent agricultural or conservation easement (purchase of development rights, or PDR)
  - Sale of entire property \_\_\_\_\_
  - Sale of portion of the property (indicate acres) \_\_\_\_\_
  - Bargain sale (partial donation – price below appraised value) \_\_\_\_\_
- o State grant funding partnership, such as NYS Agriculture and Markets Farmland Implementation Protection Grant (or Dairy Transition Grant): \_\_\_\_\_
- o Bethlehem Microenterprise Grant Program Funding \_\_\_\_\_
- o NYS Forest Tax Exemption Program (480-a) \_\_\_\_\_
- o Donation of land or land rights to Town or to conservation organization \_\_\_\_\_
- o Other arrangement with MHLC or other conservation organization \_\_\_\_\_

**Project readiness:**

*A major factor for town decision-making about exploring conservation options is that the landowner must be **voluntarily interested** in pursuing a conservation project. And, if more than one landowner is involved in the project, **each landowner must be ready** to move forward. Thus, the following criteria for “project readiness” is a key component of decision-making.*

- Is the landowner (and all landowners on the title) interested/ready to work with the Town in exploring conservation options? \_\_\_\_\_
- Is the property encumbered by a mortgage? \_\_\_\_\_ If yes, is landowner willing/ready to work with lender to obtain a mortgage release, and costs associated with this, on the property to be sold?  
\_\_\_\_\_
- Is landowner aware of any environmental conditions or hazardous conditions related to this parcel?  
\_\_\_\_\_



- Is the applicant in good standing with tax payments to date? \_\_\_\_\_
- Is a land division or lot line revision required? \_\_\_\_\_
- Is landowner(s) willing to sign a letter of intent agreeing to explore conservation options and/or to conduct an appraisal to inform and be a basis for decision-making? \_\_\_\_\_
- Is the landowners(s) willing to explore the potential for a bargain sale of land or development rights/conservation/agricultural easement? \_\_\_\_\_
- Are there organizational partners willing to contribute resources to the project (e.g. Mohawk Hudson Land Conservancy, Scenic Hudson, Albany County, New York State, etc.)?:  
\_\_\_\_\_
- Are there any outside funding opportunities to help leverage any potential town investments in this project (e.g., state or regional grants)?:  
\_\_\_\_\_
- If the property or easement will be sold to the town, does the town have adequate resources to maintain the new property or monitor the conservation easement?:  
\_\_\_\_\_
- Realtor/broker contact (if applicable): \_\_\_\_\_
- Does the project require SEQR review/approval by the Town Board: \_\_\_\_\_

**Is project supported by local, regional, and state plans, priorities, or goals?:**

1. Town of Bethlehem Comprehensive Plan \_\_\_\_\_
2. Town of Bethlehem Open Space Plan: Conservation Criteria Implementation (2017) \_\_\_\_\_
3. Bethlehem Local Waterfront Revitalization Plan \_\_\_\_\_
4. Slingerlands Pedestrian Network Plan \_\_\_\_\_
5. Contained within an area of need (gap) as identified in the 2015 Parks and Recreation Master Plan (Appendix C)? \_\_\_\_\_
6. Within an area indicated as a place that should be considered for conservation by respondents of the 2018 Bethlehem Open Space and Farmland Conservation Survey? \_\_\_\_\_
7. Mohawk Hudson Land Conservancy's "Conservation Criteria", including connected lands, significant habitats, geologic and scientific resources, resilience (based on The Nature Conservancy's Resiliency Mapping Project), wetlands, stream corridors, scenic vistas and viewpoints, working landscapes (farms and working forests)?: \_\_\_\_\_
8. Connected to the Mohawk Hudson Land Conservancy's Natural Area of High Interest and High Conservation Priority called: "Bethlehem Greenways"? \_\_\_\_\_
9. Hudson River Estuary Habitat Restoration Plan \_\_\_\_\_
10. Natural Resource Inventory and Assessment of Conservation Priorities of the Binnen Kill and its Tidal Habitats (NYS DEC Hudson River Estuary Program, 2017 – not online) \_\_\_\_\_
11. Normans Kill Riparian Corridor Study \_\_\_\_\_



- 12. Onesquethaw-Coeymans Watershed Study (2008), or Onesquethaw Watershed Management Plan (2010) \_\_\_\_\_
- 13. Albany County Agriculture and Farmland Protection Plan Update (2018) \_\_\_\_\_
- 14. Scenic Hudson Foodshed Conservation Plan \_\_\_\_\_
- 15. Scenic Hudson's Hudson Valley Conservation Strategy \_\_\_\_\_
- 16. New York State Open Space Plan
- 17. Hudson River Valley Greenways Land Trail or Water Trail – potential connection
- 18. Other: \_\_\_\_\_

**Project cost estimation:** (does not apply to Conservation Easement Exemption)

*When evaluating a potential investment in a conservation project, it is important to estimate and consider the entire bundle of potential costs that may be necessary for project partners (town, landowner, conservancy, etc.) to incur.*

- Assessed value: \_\_\_\_\_ Date of assessment: \_\_\_\_\_
- Appraised value: \_\_\_\_\_ Date of appraisal: \_\_\_\_\_ Appraisal company: \_\_\_\_\_
- Asking price for the property/conservation easement: \_\_\_\_\_
- Proposed/potential contributions from any grant sources or organizational partners: \_\_\_\_\_
  - If grant: name and deadline of grant: \_\_\_\_\_
  - Which organizational partners (conservancies, etc.) \_\_\_\_\_
- Additional project costs anticipated:
  - Land survey: \$ \_\_\_\_\_ Paid for by: \_\_\_\_\_
  - Appraisal: \$ \_\_\_\_\_ Paid for by: \_\_\_\_\_
  - Phase I Environmental Site Assessment: \$ \_\_\_\_\_ Paid for by: \_\_\_\_\_
  - Phase II Environmental Site Assessment: \$ \_\_\_\_\_ Paid for by: \_\_\_\_\_
  - Title search: \$ \_\_\_\_\_ Paid for by: \_\_\_\_\_

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Total estimated potential cost to Town: \$ \_\_\_\_\_

Total estimated potential cost to landowner: \$ \_\_\_\_\_

Total estimated potential cost to (other entity/partner): \$ \_\_\_\_\_

**Other considerations supporting the conservation of this land:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Any barriers to supporting the conservation of this land:**

\_\_\_\_\_  
\_\_\_\_\_



# Bethlehem Farms and Forests Conservation Program

## Purpose and Values

The purpose of the Town's **Farms and Forests Conservation Program** is to conserve the publicly supported conservation values for a wide range of resources in the community, as indicated in the Town's 2017 Open Space Plan, that include, but are not limited to:

### Town of Bethlehem's Conservation Values:

1. **Community character:** including active working farms; agricultural soils and farmland; locally significant historic, and cultural resources; buildings on the National Historic Register or that are contained within an Historic District; scenic views, vistas, and landscapes; and unique geological or physical features or forms.
2. **Recreation and greenways:** including lands suitable for parkland and trails, and/or public access to waterways; lands adjacent to streams, such as the Normans Kill, Vloman Kill, Onesquethaw Creek, Binnen Kill, and the Hudson Riverfront or their tributaries; lands adjacent to preserves or public/private recreational facilities; lands adjacent to roads used by cyclists or that provide a scenic view; lands near existing trails such as the Albany County Helderberg-Hudson Rail Trail; and also contiguous lands that serve as viable wildlife greenways and travel pathways.
3. **Forests, fields, and wildlife ecosystems:** including forests and woodlands, particularly larger forests of five acres or more; working woodlands and forests; forested lands or grasslands adjacent to streams (riparian lands); forested wetlands or vernal pools; grasslands, pastures, and shrublands; and lands that support habitat for rare or threatened plant and animals species important to regional and local biodiversity, particularly areas surrounding the Normans Kill, Vloman Kill, and Onesquethaw creeks, and the Upper Hudson River Significant Biodiversity Area (SBA) along the Hudson River shoreline that encompasses the eastern border of the town and several streams, and the Hudson Valley Limestone and Shale SBA in the southwest corner of town.
4. **Natural Water Systems – streams, wetlands, and the Hudson River:** including lands important for the protection of water quality or flood attenuation; wetlands (especially those not already protected under state or federal wetland law), ponds, streams, groundwater recharge areas, vernal pools, and the Hudson River; the tributaries of the Hudson River that flow through town including the Normans Kill, Vloman Kill, and Onesquethaw Creek (which supports cold water trout and is a part of the Hudson Valley Limestone and Shale SBA), as the health of these streams and their watersheds contribute to the health of the Hudson River Estuary Ecosystem, a nationally and globally significant freshwater tidal river ecosystem.

See Bethlehem's [Open Space Plan](#) and more information at:

[www.townofbethlehem.org/783/Open-Space-Planning](http://www.townofbethlehem.org/783/Open-Space-Planning)



## Bethlehem Open Space Conservation Criteria Assessment

*To be completed by Town staff.*

This conservation criteria assessment has been provided by Bethlehem town staff to the Bethlehem’s Conservation Easement Review Board (CERB) as an initial evaluation of the conservation aspects of the parcel identified below. The 25 conservation criteria used to develop this assessment are based on existing federal, state, and local data sets that are publicly available. A GIS-based Conservation Analysis Tool has generated a “1” or “0” for each criteria listed; each of these criteria are then confirmed or modified by staff through a desktop assessment process. In many cases, field verification may be necessary to determine the current conditions. This assessment is not a final conservation analysis of the parcel, but can provide an objective conservation value of the parcel for initial planning purposes. Other qualitative determinants of conservation value may be included in this quantitative assessment and can be considered for potential conservation benefits when appropriate (these factors include scenic quality, potential for public access or parkland, notable historic value, etc.). Questions about this assessment can be directed to Karen Shaw, Open Space Coordinator, at 518-439-4955 x 1106, [kshaw@townofbethlehem.org](mailto:kshaw@townofbethlehem.org).

**Property owner name(s):**

**Contact:**

**Phone:**

**Email:**

**Property owner address:**

**Mailing address:**

**School District:**

**Parcel Tax ID #:**

**Acres:**

**Property class:**

**Zoning:**

Conservation Criteria	Yes = 1 No = 0	Notes
1. Adjacent to or containing town or privately owned parklands, or existing commercial outdoor recreation (including golf courses, private athletic fields, the YMCA, Rail Trail, etc.).		
2. Adjacent to conserved land and preserves, including land owned by MHLC, Scenic Hudson, Audubon and other private/non-profit entities.		
3. Adjacent to town conservation easements, including lands participating in town’s Conservation Easement Exemption program.		
4. Adjacent to Bicycle and Pedestrian Priority Network roads.		
5. Contains an officially registered historic structure (12 such structures in town) or district (the Slingerlands Historic District and a portion of the Onesquethaw Historic District).		
6. Adjacent to (or containing) community educational facilities or services, including public schools and libraries.		
7. Adjacent to wildlife corridors or greenways, which serve as wildlife travel pathways between habitat patches.		
8. Contains a known wetland (mapped by federal or state agencies, including tidal wetlands), including a natural, vegetated wetland buffer to filter pollutants and reduce downstream flooding.		



<p><b>9. Contains a known wetland (mapped by federal or state agencies, including tidal wetlands), including a wider natural, vegetated wetland buffer to filter pollutants, reduce downstream flooding and provide wildlife habitat for biologically diverse plant and animal species.</b></p>		
<p><b>10. Contains a potential wetland.</b></p>		
<p><b>11. Contains land within floodplains adjacent to local streams, their tributaries, or the Hudson River.</b></p>		
<p><b>12. Contains land affected by projected sea level rise due to climate change predictions.</b></p>		
<p><b>13. Contains, or is adjacent to, a stream or river, and/or a moderately wide (100 ft) vegetated streamside buffer area to filter pollutants and reduce downstream flooding.</b></p>		
<p><b>14. Contains, or is adjacent to, a stream or river, and/or a wide (300 ft) vegetated streamside buffer area, and/or an active river area to filter pollutants, reduce downstream flooding and provide wildlife habitat for biologically diverse plant and animal species.</b></p>		
<p><b>15. Contains a stream that has been designated as a migratory fish run or a trout stream (includes the Normanskill, Vlomankill and Onesquethaw Creek).</b></p>		
<p><b>16. Contains a potential groundwater recharge area.</b></p>		
<p><b>17. Contains or is connected to a large forest patch of 5 – 199 acres or more.</b></p>		
<p><b>18. Contains or is connected to a “Stepping Stone” forest patch of 200-1,999 acres.</b></p>		
<p><b>19. Contains or is connected to a “Locally Significant” forest patch size of 2,000-5,999 acres.</b></p>		
<p><b>20. Contains or is adjacent to a Significant Biodiversity Area (SBA).</b></p>		
<p><b>21. Contains or is adjacent to an Areas Important for Rare Plants or Rare Animals.</b></p>		
<p><b>22. Contains land currently in active agricultural use, is within an agricultural district, or has a current agricultural assessment from the town.</b></p>		
<p><b>23. Contains land with “prime farmland soils” or soils designated as “Farmland of Statewide Importance”, as these soils are best suited for supporting current and future active agriculture.</b></p>		



<b>24. Adjacent to active farmland, providing a buffer between farmland and other land uses, thereby reducing potential conflicts.</b>		
<b>25. Contains land with soils and geology designated as having “high erosion potential” or steep slopes.</b>		
<b>Total Initial Conservation Score:</b> Range: Moderate (2-7), High (8-11), Significant (12-19)		

<b>Additional subjective criteria to be considered by town staff, Planning Board, Town Board.<sup>1</sup></b>	<b>Yes/No</b>	<b>Notes</b>
<b>Contains a publicly noted “scenic view/area” (SBPS)<sup>2</sup>.</b>		
<b>Potential for public access or parkland.</b>		
<b>Historic value.</b>		
<b>Other factors</b>		

<sup>1</sup> Other additional considerations outside of the 25 Conservation Criteria: Each conservation opportunity will inherently have its own unique set of circumstances. The above 25 criteria can produce useful information about a proposed conservation action through a “score”, but ultimately, can only provide a piece of the puzzle. Each conservation opportunity will be assessed by town staff, the CERB, and the Town Board, and in partnership with the interested individual who owns the land being considered, so that the landowner and the community both benefit from any resulting conservation action.

<sup>2</sup> During the summer of 2017, the town conducted a “Scenic Bethlehem Photo Survey” (SBPS) and invited residents to submit digital photos of scenic open and natural spaces that are important to them in town. More than 200 photos were submitted to the town from the public, illustrating publicly noted “scenic” areas. Due to the inherent subjectivity of scenic views, these locations will be utilized by the land use professionals reviewing specific conservation opportunities as they arise on a case by case basis.



# Map(s) of Proposed Conservation Project:

