

L. BUFFERS, LANDSCAPING AND EASEMENTS

Comment L-1

Does the 50' landscaped buffer include distance between proposed new homes and new roads and existing housing? Between property line of existing housing and new homes/new roads?

(Memorandum from Mr. & Mrs. Vitek, to the Town of East Fishkill Planning Board, dated March 22, 2005)

It states in many places that there will be a fifty-foot landscape buffer distance between the proposed new homes and the new roads, how is that measured?

Is that measured from the property line to the road or between the house and the road? Particularly I'm interested as to 125 and Post Access Road A.

(Statement at Public Hearing, Mr. Vitek, dated February 22, 2005)

Response L-1

The 50 foot landscaped buffer is situated between the property line and the proposed new homes/new roads. In other words, the buffer is entirely on the Lake Walton Park property.

Comment L-2

Designated natural buffer areas where proposed houses are adjacent to the Dutchess County Rail Trail should be provided.

(Letter from Ms. Lindsay Carille, Dutchess County Planner to the Town of East Fishkill Planning Board, dated February 18, 2005)

Response L-2

A total of four homes are proposed adjacent to the Dutchess County Trailway. Suitable buffering landscaping and natural screening will be provided for these lots.

Comment L-3

How about the conservation easement one hundred foot? You're talking about a conservation easement to one-hundred-foot lake edge; are you talking about the homeowners being the conservation easement holder?

(Statement at Public Hearing, Mr. Koch, dated February 22, 2005)

Response L-3

It is proposed that the homeowner and Homeowner Association will have a joint arrangement with respect to the Conservation Easement. These areas will be shown on the subdivision map and a Conservation Easement will be placed on record in the Dutchess County Clerk's office. Although the easement will provide mutual enforcement obligations between the homeowner and Homeowners Association, the easement will also grant the right, but not necessarily the obligation, to the Town and the NYSDEC to enforce the easement.

Any conditions or terms of the Conservation Easement will be approved by the Town Attorney to assure that the easement carries out the Planning Board intent for conservation of open space.

Comment L-4

Along that same line, do the property lines go up to the lake?

(Statement at Public Hearing, Mr. Koch, dated February 22, 2005)

Response L-4

Yes, the property lines are proposed to go up to the lake.

Comment L-5

I understand it's regulated. Would you object then to having a deed restriction put on each one of the lots surrounding the lake that notifies them that they're on notice that they're on a wetland and that any work within a hundred feet requires a permit, so that--

(Statement at Public Hearing, Mr. Koch, dated February 22, 2005)

Response L-5

See Response L-3.

Comment L-6

I don't know if that's going to be maintained so close to the road through there. So they're going to have to show and discuss that they're going to maintain and/or provide some screening if that is what you're desiring to make sure you don't see the road.

(Statement at Public Hearing, Mr. Staudohar, dated February 22, 2005)

Response L-6

Supplemental plantings along entry Road A will be provided to help screen the road from the adjoining properties.

Comment L-7

Ms. Drummond asked if, where the property borders, when showing the existing vegetation, was it outside the limits of disturbance and would it stay in the shape that it was now.

(Statement at Public Hearing, Chairperson Drummond, dated 03/22/2005)

Response L-7

The existing vegetation along the property borders outside the limits of disturbance is proposed to remain.

Comment L-8

Ms. Drummond said that the intention is not to put in any additional landscaping along the existing properties that are already on those roads.

(Statement at Public Hearing, Chairperson Drummond, dated 03/22/2005)

Response L-8

No additional landscaping is proposed along the existing properties bordering the proposed project, unless an existing buffer needs to be supplemented.

Comment L-9

Ms. Becroft's last concern was the kind of trees that would be supplemented along the buffer and asked if they would be pines.

(Statement at Public Hearing, Ms. Becroft, dated 03/22/2005)

Response L-9

Supplemental plantings determined to be necessary would include evergreens.