

**TOWN OF COPAKE
RESOLUTION
Number 17 of May 11, 2023**

To enter into and execute a Conservation Easement with Virtus Nostra, LLC

WHEREAS, Virtus Nostra, LLC seeks to subdivide certain land within the Town of Copake, constituting a major subdivision and subdivision approval has been granted by the Planning Board; and

WHEREAS, Section 232-17.1 of the Copake Zoning Code requires, as a condition of the subdivision approval, that the subdivider grant to the Town or to a qualified not-for-profit conservation organization a conservation easement approved by the Planning Board, which shall in perpetuity restrict development and preserve the protected lands essentially in their natural state; and

WHEREAS, pursuant to New York law and the Code of the Town of Copake, only certain qualified not-for-profit conservation organizations or the Town of Copake may hold such conservation easement; and

WHEREAS, the applicant was unsuccessful in its attempts to have the required conservation easement held by a not-for-profit conservation organization; and

WHEREAS, the Planning Board has approved the proposed conservation easement as protecting and preserving suitable and sufficient lands, a copy of which is attached to this resolution,

It is hereby **RESOLVED**,

That the Town Board authorizes the acceptance of a Conservation Easement to be granted by Virtus Nostra, LLC, attached to and made a part of this Resolution, and directs that the Supervisor execute such Conservation Easement on behalf of the Town of Copake and that the Seal of the Town of Copake be imprinted upon the Conservation Easement document; and

It is further **RESOLVED**, that the Supervisor and Clerk, with attorney guidance, take such steps as are necessary to complete, execute, and record such Conservation Easement with the County Clerk and complete all other requisite actions.

Roll Call Vote The foregoing Resolution, offered by Supervisor Mettler and seconded by Councilperson Wolf, was duly put to a roll call vote as follows:

Resolution #17
Dated May 11, 2023
Copake, New York

Roll Call Vote.

Supervisor Mettler

Councilperson Wolf
Councilperson Gansowski
Councilperson Judd
Councilperson Sullivan

Lynn M. Connolly, Town Clerk

(seal)

May 11, 2023