

Virginia Buechele

Windsor Court - Town of Poughkeepsie Town Board October 18, 2006

I would like to begin by saying the Amendment of Local Law #16 of 2005 should be tabled and no action taken by this board this evening!

Why? You might say!

I don't believe the public has been presented with an accurate picture of the Locust Grove Land Project by Locust Grove, Certain Members of this Board or the Local Press. I've seen the Fear Card played too many times and I am here to remove those FEAR CARDS from the DECK. As Abraham Lincoln said you can fool some people all the time, all people some of the time but you can't fool all people, all of the time.

- - - -[The Fear Cards]- - - -

Fall 2005 Locust Grove Newsletter

"If Locust Grove does not purchase this land, **ALL THREE PARCELS**, will be subdivided and developed, isolating the estate in a sea of construction in a already overbuilt area " **[Fear Card]**

Ray Armiter, Locust Grove Sept. 13, 2006 presentation to this Board

Armiter states regarding what will happen if the acquisition does not proceed

"**ALL THREE PARCELS** would be developed." **[Fear Card]**

At this same Sept. 13, 2006 Board Meeting when the matter of an Open Space fund is brought up:

Councilman Krakower STATES

"by the time that gets done there will be a HOTEL." **[Fear Card]**

"We can't say - we can't help you" regarding the 22 Acre Parcel.

Poughkeepsie Journal, Sept. 30, 2006

Councilman Seminara is quoted:

"It's well worth it, if we don't want to see **another retail outlet there**" **[Fear Card]**

Poughkeepsie Journal, Oct. 4, 2006

"The GOP claims the six figure donation **will preserve open space** along Route 9."

What would you say then if I were to tell you that 2/3rds of the acreage involved in the Locust Grove Land acquisition is already protected open space.

To remove the commercial development FEAR CARDS.

All you have to do is review a Dutchess County Deed recorded at Liber 1835 beginning at page 190 - This 1989 Executors Deed from the Executors of the Estate of Elise Hamilton Kinhead to Poughkeepsie Rural Clearly spells out a Conservation Easement on the 21.22 Acres known as "Southwood" donated by the Estate to Poughkeepsie Rural Cemetery under the stipulations of Elise Hamilton Kinhead's will. This DEED preserves the opens space and character of 21.22 Acre "Southwood" parcel in PERPETUITY.
(The same parcel Locust Grove is looking to acquire as open space]

and I quote from the Deed conveying the ""Southwood" parcel to Poughkeepsie Rural Cemetery:

"Subject to a Conservation Easement which **runs with the land** and which was granted to Dutchess Land Conservancy, Inc., by instrument to be recorded in the Dutchess County Clerk's Office Concurrently herewith dated May 2, 1989.

The party of the second part [**Poughkeepsie Rural Cemetery**] covenants and agrees that the premises herein conveyed and described in Schedule "A" hereto i. e. "Southwood" shall

FOREVER be used for conservation, educational, religious and charitable purposes, including without limitations all current purposes and activities of the party of the second part and shall be conveyed by the party of the second part only to an organization or organizations of a religious, charitable or educational purpose as described in Section 170(c) of the Internal Revenue Code of 1986 as amended.

The aforesaid covenant shall be, and shall be deemed to be a covenant running with the land and shall be binding upon and shall insure to the benefit of the heirs, successors and assigns of the parties hereto.

So you see there is no need to for this town NOW or EVER to spend \$150,000 of taxpayer dollars for Locust Grove to acquire 21.22 acres that is already preserved as open space by deed covenant and a conservation easement held by the Dutchess Land Conservancy which runs with the land.

I respectfully request this board table this resolution indefinitely and for someone to explain why the facts surrounding Parcel 3 of the Locust Grove Land Acquisition were not brought to the attention of the Public **before this local law was even considered!**

The **Fear Cards** have been removed from the deck - until proven wrong I believe there is absolutely no way that another Hotel or commercial retail outlet will ever be allowed on 2/3rds of the total property better known as Parcel 3 of the Locust Grove Land Acquisition Project.

Councilman Krakower you have said more than once AT RECENT MEETINGS "the town needs to step up to the plate" with 6 - 12 Cents on a dollar for this particular Land Acquisition Project - This one taxpayer says this town should **NOT spend even 1 Cent** to protect already protected open space! Elise Hamilton Kinhead's executors carried out her last wishes to a high degree - She was a woman ahead of her time - we should all be thankful for that, leave well enough alone and save ourselves \$150,000 taxpayer dollars. **Let's save those dollars for open space that is not already protected to such a high degree.**