

Schoharie Trail FAQ:

Here are some points to be aware of and discuss as needed with landowners for the Schoharie Trail

1. How will the trail be maintained? Several ways. The Village has committed to ensuring police protection, as well as maintenance of trail bed and facilities. They will be incorporating that into their budget and policies. A 'Friends of the Trail' will be formed to both promote, monitor, and maintain the trail on a regular basis. The legal document (an easement) will be written to convey how long-term maintenance will be addressed so landowners know. The Trail Committee with its consultants and the Village will prepare a Trail Management Plan which will outline these maintenance needs and this plan will be in place prior to opening the trail.
2. How does the trail affect my liability? New York State offers statutory protection through the NYS General Obligation Law 9 -103. It provides property owners immunity from liability when a plaintiff is injured while engaged in one of the statute's enumerated activities while on land which is suitable for that activity (of which the Schoharie trail is one of those activities). Also, the Village will add the landowner as an additional insured on the Village's insurance policy.
3. How will my privacy be maintained? The trail designers will work with landowners to ensure their concerns are met and this will be memorialized in both the design and in easement language. This can be accomplished via signs, landscaping, or fences as may be needed.
4. Will the trail impact my property values? Nationwide research on trails has consistently shown that trails like the one planned in Schoharie have either no effect or positive effect on property values.
5. Will there be more crime? Again, New York and nationwide research has shown this to be more of a concern than a reality. Experience and studies have shown crime to not be a problem. The Mohawk-Hudson Bike-Hike Trail Study (Albany to Voorheesville) has shown that the vast majority of landowners with a trail on or near their property are satisfied being a trail neighbor. However, recognizing this is a valid concern, the Trail Committee and Village will develop a safety plan with emergency response strategies as part of the trail management plan.
6. Who will help me with the easement? The grant funding has allowed the Village to retain an attorney to help develop the easement for the trail with you. They will work closely to understand any concerns you have and work to address them in the easement language. You may want to have your own attorney review this document on your behalf when it is drafted.
7. Will I still own the land that the trail is on? Yes, the trail will be an easement over your land and you will be able to sell, lease, mortgage the property or pass it onto heirs. The easement will go along with all these transactions.
8. Will there be any tax benefits to my offering a voluntary easement? Possibly. We are looking into whether the New York State Conservation Easement Credit will apply. If it does, that credit is 25% of

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the school district, county, and town real property taxes paid during the current tax year on the land subject to the conservation easement (excluding those taxes paid on buildings, structures, and other improvements). The maximum conservation easement tax credit claimed is limited to \$5,000 each tax year. The amount of the conservation easement tax credit plus any other tax credit that is based on the school district, county, and town real property taxes cannot exceed the amount of these taxes.

9. Is the trail permanent or temporary. The easement will be required to be permanent since this is State funded. It lasts throughout the 'life of the trail'.
10. Will there be future communication with the Village about the Trail? Yes. Working with landowners is critical to the success of the Trail, and we will include checking in with landowners every year or so to keep lines of communication open, and learn about any issues that need to be addressed in the trail management plan.
11. What is the schedule for development of the plan? Both an attorney and an engineer/landscape architect firm have been retained as part of the grant. The Committee hopes to schedule a 'trail walk' on properties with property owners to discuss it and get more specific information on where the trail will go. This will be in early spring 2021. The easement language will be developed with landowners over the summer and the trail design, permitting, and construction specifications will be worked on through 2021. Landowners will have the chance to review and comment on all draft and designs before finalization. It is hoped that bid documents for construction will go out winter of 2022 and construction spring/summer 2022.
12. Will there be opportunities for community involvement? Yes. The Committee is working on many ways to engage the community in the process, as well as in the fundraising needed to help the Village meet their grant match requirement.
13. Why is this trail important to Schoharie? For many reasons. The Trail concept has been on the drawing board for 25 years! It was included in the Village's Comprehensive Plan, Long-Term Recovery Strategy, and Local Waterfront Revitalization Plan (Recreation Plan), as well as the updated Comprehensive Plan. It is an important community and economic development feature that we hope will provide a unique walk and kayak/canoe experience for Village residents and visitors. We the loop from Bridge Street to Depot Lane and back through Main Street will support local businesses and be an economic driver. It will promote outdoor recreation, healthy activities, and access to the Creek for educational purposes for the School.
14. Where will the trail be, how long will it be, and will there be parking? The trail will go from the Depot Lane area, along the Schoharie Creek south to Bridge Street. It is estimated to be a 1.7-mile-long trail. There will be two parking areas – one off of Depot Lane on Village-owned property, and one on the Village-owned land (the FEMA Buyout property located on Bridge Street).
15. How much will the trail cost? The Village has received \$656,000 for the permitting, design and construction of the trail.

16. Are taxes paying for the trail? Federal and state grants are funding 75% of all costs related to the design and construction of the trail. The Village is responsible for covering 25% of the project, but a significant part of that will be in-kind services and volunteer time. The Steering Committee is working on plans to fund raise for the remainder of the match dollars that will be needed. After construction, some tax dollars will go into regular maintenance of the trail. A 'Friends of the Trail' non-profit group will be established to take on monitoring, regular maintenance, and long-term needs for the trail.
17. Will the trail be accessible from multiple locations? Yes, the trail will be accessible from Bridge Street and at its northern end, from Depot Lane.
18. What hours will the trail be available? That has not yet been determined and the Trail Planning Committee will be working with landowners to establish hours.
19. Who can access the trail? The trail will be open to all non-motorized pedestrian (walkers, runners, bikers, skaters) users, except where the trail overlaps the snowmobile trail, where snowmobiles are already allowed. There will also be a kayak access point for kayaks and canoers. The exact location of this access point is to be determined by the engineers and designers.
20. Who is the Attorney for the Project? John Lyons, of Grant & Lyons. They are specialists in real estate and environmental law and have worked on many pedestrian trail projects in the Hudson Valley.
21. Who is the Engineering Firm for the Project? SLR (formerly Milone and MacBroom) of New Paltz. They are very familiar with Schoharie and the Schoharie Creek area and have worked on the Stoney Brook restoration project. They also have worked on many pedestrian trail projects and were specifically chosen for their experience working along creeks and in floodplains.
22. If I want to volunteer or ask questions, who do I contact? Dave Henry at dhenry935@gmail.com
23. Who is working on developing this trail? This is a project of the Schoharie Village Board. The Board has appointed an ad hoc volunteer steering committee to work with the consultants and coordinate work to develop this trail.
24. How do I make a donation? Contact the Village Hall at 518-295-8500.