

What is Open Space?

Source: NEMO: Nonpoint Education for Municipal Officials
 Jim Gibbons, Land Use Specialist
 University of Connecticut Cooperative Extension System
 Reissued March 1998

Open Space: What Is It, How Do We Plan For It And Build Consensus To Protect It?

WHAT IS OPEN SPACE?

What is open space? There are as many different answers to that question as people asked. The term conjures up various images to different people. For example, a recreation director might think of supervised, improved playgrounds while a hiker might envision natural areas undisturbed by man. It is important that those concerned with open space clearly define exactly what they mean when using the words open space. This is especially true for those involved with public policy.

While serving on a planning and zoning commission, a developer was asked to set aside open space as part of a proposed subdivision. Most commissioners envisioned the dedication as a natural area. The vague dedication proposal was brought before the public and was vehemently opposed. Most people at the hearing feared that the open space would eventually become an improved park generating lights, noise, dust and beer swilling teenagers. The Commission failed to clearly define the proposed use of the open space. The public had a clearer, unfavorable vision.

How many towns do you know where the planning commission is reluctant to ask for open space dedications because they have no overall plan for these sites? Hence, these potentially valuable open areas are often viewed as undesirable sites posing maintenance and liability problems, or as weed growing, lots scattered throughout the town.

OPEN SPACE - NEGATIVE AND POSITIVE VIEWS

So open space can be viewed as a negative concept. We can't assume everyone is a strong supporter of open space preservation. Someone once referred to open space as "the nuthin between sumptin." This view treats open space as non-productive in that it does not contain development or produce tax revenue. Behind this concept is the feeling that all land should ideally be developed. This view is severely limited and has in fact been proven false. Rather than having a negative economic impact on a community's tax base, open space has proven to have quite the opposite effect.

For example, in suburban areas single family homes often do not pay enough tax revenue to cover the cost of public services they receive. Open space demands little or no service hence, costs the town very little. Studies in several New England Communities have confined the positive economic contribution of open space as opposed to uncontrolled single family home development. Another positive aspect is that property values of land next to open space increase, and in turn, produce increased property tax revenue. Where open space attracts visitors, tourist expenditures can significantly contribute to the local economy. Some public lands are rented generating direct income. In conclusion, open space is a positive land use that each community should seek to encourage.



VARIOUS TYPES OF OPEN SPACE

There are many types of open space. For example, the following list (by no means complete) contains a few common types of open space:

trails	wetlands river	corridors	floodplains	ridges
wildlife	habitat	parks	vacant lots	bike paths
urban plazas	tot lots	scenic vistas	farmland	forests
buffer strips	backyards	preserves		

FUNCTIONAL CATEGORIES FOR OPEN SPACE

Our program finds it helpful to categorize open space by function and suggest the following six functional types:

- **Natural Resource Protection Areas** such as, animal and vegetative habitat, stream belt corridors, trap rock ridges.
- **Outdoor Recreation**
 - ⇒ Active, such as parks, playgrounds, beaches, and trails.
 - ⇒ Passive, such as plazas, sitting areas, arboretums.
- **Resource Management**, such as forests, fisheries, farmland.
- **Protection of Public Health and Safety**, such as floodplains, wetlands, un-buildable areas or areas with limitations for development including steep slopes, high water table, shallow depth to bedrock.
- **Areas that Shape Community Character or Design**, such as buffer strips, front, back and side yards, urban plazas, greenways, open space dedications related to development.
- **Historic or Archeological Sites**, such as battleground, historic structures and grounds, historic districts, town greens.

It is important for those promoting open space preservation to clearly enunciate their ideas and future visions. The above list might help you organize your thoughts concerning this important topic.

WHY PLAN FOR OPEN SPACE?

Few communities are controlling their destiny because they are not in the driver's seat regarding future growth. In most communities, many different people are making land use decisions without a unifying game plan. What often results is haphazard development insensitive to the area's unique sense of place and natural resources. Consequently, a homogenized blend of land use starts to make our area indistinguishable from other regions of the country.

In periods of intense development, communities tend to be in reactive rather than directive modes regarding growth. They end up reacting to development proposals without sending a clear message to developers as to what the community wants. When commissions get bogged down reviewing development proposals, little creative planning occurs. Communities end up accepting what developers offer because it complies with the regulations and the town has no alternate plan. At some point, someone steps back and asks, "Is this the best we can do?" Many local officials would have to answer "Obviously not!" and if they were truly honest with themselves they might say, "in some cases it is little more than the worst that we can do."

If we are to cope with change, create order out of chaos and provide well designed communities rather than manmade sprawl, the solution must be found in the comprehensive land use planning process. Land use planning enables communities to direct growth to those areas capable of supporting it and at the same time identifies and prioritizes areas worthy of conservation. It can and should be a clear statement of how, when and where the community will grow. It provides a concise guide to local officials and developers so no one is surprised by the other's actions at the last minute.

Natural Resource Inventory

Source: Manual of Mapping Techniques for Natural Resource Inventories
Connecticut Cooperative Extension System
College of Agriculture and Natural Resources
C. James Gibbons

What is a Natural Resource Inventory?

A Natural Resource Inventory is a summary in map form of a municipality's committed and uncommitted open space lands, its water resources, and its natural and cultural areas. This set of maps clearly delineates a municipality's natural resources, which in turn provides the foundation for the municipality's open space plan. This fact sheet describes the map-making process for a Natural Resource Inventory.

What is included in a Natural Resource Inventory?

This list is not exclusive and would be determined on a municipality basis.

Base Map Features

- Man-made Features:
 - ⇒ Political Boundaries
 - ⇒ Roads
 - ⇒ Structures
 - ⇒ Utility Lines

Committed Open Space

- State Lands:
 - ⇒ Forests
 - ⇒ Parks
 - ⇒ Boat Launches/Water Accesses
 - ⇒ Farmland (protects & uncommitted)
 - ⇒ Preserves
 - ⇒ Wildlife Management Areas
 - ⇒ Fisheries
- Municipal Lands:
 - ⇒ Recreational Lands
 - ⇒ Schools
 - ⇒ Water Departments
 - ⇒ Vacant
- Quasi-Public Lands
- Cemeteries

Natural Areas Designated for Preservation

- Geological & Biological Sites

Cultural Areas Designated for Preservation

- Historical and Archaeological Sites and/or Districts

Uncommitted Open Space

- Resorts
- Retreats and Camps
- Campgrounds
- Golf Courses
- Marinas
- Fairgrounds
- Rod and Gun Clubs
- Fish and Game Clubs
- Rifle Ranges
- Stables
- Skating Ponds
- Ball Fields
- Water Company Lands

Water Resources

- Surface Water
 - ⇒ Stream Courses
 - ⇒ Rivers
 - ⇒ Lakes
 - ⇒ Dams
- Seasonal Stream Courses
- Subsurface waters
 - ⇒ Aquifers
- Water Quality Classifications
 - ⇒ Public Water Supply Wells



Potential Wildlife Corridors

Strategic corridors 'greenbelts' of land between already committed open space properties. Wildlife Corridors are crucial in avoiding fragmentation and isolation of plant and animal populations. They are important in maintaining biological integrity and natural diversity of species, as well as continuity of natural landscapes.

How is a Natural Resource Inventory Classified?

Sample categories for classifying features:

State Properties S1, S2, ...	Quasi-public lands may be identified by the individual trust organization TNC1, TNC2,... (TNC – The Nature Conservancy)
Municipal Properties M1, M2, ...	Private Lands (Schools, Open Space & Recreational land, etc.) P1, P2, ...
Regional Schools R1, R2, ...	Utility Lands & ROW U1, U2, ...
Farmlands F1, F2, ...	Potential Wildlife Corridors – identified according to levels of priority, based on specific criteria such as distance, streams, ridge-tops, major wetlands, sensitive areas, etc. PC1, PC2, PC3, ...
Cemeteries C1, C2, ...	

Sample Symbols for Land Classification

 Areas of Archaeological Sensitivity	 Dams	 Public Wells
 Surface Water	 Seasonal Stream Courses	 Historical Site
 Aquifer	 Stream Courses	

Developing an Open Space Plan

Source: NEMO: Nonpoint Education for Municipal Officials
Jim Gibbons, Land Use Specialist
University of Connecticut Cooperative Extension System

Ten Steps in the Development of an Open Space Plan

1. SOMEONE MUST TAKE CHARGE

It may be a public agency such as the planning or conservation commission or a non-profit such as a land trust. It might also be a private effort such as a neighborhood group. Ideally it is a coordinated effort involving all of the above.

2. CONDUCT AN OPEN SPACE - NATURAL RESOURCE INVENTORY including:

- Committed Open Land, such as federal, state, municipal or land trust open space.
- Land presently open and used by the public yet no guarantee it will remain so i.e. golf courses, rod and gun club property, camps.
- Areas experts identified as unique or worthy of preservation. Areas unsuitable for development because of steep slope, wetland, flood prone, or shallow depths to bedrock or hardpan.
- Areas that might be preserved by regulation, such as inland wetlands, flood plain, aquifers.

3. CATEGORIZE OPEN SPACE BY FUNCTION

- Natural Resource Protection - unique or fragile animal or vegetative habitat, wildlife corridors, riparian buffer zones.
- Outdoor Recreation
 - ⇒ Active, such as parks, playgrounds, beaches, trails.
 - ⇒ Passive, such as gardens, preserves, plazas, setting areas.
- Resource Management, such as farmland, forest, fisheries.
- Protection of Public Health and Safety, such as flood plains, wetlands, un-buildable areas, areas with limitations for development, aquifer recharge areas.
- Areas that Shape Community Character or Design, such as buffer strips, front, back and side yards, urban plazas, greenways, open space dedications related to development.
- Historic or Archeological Sites, such as battleground, historic structures and grounds, historic districts, town greens.

4. ORGANIZE IDENTIFIED SITES INTO CORRIDORS OR GREENWAYS, such as streams and associated wetlands, links to significant tracts of existing open space, wildlife corridors, trails, farmland districts, un-fragmented productive forests...

5. DEVELOP A SET OF OPEN SPACE OBJECTIVES

The objectives should clearly state the intent, purpose and directions of the open space plan and program. For example, the objective might be to assemble corridors as opposed to scattered parcels or protect critical or threatened habitats or maintain natural drainage ways.

6. PRIORITIZE AREAS FOR PRESERVATION



7. DEVELOP A FINANCIAL PLAN BASED ON HOW THE LAND WILL BE PRESERVED

A realistic assessment of what it will cost to carryout the plan is needed. Sources of guaranteed and potential funds should be included. Land should be categorized as to whether it will be preserved by regulation, purchase, donation, conservation easement, etc.

8. CREATE AN INFORMATION FILE ON EACH IDENTIFIED PARCEL

Review the town's land records to find out who owns it and if there are any encumbrances on the land. Make notes of any unique features of the site.

9. CONTACT IDENTIFIED LANDOWNERS

It is very important to contact landowners whose property is included in the Open Space Plan to discuss the inventory and plan. It is important to talk to these landowners before the general public sees the plan. As their properties will be affected by the plan, they deserve the opportunity to discuss the plan with its authors before it is brought to a public forum. Be careful to point out that their property has been identified as being important as a result of a comprehensive review of the entire town. Discuss, if they are willing, their needs and desires regarding future use of their property. If preservation is not something they are interested in, discuss various creative development techniques that would allow continued lifetime use or achieve a balance between development and conservation.

Many communities develop good open space plans but fail to include affected landowners in the planning process. The result is often a series of controversial public hearings at which landowners unite to oppose a plan they feel will result in an unfair taking of their property. In such an environment, rumor and hearsay runs through the town and the open space plan is soundly defeated or put on hold.

10. CONDUCT A SERIES OF INFORMATIONAL FORUMS ON THE OPEN SPACE PLAN

Public understanding of and involvement in the planning process is extremely important. Develop a slide or video presentation showing various sites delineated in the plan and make presentations before service clubs, town boards, senior citizen groups, garden clubs, etc. If there is opposition to the plan, review and revise where appropriate.



Open Space Preservation Objectives

Source: NEMO: Nonpoint Education for Municipal Officials
 Jim Gibbons, Land Use Specialist
 University of Connecticut Cooperative Extension System

Open Space Preservation Objectives

A municipal open space/natural resource inventory tells us what we now have. An open space plan tells us what we need. A critical component of a plan is to develop objectives and based on these objectives; prioritize the open space parcels with respect to function, uniqueness, importance, and availability. The parcels should also be categorized as to how they will be protected either by regulation, acquisition or design.

For example if your plan has a goal of preserving unique natural resources such as trap rock ridges, it is necessary to first delineate properties located within the ridge boundary. Some of those properties might contain fragile or unique habitat or possibly be isolated tracts of private land surrounded by state or municipal open space. These might become priority sites for acquisition. Other tracts may be on steep slopes or contain poor soils and hence have little chance of being developed. Some form of regulation might preserve these. Finally, you might know a property owner that is interested in selling but would like to see some of the land kept open. These areas might be designated for creative development design such as clustering or lifetime use with conservation easements.

This planning exercise is particularly important if you must approach your local Board of Finance or other funding source for acquisition money. They will want to know that you have done a thorough analysis and are not asking for money for some half-baked, idealistic scheme. Municipalities are now deeply involved with Capital Improvement Planning and this system of planning and prioritization fits nicely with that fiscal program.

One of the major elements in an open space preservation plan is a list of objectives clearly stating the intent, purpose and direction of the plan. What follows is a selected list of objectives that local land use officials might consider when formulating preservation policies.

- *Provide sites to protect surface and subsurface water resources* - should be the backbone of the open space plan. Protect the water's edge for public access as well as to protect water quality.
-
- *Add to existing committed open space* i.e. fill in windows of existing municipal, state or land trust holdings.
- *Assemble open corridors or greenbelts* as opposed to scattered parcels. May be linkages to existing open space or connecting nodes of development, trails, wildlife corridors or riparian buffers.
- *Protect critical or threatened habitats* with emphasis on those areas identified in Connecticut's Natural Diversity Database and Endangered Species List.
- *Protect ground water within existing or potential public drinking water supply aquifers.* Consider both stratified drift deposits and bedrock aquifers.
- *Protect natural drainage ways.*
- *Protect lands of cultural importance* including archeological and historical sites.



- *Provide sites for active and passive recreation.* Requirements will depend upon population and recreation standards.
- *Protect the municipality's unique and significant natural features* including wetlands, floodplains, prime agricultural soils, scenic vistas, trap rock ridges, shorelines, tidal marshes.
- *Preserve farmlands and productive forestland.*
- *Preserve areas that shape community design and character* i.e. plazas, buffer strips, landscaped yards, street trees and areas visible from roads, sidewalks, community gateways.
- *Protect steep slopes* to control soil erosion and water runoff as well as maintaining scenic views of and from areas such as bluffs, ridges, mountains, etc.
- *Combine regulatory and land acquisition measures to achieve open space objectives.*
- *Include areas identified as worthy of preservation in subdivision and zoning regulations* so applicants know up front what lands the community wishes to preserve.
- Provide incentives including clustering, density bonuses, creative design and preferential property taxes *to preserve meaningful open space within private development.*
- *Encourage site development sensitive to the areas natural characteristics.*
- *Encourage growth in areas capable of supporting it* while at the same time preserving areas unsuitable for development.
- *Development density should be based on the physical environment's ability to support it* and not on arbitrary standards such as so many dwelling units per acre, etc.
- *The open space plan should exist in harmony with the town's development plan.* Open space and development should compliment rather than compete with one another.

BALANCED PRESERVATION AND GROWTH

A general goal for those involved in land use decision-making should be to coordinate conservation and growth to insure that each area preserves its unique character and sense of place by providing for sustainable growth and prudent use of scarce natural resources. To achieve this goal some basic policies should be adopted:

- New development must be designed and managed to minimize the consumption of natural resources.
- Open spaces should be accessible and utilized.
- High-density development should be built adjacent to our highways and mass transit lines to provide access to jobs, utilities, transportation and services.
- Lower density development should be placed on sites that are capable of supporting on-site utilities and designed in such a way as to preserve key natural resources.
- New development should respect the site's natural features, utilize natural drainage patterns and keep site disturbance to a minimum.
- Wetlands and riparian corridors should be protected to offset the adverse impacts of development on water resources.

Open Space Preservation Techniques

Source: NEMO: Nonpoint Education for Municipal Officials
 Jim Gibbons, Land Use Specialist
 University of Connecticut Cooperative Extension System
 NYS DOS: Local Government Handbook

Techniques for Preserving Open Space

The following is a summary of some of the more commonly used open space preservation techniques arranged according to ownership options with comments as to their effectiveness and acceptability.

OWNERSHIP OPTIONS FOR GOVERNMENT AND NONPROFITS

1. Fee Simple
 - ⇒ Outright purchase of full title to land
 - ⇒ Owner has full control
 - ⇒ Allows for permanent protection and full public access
 - ⇒ Can be costly, removes land from tax rolls, ownership includes liability and maintenance
2. Fee Simple/Leaseback
 - ⇒ Purchase of full title.
 - ⇒ Leaseback to previous owner or other subject to restrictions.
 - ⇒ Liability and management can be assigned to lessee.
 - ⇒ Land must have some leaseback value i.e. farmland.
 - ⇒ Might not provide public access, but is a form of land banking since restricted use is allowed now.
3. Purchase Of Development Rights or Conservation Easements
 - ⇒ Less expensive than fee simple purchase
 - ⇒ Landowner retains ownership and property remains on tax rolls yet on a lower rate because of restricted use
 - ⇒ As ownership changes restrictions on land use remain
 - ⇒ Potential tax benefits if land is sold at less than appraised value and is considered a donation
 - ⇒ Restricted use may lower resale value
4. Lease
 - ⇒ Short or long term rental of land Low cost for use of land
 - ⇒ Landowner receives income and retains control of property
 - ⇒ Affords only limited control - does not assure permanent protection

NONPROFIT PURCHASE AND OWNERSHIP ENTITY OPTIONS

1. Nonprofit Acquires Land And Conveys It To Public Agency Or A Land Trust
 - ⇒ Nonprofit can enter the real estate market more easily than government and hold land until a public agency is able to purchase or local land trust is able to finance acquisition.
 - ⇒ American Farmland Trust has purchased a Connecticut farm and held it until state appropriated money.



2. Nonprofit Acquires Land And Manages It
 - ⇒ Nature Conservancy and local land trusts have a strong record of doing this in Connecticut.
 - ⇒ Land can be expensive to manage, usually ask for an endowment.
3. Nonprofit Acquires Land Then Sells Or Leases It With Restrictive Easements Or Covenants
 - ⇒ Acquisition is financed by resale or lease
 - ⇒ Resale at less than market value, because of restrictions, makes land affordable for a buyer such as a farmer
4. Nonprofit Acquires Land Then Sells It So Money Can Be Used To Preserve Other Parcels
 - ⇒ Land trusts are beginning to see this as a viable option

TRANSFER OF TITLE OPTIONS

1. Fair Market Value Sale
 - ⇒ Land is sold at a price equal to its value at highest and best use
 - ⇒ Highest sale income to seller - most expensive to buyer
2. Bargain Sale
 - ⇒ Land sold at less than fair market value - part donation/part sale
 - ⇒ Tax benefits to seller as difference between fair market and sale price is considered a charitable contribution and seller pays smaller capital gains tax
 - ⇒ Allows landowner some return on the land
3. Outright Donation
 - ⇒ Donation of all or partial interest
 - ⇒ Allows permanent protection, no public cost, tax benefits to donor since property's fair market value is considered a charitable contribution
 - ⇒ Receiving agency must be willing and capable of managing the land
4. Donation Upon Death Of Owner - "By Devise" - Donor receives no tax benefits
5. Donation With Lifetime Use - "Reserved Life Estate" - donor receives tax benefits (Date of acquisition uncertain with either option #4 or #5.)
6. Land Exchange
 - ⇒ Public agencies or nonprofits exchange developable land for land with high conservation value held privately
 - ⇒ Lands must be of equal value
7. Eminent Domain - Right of Government to take private property for public purpose - must pay just compensation. Last resort - can lead to costly litigation.
8. Tax Foreclosure
 - ⇒ Government acquires land by tax payment default
 - ⇒ Land so acquired may not be suitable for public open space but could be sold to provide funds to buy other parcels

LAND USE REGULATIONS AND PLANS

1. Inland/Wetlands - little if any building in wetland soils
2. Zoning i.e. large lot zoning, net buildable area, soil based zoning, cluster, floating zones, preservation overlay zones (coastal area management), Transfer of Development Rights
3. Subdivision Regulations
 - ⇒ Open Space Dedication
 - ⇒ Payment In Lieu of Dedication
4. Land Use Planning (Backbone of any preservation program)
 - ⇒ Must have a detailed plan of what lands should be developed and which preserved.
 - ⇒ Basis for growth management.
 - ⇒ Planning Commission charged with preparing and updating.
 - ⇒ Town Plan of Development including areas designated for open space preservation.
 - ⇒ Conservation Commission charged with indexing open areas and recommending programs for the development and use of open areas.
 - ⇒ With detailed plan municipality can consider Transfer of Development Rights and similar innovative programs with less chance of legal challenge.
 - ⇒ Public must have input and review and all municipal agencies should buy into plan.
 - ⇒ The plan places the town in the driver's seat regarding future growth and sends out a clear message as to what residents want to see preserved.

Transfer Development Rights (TDR): Summary Description

Transfer of Development Rights (TDR) is an innovative and complex growth management technique. It is based on the real property concept that ownership of land gives the owner a “bundle of rights,” each of which may be separated from the rest. For example, one of the “bundle of rights” is the right to develop land. With a TDR system, landowners are able to retain their land, but sell the development rights for use on other properties.

Under the state zoning enabling statutes (General City Law §20-f; Town Law §261-a; Village Law §7-701), areas of the municipality which have been identified through the planning process as in need of preservation (e.g., agricultural land) or in which development should be avoided (e.g., municipal drinking water supply protection areas) are established as “sending districts.” Development of land in such districts may be heavily restricted, but owners are granted rights under the TDR regulations to sell the rights to develop their lands. Those development rights may thereby be transferred to lands located in designated “receiving districts.”

Transferable development rights usually take the form of a number of units per acre, or gross square footage of floor space, or an increase in height. The rights are used to increase the density of development in a receiving district. Receiving districts are established after the municipality has determined that they are appropriate for increased density based upon a study of the effects of increased density in such areas. Such a study is best incorporated within the community’s comprehensive plan.

The State zoning enabling statutes require that land from which development rights are transferred are subject to a conservation easement limiting the future development of the property. The statutes also require that the assessed valuation of properties be adjusted to reflect the change in development potential for real property tax purposes.

Creative Land Planning

Source: NEMO: Nonpoint Education for Municipal Officials
Jim Gibbons, Land Use Specialist
University of Connecticut Cooperative Extension System

BALANCING CONSERVATION AND DEVELOPMENT THROUGH CREATIVE LAND PLANNING

When landowners contemplate the future of their property, all too often only two options come to mind: “I can either sell the whole thing for development, or I can give it all away to a group that will keep it undeveloped”. In reality, these are merely two extremes on a whole continuum of options that balance preservation and development objectives in creative ways. Many of these options can provide an economic return from the land while, at the same time, permanently protect portions from development. The key to such creative land use is having a plan that reflects your needs and desires and is sensitive to the site’s natural resources.

Step 1: Knowing Your Boundaries

Before any significant land use objectives can be implemented, it is essential that you know the exact location of your property boundaries. While this may seem obvious, there are still many landowners with only a vague idea of at least some boundary locations. If you are among them, you might try doing some deed and field research yourself, and then contact your abutting owners. If you and they agree on boundary locations and are willing to record them on your deeds, that’s all that’s legally required in most cases.

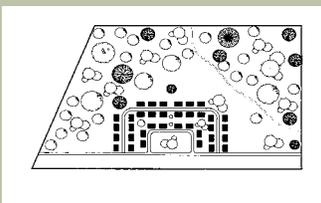
If this method fails, you can sometimes find a local consulting forester who is adept at tracking down boundaries, or you may have to hire a registered surveyor. In any event, only when property lines are clearly established will you know that the land you are planning for is actually yours,

Step 2: Inventorying and Mapping the Land’s Resources

Every property’s natural resources are unique. Identifying and understanding them is critical to the development of a sound land use plan. Every landowner should have a basic inventory of such things as the property’s soils, wetlands, watercourses, steep slopes, aquifers, scenic vistas, and unique or fragile habitats. Ideally, such resources should be plotted on a map along with manmade features such as buildings, dams, stone walls and roads.

If some or all of your property is woodland, a forest inventory and forest cover type map is also valuable. This process will identify the different species, ages and condition of forest cover present, as well as provide detail on such things as valuable wildlife habitat, existing marketable timber and soils best suited for timber growth.

Fortunately, generating all this information is not as difficult as it sounds. The USDA Soil Conservation Service (SCS) is often an excellent place to start. For woodland owners, state forestry agency service foresters can be a tremendous help in developing a forest inventory. There may even be federal cost-sharing funds available to help pay for your inventory. The Forest Stewardship program, for example, can pay up to 75% of the cost of retaining a private professional forester to do a forest inventory and forest stewardship plan. Contact the USDA Agricultural Stabilization and Conservation Service (ASCS) for details.



Step 3: Developing a Conceptual Plan

Once the land's natural and cultural resources are plotted on a map, a conceptual land use plan can be developed. Typically, the plan begins with a second map highlighting the following:

1. **Areas Unsuitable for Development** because of such problems as poorly drained or wet soils, steep slopes or ledge which is exposed or too near the surface.
2. **Areas Where Development is Regulated**, including inland and tidal wetlands, flood plains, water courses, water bodies and/or land over productive aquifers.
3. **Unique or Fragile Areas** worthy of protection including valuable wildlife habitat or wildlife corridors, riparian buffer zones, scenic vistas and land adjacent to existing permanent open space.
4. **Productive Lands** including prime agricultural soils, productive forest soils, fisheries, active farms or managed forests.
5. **Manmade Areas** of interest including historic and archeological sites and structures, dams, trails and any areas of particular importance to you.
6. **Areas Potentially Suited for Development** because they contain few or none of the characteristics cited above.

Some people enjoy working with maps and will choose to be integrally involved in bringing their plan to this stage. Others who have neither the time, talent or inclination to do the planning themselves may prefer to hire a natural resource professional. The public agencies mentioned above can provide much of the needed information and can be helpful in locating qualified private professionals.

Step 4: Matching the Conceptual Plan to Your Needs and Desires

Once you have reached this point you can and should begin making decisions, some of which may be difficult. Your family's economic needs must be weighed against land protection goals in finalizing plans for your property. Is maximum economic return your only goal? Would you like some economic return from the land while still protecting as much as possible? Or is preservation of open space your main goal? Your answers to these kinds of questions, coupled with your conceptual plan information, will dictate the look of your final site plan.

Step 5: Developing a Detailed Site Plan

Now you're ready to develop a final, detailed site plan. At this point, it might prove wise to hire a professional land use planner, civil engineer or landscape architect to develop a site plan which will meet the requirements of regulatory agencies. These professionals can develop several alternative plans, based on your work to this point, that both meet your goals and are permitted by your town's land use regulations.

Step 6: Creative Approaches to Land Conservation and Development

As was mentioned at the outset, there are many land use options available to owners today regardless of your goals. Those primarily interested in protecting land from development have many options (most of which provide some tax benefits) which are discussed in earlier information sheets. These include fee simple sale, bargain sale or donation to a government or nonprofit, sale or donation of development rights or a conservation easement, and the sale or bequest of property with conservation restrictions.

For those who must receive some economic return from the land, more and more towns have adopted zoning and subdivision regulations that allow for development of property while encouraging preservation of open space. These "creative development" approaches utilize the information developed in your conceptual plan to determine what kind and amount of development will best fit the property while meeting your financial needs and open space goals. In many cases, even if maximum dollar return is your goal, well-planned creative development techniques can protect significant open space and still approach or even match the income that traditional "cookie cutter" subdivision would provide.