

# PRIORITIES FOR PROTECTION OF OPEN SPACE



*While Part III. Plan of Conservation is divided into four discrete sections, there is considerable overlap among them in any implementation plan. As anyone who scans the inventory maps will see, often two or more resources or natural features identified as worthy of special consideration occur on the same site on the ground. It is the Conservation Commission's position that the highest priority for Brooklyn's protection strategy should be given to:*

- 1. These multi-value, multiple resource areas;*
- 2. prime farmlands, with particular attention to those currently in agricultural use which comprise one of the most at-risk categories of land;*
- 3. productive habitat areas and habitat corridors;*
- 4. properties adjacent to existing permanently committed open space.*

Map III. 4. entitled Greenway Possibilities for Brooklyn, identifies these priority resource areas and the natural corridors that protect them. It incorporates virtually all the previous resource mapping and in many ways represents the culmination of this conservation plan.

Map III. 4. was created by overlapping Maps III. 1, 2, and 3 as well as Maps I. 4 Archeological Features, Unique Natural Areas and Map I. 5 Committed Open Space. Protection priority was then assigned as follows:

1. THE HIGHEST PROTECTION PRIORITY is given to areas containing priority wetland and water resources (Map III. 1), priority agricultural resources (Map III. 2), and priority forest and wildlife resources (Map III. 3).
2. THE SECOND PRIORITY LEVEL is given to areas containing two of the three priority resource categories, and which are adjacent to existing, permanently committed open space (Map I, 5).
3. THE THIRD PRIORITY LEVEL is given to areas containing two of the three priority resource categories.
4. THE FOURTH PRIORITY LEVEL is given to areas which appear on only one of the resource maps.

Priority 1., 2. and 3. areas are identified on Map III. 4., Greenway Possibilities for Brooklyn. Map III. 4. also identifies roads appropriate for scenic road designation, with emphasis on areas that correspond to scenic vistas and committed open space. Priority 4. areas are not identified on Map III. 4. but are easily identified by viewing the three individual resource maps.

The greenways proposed in Map III. 4. link existing committed open space and the priority protection areas described above. Linking these areas via greenways provides both trails for human recreation benefits, and protects the genetic viability of native wildlife populations. This final map outlines the areas in town that are vital for all forms of living organisms to maintain a high quality of life. This strategy will ensure that the process of linking open space areas will continue as new parcels are protected.

The importance of this approach stems from the understanding that Brooklyn has limited resources for open space acquisition. Ultimately, the implementation of this greenway plan would ensure that every resident of Brooklyn would live within convenient access of a wildlife corridor or hiking trail, which in turn would lead to other available natural areas.

Section V. details proposed strategies for implementing the plan.



# METHODS FOR PROTECTION OF OPEN SPACE

*The objectives of this plan cannot likely be realized without cost, but can be realized with minimal financial impact to the town. There are many options for protecting open space, at least some of which must be utilized if any of the recommendations in this plan are to become reality. Some require financial investment by the town and some do not. Some involve public acquisition of property that is currently privately owned. Others involve leaving property in private ownership, while removing certain rights from the property through purchase from or donation by the owner. Each resource and situation must be examined independently and the most viable option chosen.*

The Conservation Commission recommends that the town of Brooklyn adopt the following open space protection measures as tools for the implementation of this plan:

## A. ENABLE THE USE OF

### CREATIVE DEVELOPMENT TECHNIQUES

Regulatory mechanisms should be adopted through zoning which will encourage natural resource and open space protection rather than discourage it, and still protect the individual landowner. A primary tool in this category is the open space subdivision. Under this option, developers are allowed the same number of units as they would under traditional subdivision, but the orientation of the development sets aside more open land. Houses or commercial buildings are allowed to be "clustered" together on smaller individual lots so that large tracts of open land can be maintained. The Planning and Zoning Commission should review this option and consider mandatory clustering for residential subdivisions containing large areas designated as worthy of protection.

## B. ESTABLISH A TOWN OPEN SPACE FUND

Some occasions are certain to arise where the judicious use of municipal funds to protect open space will prove to be a wise long-term investment. Once missed, such opportunities cannot be regained, and often quick action is required. The existence of a town open space fund will enable Brooklyn to act quickly when the appropriate need arises.

There are numerous ways to generate funds for such an account, including:

- **Municipal bonding:** One very commonly used tool. For example, upon completion of an open space plan, the communities of Groton and Glastonbury voted an \$8 million and \$2 million bond authorization respectively. This option has the advantage of generating a significant sum in a short time, whereas the other alternatives take considerably longer to accumulate a usable amount of money.

- **Fees in lieu of open space:** A recent change in Connecticut's subdivision enabling statutes allows municipalities to request fees in lieu of open space. This gives the Planning and Zoning Commission the option of requesting fees from individual subdivisions, rather than requiring small isolated open space parcels to be set aside in each case. The fees can accumulate and be used for future, more valuable open space acquisition.
- **Budget incorporation:** Another option is for the town to dedicate a percentage of the annual budget to accumulate funds in an open space fund, and/or to target unspent funds previously allocated to certain accounts to roll into the fund.
- **Private contributions:** Some citizens may be willing to contribute to an open space fund as an expression of their personal community and conservation ethic. The town can offer to match private contributions as a giving incentive.

The Conservation Commission hopes to work with the Board of Finance and the Board of Selectman in the immediate future to determine the best, most feasible combination of these and other options.

## C. ESTABLISH A TOWN PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAM

This program would be one use of funds in the open space account. In many cases protection tools that keep the land in private ownership, but preserve the natural resource values of importance, make more sense than public acquisition. The land remains on the tax roles, and the town incurs no long-term maintenance expense. Two examples are the purchase of development rights on working farmland, and the purchase of recreational use easements along streams or rivers. A so-called PDR program would purchase development rights, and in some cases recreational use rights from willing landowners in critical areas which are most threatened by development. The development and/or recreational use rights are sold but the landowner still retains title (and all other rights) to the property.

Importantly, a local PDR program can act as a supplemental fund to the state PDR program for agricultural land. This would be especially effective in cases where the State and a landowner cannot agree on a final dollar amount. In such cases, a relatively small investment by the town can seal a deal that would otherwise fall through. The criteria used by the state PDR program for prioritizing properties fits well with our plan and could logically be used for any local PDR program.

### D. ASSIST PRIVATE LANDOWNERS INTERESTED IN VOLUNTARY PROTECTION MEASURES


Research has shown that many Connecticut landowners have developed a strong attachment to their land and have a personal desire to see that some or all of it is permanently protected from development. Some are willing to forego monetary value in order to realize this desire. Landowners who have such an interest should be made aware that assistance is available to help them design the best protection plan. There are significant income and estate tax benefits available to landowners who donate (or sell at a bargain price) conservation easements or land to the town or to qualifying non-profit organizations.

### E. CONSIDER ADOPTING A TRANSFER OF DEVELOPMENT RIGHTS PROGRAM

This type of town wide program has been shown to successfully protect open space while allowing economic growth to continue. It appears best suited for rapidly urbanizing areas such as northeastern Connecticut.

In a transfer of development rights program, areas which have been previously designated as significant and worthy of protection are designated as "Sending Areas." Designated "Receiving Areas" are those most suitable to more intense development due to factors such as proximity to transportation corridors and public utilities. Developers negotiate directly with willing landowners in the Sending Areas to purchase their development rights at a mutually agreed upon price. The developer can then use the purchased development rights as credits which allow for increased development density on properties in the receiving area.

The Conservation Commission would like to jointly explore the feasibility of adopting such a program in Brooklyn with the Selectmen and the Planning and Zoning Commission.

 **C**ONCLUSION  
*This plan has resulted from the combined expertise of many resource and planning specialists, and more than two years of hard work on the part of volunteer Conservation Commissioners and town staff. No outside planning consultants were hired to generate the ideas and recommendations it contains. Rather, they are the ideas and recommendations of Brooklyn residents who either volunteer on the Commission or who made their interests known through the public participation process.*

*The Conservation Commission believes strongly that, if implemented, this plan can assure Brooklyn's long-term position as one of Connecticut's most successful and desirable communities. The Commission looks forward to moving from the inventory and planning process and on to carrying out the recommendations. We can only be successful, however, if our Selectmen, our fellow town Commissions and the people of Brooklyn share its vision and work with us to make it a reality.*





*Barrett Hill Road*

## REFERENCE LIST

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10. "Fiscal Impacts of Major Land Uses in the Town of Hebron, CT." American Farmland Trust, 1986 Amherst, MA.
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## APPENDIX A

### THE CONSERVATION COMMISSION RESIDENT SURVEY

The Conservation Commission began the process of the Open Space Plan with a survey that was included in the town newsletter and went to every household in Brooklyn. Sixty-one (61) completed surveys were returned, the following is a summary of the results.

#### QUESTION 1:

##### What do you like most about Brooklyn?

An overwhelming majority responded that the main asset of Brooklyn is the rural character, small town atmosphere and the historic nature of the town.

#### QUESTION 2:

The Conservation Commission is inventorying Brooklyn's open space, and hopes to create a town conservation plan that will dovetail with our plan of development, protect important natural resources, and preserve the rural character of our town. Do you agree with these goals?

61 out of 61 responded yes.

#### QUESTION 3:

How important is it to protect these natural resources as Brooklyn continues to develop and grow?

	Very Important	Somewhat Important	Not Important
Acquifers/Clean Water	60	1	0
Forest and Wildlife	59	2	0
Farmland	50	10	1
Scenic or Unique			
Natural Areas	49	4	0
Endangered Species	49	9	2

#### QUESTION 4:

Would you be willing to support open space protection and conservation efforts by:

	Yes	No	Possibly
Helping with the Inventor & Planning Efforts	23	19	18
Contribute to a Town Open Space Fund	26	15	18
Supporting Special Bonding and/or			
Limited Use of Tax Dollars for Open Space	38	9	14

#### QUESTION 5:

Do you know of unique or important open space areas the commission should include in its inventory?

The responses to this question were numerous and varied. They were of great value in the inventory process.

## APPENDIX B - COMMITTED OPEN SPACE

Code	Property	Location	Acres
STATE LAND			
S1	Nachaug State Forest	Elliot Road	90
S2	Nachaug State Forest	Elliot Road	56
		Total	146
MUNICIPAL LAND			
M1	Brooklyn Recreational Park	Prince Hill Road	78
M2	Brooklyn Recreational Park	Prince Hill Road	7
M3	Brooklyn School	Gorman Road	32
		Total	117
AGRICULTURAL LAND			
PDR1	Booth, Robert & Virginia	Spaulding Road	31.5
PDR2	Booth, Robert & Virginia	Spaulding Road	41.2
PDR3	Coville, Margaret Lapsley	Pomfret Road	19
PDR4	Coville, Margaret Lapsley	Pomfret Road	26
		Total	117.7
LAND TRUST			
LT1	Wyndham Land Trust	Wolf Den Road	8.8
LT2	Eastern CT Forest Landowners	Herrick Road	59

Code	Property	Location	Acres
LT3	Wyndham Land Trust	Elliot Road	3
		Total	70.8
CONSERVATION EASEMENTS			
CE1	B&P Associates	Bush Hill Road	52.1
CE2	B&P Associates	Bush Hill Road	1.62
CE3	Kuchy Subdivision	Bunny Lane	0.65
CE3	Kuchy Subdivision	Bunny Lane	
CE3	Kuchy Subdivision	Bunny Lane	
CE3	Kuchy Subdivision	Fairway Drive	
CE3	Kuchy Subdivision	Fairway Drive	
CE3	Kuchy Subdivision	Fairway Drive	
CE4	Stepping Stone Ministries	Brickyard Road	6.3
		Total	60.67
OTHER			
WCSD	Windham County SCS	Wolf Den Road	76
WCSD	Windham County Soil District	Hartford Road	10
		Total	86
Total Acres Protected 598.2			