

TOWN OF EASTON

OPEN SPACE PLAN

CONSERVATION COMMISSION

2016

I. Introduction

Easton's vast open spaces are a central part of the Town's character and a primary reason why Easton is considered "the jewel of Fairfield County." While rapid development and suburban sprawl have changed surrounding towns, Easton residents continue to enjoy the scenic, ecological, agricultural, recreational, and health benefits of its many undeveloped parcels.

Since adopting the last Open Space Plan in 1994 we acquired in excess of 295 acres in various parts of the town. This includes the Morehouse Road property of 129 acres and close to 46 acres around the Mill River, south of the Easton Lake Reservoir, where almost 30 acres is the old Running Brook Farm. Above the reservoir there is another 4.2 acre pond on Abbey Road (1.8 acres belong to Aspetuck Land Trust) that directly feeds into the reservoir and in turn to the Mill River. The Mill River is an important cold water trout fishing resource in the State of Connecticut thus preserving the areas around it has been one of the major goals of this Commission.

In addition to more than 20 working farms, there are 7,724 acres of protected open space in Easton, with diverse owners that include Aquarion Water Company, the State of Connecticut, Aspetuck Land Trust, and the Town of Easton.

Open Space Ownership	Approximate Acreage
Town of Easton	637
Aspetuck Land Trust	813
State of Connecticut	2,236
Aquarion	4,038
Total	7,724

Open Space Protection Objectives

In keeping with the 1994 Town Open Space Plan, and the 2006 Town Plan of Conservation and Development, the Easton Conservation Commission is committed to open space protection as a means of preserving the Town's natural heritage and the many quality-of-life benefits for its residents. The Commission reiterates the following broad objectives for land acquisition and open space preservation:

- To protect and preserve Easton's forests, fields, waterways, and plant and animal habitats;
- To maintain and enhance Easton's aesthetic appeal; and
- To provide our citizens with outdoor recreational and educational opportunities.

Purpose of this Plan

In order to achieve these objectives, this plan will:

- 1) Summarize the history and legislation that relate to open space protection in Easton;
- 2) Present an overview of current open space;
- 3) Affirm the threshold criteria, values, and specific goals for future open space selection;
- 4) Outline the options and resources available for open space acquisition, preservation, and maintenance, in order to minimize the financial impact to the town; and
- 5) Recommend ways that the Town of Easton can continue to meet its open space protection objectives.

II. OVERVIEW

A. HISTORIC OVERVIEW

The following is a list of organizations and a summary of their role acquiring or preserving open space. A more complete list of town owned Open Space can be found in Section III.

- 1963 - Samuel P. Senior Memorial Park, Inc., Located at 260 Center Road, the Park is an 11-acre parcel with a boardwalk over wetlands and woods. This park was conceived by the Easton Garden Club and is managed by a separate Board of Directors under a 99-year lease with BHC, now Aquarion.
- 1966 – Aspetuck Land Trust (ALT) – Its mission is to preserve and conserve open space, including farm and forest land, and natural resources located thereon, primarily in the towns of Easton, Weston, Fairfield, and Westport. In Easton ALT owns 431 acres.
- 1972 – Open Space and Land Utilization Report - - recommended land acquisition, working with Bridgeport Hydraulic Company to preserve greenbelts, establishing a Land Fund and budget to maintain and manage open space.
- 1972 – Citizens for Easton was formed to encourage efforts to retain the rural character of Easton and to promote open space planning. The organization continues to play an active role in the Town.
- 1975 – Paine Open Space – on Maple Road (128 acres) was obtained with the help of federal and state funding while the Town contributed 25% of the cost. Since then through donations from adjacent subdivisions this open space parcel increased to 143 acres. The Conservation Commission is in charge of managing this and all other Town owned open space parcels.
- 1984 – Morehouse Road Open Space - (11 acres) was acquired through a tax foreclosure. Access to this property is from Sierra Lane, off Delaware Road.
- 1985 – Agricultural Land Preservation Fund –an Ordinance, based on Connecticut Public Act #86-135 to preserve working farms was passed by a Town Meeting, the Town’s legislative body.

- 1987 – Easton Land Bank Research Committee Report – suggested modifications to P&Z regulations, including a 15% open space set-asides for subdivisions, establishment of a land bank and drafting of an open space plan. The open space plan and the 15% open space set-asides were subsequently implemented.
- 1987 – Girl Scouts of America – Easton Chapter – was issued a special permit for the use of 32 acres of BHC land off Bibbins. Road. As of June, 2015 the permit expired and was not renewed.
- 1991 – Easton Woods and Fields Association, Inc. – was formed to assist in stewardship of open space properties and to educate the public. – Organization is no longer active.
- 1999 – Trout Brook Valley on the west side of the Town covers 730 acres in Easton and 45 acres in Weston, with over 20 miles of trails. The property formerly owned by Bridgeport Hydraulic/Kelda as Class III land was purchased by DEP, the Nature Conservancy and private donations. It is being managed by a Land Management Agreement among Aquarion (BHC), DEEP and the Nature Conservancy.
- 1999 – The 4 Corners – Route 58 & 136, (28 acres) jointly owned by Aspetuck Land Trust, the Town of Easton and by Aquarion Water Company.
- 2001 – Morehouse Road Property – formerly Stetson property, known as “Buster’s Stratfield Farm” – 129 acres purchased by the Town; future site of Samuel Staples Elementary School, the Animal Shelter, ball fields and open space.
- 2002 – Centennial Watershed State Forest – 15,370 acres located in Easton, Newtown, Redding and Weston. This forest is managed by DEEP, the Nature Conservancy and Aquarion Water Company. Land was owned by Aquarion (formerly BHC) as Class III land.
- 2011 – Agricultural Commission – its mission is to preserve farmlands in Easton and to act in an advisory capacity to the Board of Selectmen and other town boards and commissions regarding agricultural matters.
- 2015 – Aspetuck Trail was completed from Black Rock Turnpike to Rock House Road thru Redding, Newtown and ending in Huntington State Park in Bethel. This trail (6.4 miles) is part of the Centennial Watershed State Forest.

B. LEGISLATIVE OVERVIEW

1. The following vehicles for preserving and protecting Open Space are currently in effect in Easton:
 - a. Acquiring Land Through Tax Default – in 1984, P&Z ruled in favor of such an action.
 - b. Agricultural Land Preservation Fund – in 1985, Easton became the first town in Connecticut to adopt an ordinance providing for a fund designated strictly for the preservation of farmlands. Private gifts, grants or loans and appropriations by the Town, all for agricultural land preservation purposes are to support the sale/purchase of development rights. While Citizens for Easton is the major advocate soliciting funds, the Conservation Commission is in charge of making recommendations to the Board of Finance as to the use of such funds.
 - c. P&Z 15% Open Space Set-Asides – P&Z Subdivision Regulation (pursuant to CGS 8-25) allows the town to acquire extractions of up to 15% of the land in any given subdivision, either in fee or in kind.
 - d. Scenic Road Ordinance – Enacted in 1989; for the purpose to preserve and protect the scenic and/or historic values of the Town's rural roads.
2. The following vehicles for preserving and protecting open space are currently in effect at a state level, but have not been taken advantage of in Easton:
 - a. Public Act 89-305: the Aquifer Protection Act – Contains regulations protecting aquifers
 - b. Recreational and National Heritage Trust Act (CGS Section 23-73): established a fund for land acquisition
 - c. Sec 7-131 of the State of Connecticut General Statutes: gives towns the legislative authority to establish a municipal forest and a commission to manage and care for it. Establishment of a commission and/or a definite plan to enhance the long term viability of community trees should positively affect the town's ability to compete for or receive Federal and State assistance.
 - d. CGS 16-43d: allows profits from the sale of land holdings to benefit the shareholders of public utilities such as Aquarion rather than being used in the rate base if 25% or more of the land in question is allocated as open space.

III. PRESENT OPEN SPACE (February, 2016)

A.	Town Owned Open Space land	409 acres
	Municipal/Quasi Municipal land	
	Town Hall	4
	Library and Parking Lot	5
	Old Staples School	14
	New Staples School/Morehouse property	129
	Helen Keller School/Veterans Park	59
	Town Garage	<u>3</u>
	Total Municipal land	213 acres
	Aspetuck Park	15 acres
	Total Town Owned Land	637 acres
B.	Aspetuck Land Trust Properties	813 acres
C.	State of Connecticut	2,236 acres
D.	Aquarion	4,038 acres
	Present Open Space Total	7,724 acres

IV. CRITERIA FOR FUTURE OPEN SPACE SELECTION

There are many characteristics which make land appealing for preservation or acquisition. The Town's needs are varied. A comprehensive Open Space Plan should meet the following **Threshold Criteria** and the **Open Space Conservation Values and Goals** listed below.

Threshold Criteria

Each project must meet the following criteria in order to be considered:

1. The majority of the land should be located in Easton, Connecticut;
2. The landowner is willing to enter into good faith negotiations with the Town; and
3. The project aligns with the town's open space conservation values.

The appropriate title and ownership appear to be free of obvious problems.

Open Space Conservation Values & Goals

Consistent with the Town Plan of Conservation and Development, and the State of CT's criteria as well, the Conservation Commission outlines the following values and specific goals for open space protection, aesthetic enhancement, and recreation:

A. NATURAL RESOURCE PROTECTION

Protecting and preserving Easton's abundant woodlands, farmlands and water resources are fundamental elements of the Open Space Plan. Throughout most of southern Fairfield County, wildlife habitats and open spaces have been seen as secondary to development. We and our neighboring towns are the guardians of the majority of the County's natural resources. Easton is fortunate that the former Bridgeport Hydraulic Company Class III land was acquired jointly by the State, Nature Conservancy and the Aspetuck Land Trust. This arrangement should maintain the watersheds of our reservoirs as open space in virtual perpetuity. We bear a heavy responsibility to actively protect these important resources for the region as well as ourselves.

Specific goals include:

- Protect and preserve the town's natural resources, such as forests, fields, waterways, and plant and animal habitats—with special attention to critical and unique natural resources, such as the Mill River.
- Protect the water supply watersheds, which encompass nine-tenths of town land and are essential to the healthy public drinking water of more than a dozen neighboring communities.
- Preserve prime agricultural lands.
- Create trail and wildlife linkages (corridors and greenways) between open spaces.
- Protect natural drainage ways.
- Protect species that are rare, endangered, or of special concern (flora and fauna).

Protect a native ecological community that is now uncommon.

B. AESTHETIC ENHANCEMENT

Easton's natural areas, in concert with historic homes, cemeteries, stone walls, and antique structures, shape the Town's serene rural atmosphere. There exists a sense of connection with New England's cultural and natural heritage that is of value educationally, historically, and aesthetically. While surrounded by towns bustling with the pressures of modernity and commerce, Easton still provides a haven of peace, beauty, and history that is well worth protecting. Specific goals include:

1. Preserve and maintain Historic Sites such as cemeteries, mill sites, stone walls, old trees, historic districts, and archeological sites, as well as lands of social and cultural importance, and those that preserve local agricultural heritage
2. Preserve Scenic Areas such as scenic roads, vistas and visual corridors, waterways, ridge tops, and over looks.
3. Protect unique natural features such as rock ridges, steep slopes, stream belts, wetlands, and major trees.

C. RECREATIONAL AND EDUCATIONAL OPPORTUNITIES

Outdoor recreation is heavily dependent upon accessible water and open land which provide the main ingredients for this form of leisure. While we think first of the enjoyment of recreational activities, the educational opportunities which open space provides should not be overlooked. Educating the public about the inherent value of our ecological and historical resources is essential to their preservation. Specific goals include:

- Provide citizens with outdoor recreational and educational opportunities, which may include water-related recreational areas, playing fields, and trail systems.

Increase the size of existing open spaces, such as the Paine Preserve and Trout Brook Valley, which will foster connected corridors and greenways and provide benefits to the ecology, hydrology, and recreation in the area. The Conservation Commission is committed to collaboration with other state and local government, non-profit, and community organizations, as well as town residents, to realize these values and goals.

V. ACQUISITION AND PRESERVATION OPTIONS

Easton is a unique town as the last vestige of a rural landscape in Fairfield County. Our goal is to acquire open space, by gift or purchase, to afford the public to have a personal experience with our environment. Beyond the vagaries of a changing economy, we must promote and increase the public's awareness of the concept of open space as an appeal to make Easton a desirable place to choose to live. The following are options to use to attain our goals:

A. Financial

1. Individual Gifts

- a. To the Town with sufficient funds to maintain the property
- b. To the Town where lands may be matched by state grant-aid programs with town providing maintenance
- c. To Aspetuck Land Trust
- d. To a private land holding non-profit group
- e. Voluntary contributions on a tax bill
- f. Granting of Conservation Easement
 - i. Owner entitled to federal income tax deductions for value of easement given;
 - ii. CGS Sec. 131b specifies that a landowner who conveys less than a fee interest (i.e. conservation easement) to any municipality shall be entitled to a reevaluation of the property which he has encumbered thereby
- g. Preferential treatment to encourage preservation of farms, forest land and open space (CGS12-107a)
- h. To the Agricultural Land Preservation Fund (CGS7-131q)

2. Municipal

- a. Fee in lieu of 15% land extract allowable in subdivisions PA 90-239
- b. Bonding
- c. Budgetary set aside of land acquisition monies
- d. Lease (I.e. Senior Park's 99 year lease from BHC/Aquarion, Bradley-Hubbell House lease from BHC/Aquarion)

3. State and Federal Grants

- a. Agricultural land preservation fund (CGS7-131Q)
- b. Grant in aid for open space land acquisition or development (CGS7-131d)
- c. State Recreation and Natural Heritage Trust Program (town or private land holding non-profit group that acts in cooperation for land acquisition under DEEP (CGS23-73; Land Acquisition Criteria 23-75)
- d. Federal Land and Water Conservation Fund – Federal and State funds cannot exceed 70% of total cost of project (CGS Sec 7-131d – 131k)

- e. DEEP Open Space and Watershed Land Acquisition Grant (OSWA) Program Sec7-131d-k;
- f. DEEP Urban Green and Community Garden Grant Program
- g. Community Investment Act PA 05-228
- h. Municipal Open Space Option Land Acquisition Fund (CGS 7-131r)
- i. Municipality can approve bonding for the purchase of open space as it becomes available
- j. Federal Trail Trust Fund (grants to states for trail maintenance, repair and construction from \$30M annual fund derived from federal excise tax collected on fuel used in non-highway recreation)
- k. US Department of Agriculture Farm and Ranch Land Protection Program
- l. US Department of Agriculture Forestry Legacy Program

B. Regulatory

1. Planning and Zoning Commission Options

- a. Easement (a right in land which is less than full ownership i.e. rights of way over land for trails or road set-backs)
- b. Open space extractions from subdivision (land, fees, trails, alternate site exchanges)
- c. Open space preservation district or zone (provides additional development guidelines for siting, etc. in significant natural/historic areas)
- d. Reduction in road criteria where appropriate
- e. New roads to include multi-use trails
- f. Road and houses sited to save significant trees, stone walls, driveways and utility trenches for adjacent houses consolidated
- g. Net density exclusions (not counting wetlands or steep construction on those sites)
- h. Increased set-backs & protection of ridge tops for preservation of visual corridors and historic sites
- i. Character of open space extraction to be consistent with wetland/upland characteristics of overall subdivision
- j. Scenic roads protection

2. Conservation Commission Options

- a. Regulations to control activities with a buffer area around wetlands and watercourses
- b. Conservation easements where the landowner gives up some rights in perpetuity. He/she retains other property rights including freedom to use his land and enjoy it in any way that is consistent with the easement.

VI RECOMMENDATIONS

- A. Approve this updated Open Space Plan.
- B. Update the Open Space Map with current information
- C. Maintain and ongoing open space inventory and map in cooperation with the Town Clerk, Planning and Zoning and other town officials
- D. Develop a plan for management and maintenance of open space parcels in Easton's inventory
- E. Develop and manage a trail system
- F. Educate the public to increase awareness and utilization of our existing Open Space parcels and trail system.
- G. Educate the public regarding the financial considerations which may be available to those who donate land or offer easements to the town's open space efforts
- H. Educate the public regarding the financial benefits of farmland and open space.