

## **V. ACHIEVING THE VISION**

### **C. OPEN SPACE**

#### **1. INTRODUCTION**

The views of open land and forested landscapes within Newtown lead to a public perception that large areas of the Town are “open space,” without distinction as to the ownership characteristics of the viewed landscape. During the thirty years ending in 2012, 14,000 acres of open land (35% of Newtown’s total land area) were developed for residential subdivisions. Through 2008, Newtown was one of the faster growing towns in Connecticut. While the residential land development pressures which consumed 35% of the Town’s landscape during the past thirty years have slowed with the recession of 2008, Newtown continues to be a prime area for development as economic growth resumes in Connecticut. As a consequence, future development will continue to consume open land, affecting the Town’s visual character and natural resources.

This document strives to encourage developers, citizens, and municipal staff to keep the principles of the Plan of Conservation and Development firmly in mind prior to submitting, approving, and developing plans. Once an area is developed, it’s largely developed for all time. Before development is the time to think carefully about the area proposed and determine if it’s the best use in the best location for Newtown’s sustainability in the long term.

#### **2. PRESENT, HISTORY, AND FUTURE**

##### **A. OPEN SPACE IN NEWTOWN**

As noted above, the views of open land and forested landscapes within Newtown may lead to a perception that large areas of the Town are “open space,” i.e., that all land without development is in some way, open space. However, a field, meadow, forested, or wetlands parcel that is not developed cannot be considered as open space unless it is protected in some formal way.

An open space parcel may be protected from development by ownership, legal conservation easements filed on the land records with proper development restrictions, purchase of development rights, or other regulatory mechanism. The highest level of protection is ownership by the town, state, land trust, enforceable conservation easements or purchased development rights. Lower level of protection is offered by fish and game clubs, water companies, recreational lands such as golf courses and country clubs, and lands designated as wetlands.

Public access may or may not be allowed on protected lands and is not a necessary requirement for property to become protected open space. For example, privately owned property with enforceable conservation restrictions may be considered as open space, even though it is managed for private use. It is important to remember that the term open space implies some level of protection. Without protection, land is simply land, which may be developed or otherwise changed at some point.

##### **B. THE IMPORTANCE OF OPEN SPACE**

Open space adds character, economic value, recreational opportunity, and environmental protection. While the State of Connecticut has several open space mandates and directives, a straightforward way to look at open space lands is that they make Newtown more attractive to residents, potential residents, visitors, and investors. Traditional New England scenic beauty and attractive view scapes that can be enjoyable and shared with future generations.

Open space encourages interaction and bipartisanship with neighboring towns, counties, private property owners, residents, land trusts, and the State of Connecticut. By working together, these entities can foster protected areas, establish wildlife corridors, and preserve areas of environmental concern.

##### **1. Agricultural Integrity**

Open spaces uniquely tied to Newtown’s character include Fairfield Hills’ High Meadow, the Queen Street agricultural fields, and Ferris Farm. Farming has a long history in Newtown and views of the fields and meadows are valued by Newtown’s residents. Having these open spaces preserved

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emphasizes Newtown's commitment to fostering local farms and protecting them from development. These preserved parcels and others combine to preserve Newtown's agricultural integrity.

#### 2. Economic sense

Open space increases town property values by its mere presence. Residents, potential residents, visitors and investors appreciate open space lands and value towns with established open space practices. In addition, open space lands demand little to no infrastructure.

Managed open spaces also contribute to local sustainable economy from food, timber products, and fiber production. These parcels also attract tourists for passive recreation or seasonal foliage excursions.

Wetlands filter pollutants from soils and water. Bacteria and oils break down in wetland environments and result in cleaner water supplies. These open space lands provide free water filtration services otherwise obtained through costly remediation activities.

#### 3. Recreation and Environmental Education

Not everyone in Newtown has fields, meadows, forest, wetlands, or waterfront property. Open space with public access provides residents a unique opportunity to experience natural spaces that they may not otherwise experience .

Water access is highly valued, especially during the summer months. The public can access many Town water bodies including Deep Brook, the Pootatuck River, Lake Zoar, Lake Lillinonah, Curtis Pond, and Taunton Lake via open space parcels.

Trails for hiking, running, bird watching, dog walking, cross country skiing, and horseback riding are present on many open space parcels.

#### 4. Native Plant and Wildlife Preservation

Open space parcels provide important habitat for native plants and trees. In other parts of Newtown, large expanses of lawn are fostered. These lawns do not provide habitat (food, shelter, or breeding areas) for native plants, insects, or wildlife. Birds and bees are negatively affected by pesticides and herbicides that many people apply to lawns. Open spaces provide the essential habitat needed for the continued existence of native creatures.

Many native plants which need certain soil types or moisture requirements can thrive in open space areas where non-native grasses, nutrients, and herbicides are absent. Native flowers seldom seen in manicured landscapes survive in open spaces where town residents can discover and appreciate them.

In addition, the Conservation Commission's goal of linking open space parcels would aid in the creation of longer wildlife corridors. Wildlife corridors are places where birds and animals can safely move in protected places to feeding, shelter, or breeding areas. Many animals will avoid roads when they can safely move through open space wildlife corridors.

#### 5. Environmental Sustainability

Open space lands in floodplains and adjacent protected uplands minimize flooding, streambank degradation and control stormwater runoff. The result of these natural processes ultimately improves water quality.

Forested open space lands and meadows provide water catchment and groundwater recharge. The breakdown of organic materials such as leaves, plants, and branches help create topsoil and increase soil fertility.

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Species diversity is encouraged and threatened or endangered species are provided habitat, such as breeding areas, food, and shelter. A diversity of open space landscapes fosters species richness and a biodiversity of plant and animal species.

#### **C. HISTORY**

Over the past 8 years, conservation work and the town's commitment of approximately \$10 million have led to many accomplishments for Newtown's open space goals. A few of the open space accomplishment over the last years include:

- Protection of over 375 acres through property purchases and conservation easements.
- Securing public lake access.
- Linking existing Open Space owned by Town or Newtown Forest Association Land Trust, particularly along Al's Trail.
- Promotion of the conservation of soils, wetlands, water supplies and other natural resources.
- Preservation of the entrance views to the Town.

The Town of Newtown and the Conservation Commission also seek available grants to help with property purchases. Newtown has already received several grants for open space purchases under the State Open Space Matching Grant Program. The Town of Newtown has been awarded \$138,775 for the Pole Bridge Preserve, \$157,000 for the Laurel Trail Property. A State grant of \$500,000 supported a portion of the purchase of development rights for the Ferris Farm property while a grant of \$326,000 from the Housatonic River Natural Resource Damage Fund supported purchase of access and stream corridor on the Halfway River.

Several key properties added to the Town open space roster include the Eichler's Cove Marina, the Pond Brook Preserve, the Pole Bridge Preserve, the Point O'Rocks Preserve, Ferris Farm, Stone Bridge Preserve, and several smaller properties. Open space set asides from significant real estate developments such as development rights at Fuller's airfield have also been added to the protected listing.

#### **D. ACQUISITION PROCESS**

Land Use Staff and the Conservation Commission are advised of potential open space acquisition opportunities, which might be by outright gift, purchase of property, purchase of a conservation easement, a new real estate development, or a combination of these. The Conservation Commission also works proactively to identify potential open space opportunities.

Commissioners walk potential open space and rate it as to desirability for the town using a standardized rating scale including scenic and aesthetic value, protection of water quality, links to other protected lands, ecological conservation, heritage/recreation, active recreational uses, and development potential. The Commission then discusses the various properties at the regular Commission meetings, ranks the properties in order of desirability for the town, and presents the results to the Board of Selectmen with recommendations as to acquisition. In some cases, grant applications to support property purchases are developed.

In addition to simple purchase of open space, any subdivision development in Newtown is required, under Planning and Zoning regulations, to give 15 percent of buildable land as open space or provide a fee in lieu of such property. The Conservation Commission, in its advisory capacity, works with the Planning and Zoning Commission to identify the most desirable areas of a subdivision proposal for the open space

#### **E. TOWN INTERACTIONS WITH OTHER KEY STAKEHOLDERS**

An important strategy is to work closely with other key stakeholders in the process of acquiring and maintaining open space parcels. Such stakeholders include area land trusts, private property holders (including farm and large property owners), regional planning authorities, municipal commissions and agencies, environmental organizations, neighboring towns, and the State of Connecticut. State of

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Connecticut guidelines and directives will drive some agendas, but the Commission sees the need to work with other partners as well to achieve its goals.

Area land trusts, such as The Newtown Forest Association, are important property owners sharing similar open space goals. Sharing information and acquisition strategies can help purchase decisions as well as improve techniques to foster and maintain larger open space parcels.

Private property holders often hold large tracts of undeveloped land in a municipality. The Town needs to work in conjunction with these property holders regarding options they have for the future of their property. These include tax incentives, conservation easements, advice regarding invasive non-natives (e.g., plants and insects such as the Emerald Ash Borer, etc.), protection of natural resources, and future plans for open space or development.

The Conservation Commission works actively with other municipal agencies and commissions understanding their goals and striving to incorporate its mission with theirs through methods that are environmentally sustainable.

Establishing greenways and wildlife corridors are essential to the long-term sustainability of native plants and animals. The Conservation Commission plans to work with regional planning authorities, neighboring towns, and environmental organizations to determine whether larger tracts of open space can be acquired. These larger tracts have the potential to span town and county lines giving animal and plant communities the opportunity to benefit from larger ranges. Opportunities for improved water absorption and filtration, soil regeneration, and species richness can also benefit from larger, contiguous parcels.

### F. STATE INITIATIVES/GOALS AND DIRECTION

In the "Conservation and Development Policies, A Plan for Connecticut" draft the State lists Growth Management principles including the following list. These principles are incorporated where environmentally sustainable:

- Revitalize and redevelop regional centers and areas with existing or currently planned physical infrastructure while protecting environmentally sensitive areas;
- Expand housing opportunities and design choices to accommodate a variety of household types and needs
- Concentrate development around transportation hubs and along major transportation corridors where possible
- Conserve and restore the natural environment, cultural and historical resources and traditional rural lands
- Protect and Ensure the integrity of environmental assets critical public health and safety
- Ensure development in the aquifer protection areas are in accord with the preservation of the town's sole source aquifer
- Protect public and private public water supply areas

Goal 4 is particularly important when considering preservation of open space in Newtown. Within Goal 4 there are a number of suggested performance indicators for measuring progress that apply to Newtown including:

- Acreage of preserved/protected open space
- Acreage of land being farmed in Connecticut
- Acreage of preserved farmland
- Acres of Inland Wetlands affected by activities subject to local or state permits
- Miles of stream supporting wild brook trout

Future collection of data on these parameters may be important.

#### 1. Farmland Preservation

The Farmland Preservation Program, as administered by the Department of Agriculture, has as its

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goal preservation of 130,000 acres, with 85,000 acres of cropland. Since inception of the program, development rights have been acquired, or are under contract for acquisition, on 283 farms totaling 37,262 acres. Obviously, more farmlands in the state need to be protected, some of which could be in Newtown. Seventy-four acres of prime agricultural land were protected in 2007 when the Town purchased a conservation easement on the Ferris family-owned, working farm which had been in existence since 1864. The purchase was greatly aided by a grant of \$500,000 from the Connecticut Open Space and Watershed Land Acquisition Grant Program. It is recommended that the Town continue cooperation with local farmers to seek additional protections of key farmlands.

#### **2. Open Space Preservation**

The State of Connecticut has set goals in CPA 12-152 for 21% of State's land to be preserved as open space. CPA 12-152 also established overall state plans to work with municipalities such as Newtown. While these are statewide goals, if applied directly to Newtown's 38,644 acre area they would result in preservation of 8115 acres in Newtown.

#### **G. CURRENT STATUS**

Newtown currently maintains information of at least some of the State suggested performance indicators. For example, data are maintained of the acreage of preserved/protected open space as noted below. Information on some of the other recommended indicators may be needed in the future to assess progress in open space protection. Currently preserved/protected open space as of December, 2012 is shown in Table 7.

A definitive listing of Town Conservation Easements is not included on the list of protected lands as this listing is in the process of development. Some of the difference between Town owned open space in the 2004 POCD and the December 2012 inventory is due to property acquisition while some may be due to the reclassification of certain properties as open space and the more advanced status of the GIS system.

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**Table 7 Town of Newtown Open Space Inventory**

<b>Open Space Category</b>	<b>2004 POCD</b>	<b>December 31, 2012</b>
<b>Town Parks</b>		
Dickenson	29.91	20.91
Eichler's Cove	0.00	14.65
Lake Lillinonah	3.10	3.10
Oakview Field	3.60	3.88
Orchard Hill Park	24.30	24.30
Treadwell Park	60.00	59.44
Liberty Field	13.00	13.05
Walnut Tree Field	46.76	46.76
Alpine Drive Beach Reserve	0.00	2.10
<b>Subtotal</b>	<b>180.67</b>	<b>188.19</b>
<b>Town Owned Open Space (not including Town Parks or Conservation Easements)</b>	<b>1108.86</b>	<b>1659.14</b>
<b>Private Organizations</b>		
Newtown Forest Association (not including conservation easements of 91A)	1000.00	1042.39
Brookfield OS Legacy	3.69	3.69
BSA – Cullens Youth Association	17.53	20.33
Fairfield Fish and Game	301.03	306.09
Nature Conservancy	49.44	49.44
Pequot Fish and Game	81.08	81.08
Pootatuck Club	80.90	80.90
Pootatuck Land Company	282.20	338.60
Sandy Hook Athletic Club	7.85	6.85
Weantinoge Heritage	35.57	35.57
<b>Subtotal</b>	<b>1859.29</b>	<b>1964.94</b>
<b>State of Connecticut</b>		
Collis P Huntington State Park	38.09	38.04
Department of Agriculture	341.00	300.31
Kazan Property	162.02	213.20
Paugussett State Forest North	752.50	796.30
Paugussett State Forest South	1099.88	1092.94
Rocky Glen Park	44.17	46.17
Centennial Watershed State Forest (Former Bridgeport Hydraulic Properties)	637.55	128.80
<b>Subtotal</b>	<b>3075.21</b>	<b>2615.76</b>
<b>Public Utilities</b>		
Bridgeport Hydraulic	45.50	0
Northeast Utilities Generation	233.00	559.36
Rocky River Realty	55.00	56.02
Aquarion (formerly United Water of Connecticut)	8.12	533.91
Iroquois Gas Transmission System	0.00	76.76
<b>Subtotal</b>	<b>341.62</b>	<b>1226.05</b>
<b>Golf Courses</b>		
Newtown Country Club	40.00	41.77
Rock Ridge Country Club	60.00	63.84
<b>Subtotal</b>	<b>100.00</b>	<b>105.61</b>

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<b>Open Space Inventory Total</b>	<b>6665.65</b>	<b>7759.69</b>
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#### H. FUTURE OPEN SPACE NEEDS AND PLANS AND TYPES – A SPECIFIC PLAN IS NEEDED TO IDENTIFY KEY PARCELS

As the Newtown open space preservation activity becomes more mature, it is necessary to be more targeted in selection of possible parcels or parcel types for preservation. A town wide plan examining attributes of parcels and addressing specific needs with input from citizens and various constituencies would be most desirable. Some of the attributes which might be of key importance could be:

- Important wildlife corridors
- Preservation of Town character/view spaces
- Connectivity of parcels including trail ways
- Parcels to protect critical elements such as threatened species, important wetlands, vernal pools, etc.
- Greenways

#### I. ORIGINATION OF NEW OPEN SPACE AND NEWTOWN SELECT PROCESS FOR NEW PARCELS FOR PROTECTION

Opportunities for new open space parcels can originate from a variety of possible sources including:

- Property from subdivisions: Currently 15% of a sub-division must be set aside for protected open space.
- Open Space Conservation subdivisions: Open Space Conservation Subdivision (OSCS) are defined as a pattern of subdivision development that results in a concentration of lots on a particular portion of a parcel in order to preserve the unique natural features of the parcel and which preserves the remaining land for open space. The town's regulations for Open Space Conservation Sub-divisions were revised in 2011, to encourage greater use of these regulations.. Hopefully, this mechanism will be used often in the next decade. .
- Donations of property to the Town or private land trusts
- Purchases of specific properties or conservation easements using Town capital funds, individual donations, or grants including purchases of key properties identified as environmentally important
- Land exchange
- Abandoned unused roads as connectors or trails

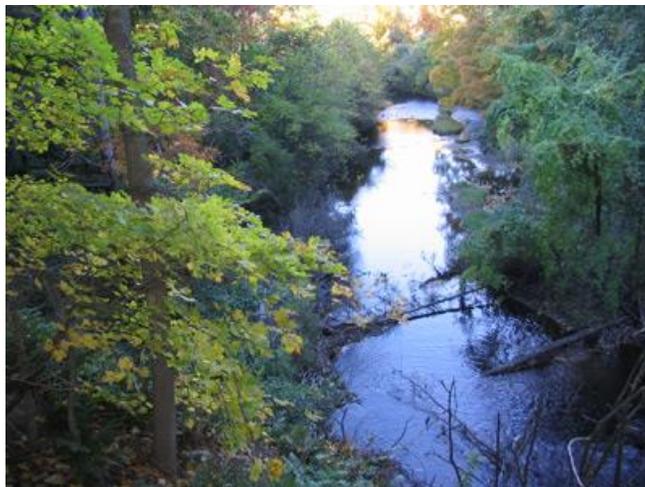
Once a specific plan is in place which identifies key parcels and types for preservation, it will be necessary to link those parcels to possible property acquisitions. Some open space opportunities are linked to a specific project or opportunity such as a potential development or the donation of a specific parcel. The criteria for selection and acceptance of these properties are driven by the situation of the parcel and project. However, the decision to purchase a property or conservation easements should be driven by comparison with an overall plan for protection of key parcels or attributes.

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**Rocky Glen State Park: Fire Hose Co from Cliff & Old Mill Ice on Waterfall**



**Pootatuck River**



**Deep Brook**

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**Newtown Forest Association: Holcombe Hill**



**Newtown Forest Association: Hattertown Pond Reserve**



**Newtown Forest Association: Wasserman Preserve - The Glen**

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**Paugussett State Forest**



**Newtown Country Club**



**Rock Ridge Country Club**

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