

Monroe Open Space Plan 2021

Plan developed and managed by
Monroe Conservation and Water Resources Commission

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1. Introduction

The Monroe Conservation and Water Resources Commission (MCWRC) is dedicated to enriching the quality of life in Monroe by protecting the community's open space assets and water resources. Monroe's open spaces contribute greatly to the town's character, provide significant water and wildlife conservation value, and provide exceptional recreational opportunities. Many of the town's open spaces also contain elements that should be preserved as reminders of Monroe's past, such as stonewalls and historic buildings.

While it is critical to preserve and protect open space for environmental and recreational reasons, town open space also increases property values and attracts people to live and work in Monroe. It is important to balance commercial and residential development with protecting the open spaces that give us the quality of life that we enjoy.

The following is the Monroe Conservation and Water Resources Commission's Town of Monroe Open Space Plan. The intent of the Open Space Plan is to establish a vision and plan to preserve town land and implement the open space recommendations from the Town of Monroe's 2021 Plan of Conservation and Development.

2. Definition of Open Space

Open space is an open piece of land that is generally is undeveloped (no existing structures) with no remaining development rights, is set aside in perpetuity for the preservation of habitat, natural resource, or rural character, and, where appropriate, may be accessible to the public.

3. Benefits and Functions of Open Space

An open space may provide one or more of the following:

- Protection of high-quality natural waters and drinking water resources
- Groundwater replenishment, flood control, and protection against erosion
- Recreational opportunities – hiking, bicycling, bird watching, and others – which additionally may attract non-residents for those activities who then utilize town businesses
- Ecosystem and habitat preservation
- Preservation of historical or agricultural heritage or preservation of a natural, scenic landscape feature
- Enhancement of property values and avoidance of expenses for town services

4. Classification of Open Space

A major component of Monroe's existing open space is its park system, consisting of Webb Mountain Park, William E. Wolfe Park, Great Hollow Lake, and Lanes Mine Park. These parks provide recreational resources to Monroe residents and visitors and support wildlife.

Monroe also has significant parcels that are owned by Aquarion Water Company and the State of Connecticut. These lands are preserved for water quality but, as such, are not accessible for recreational uses.

Municipal properties are also sizeable and accessible but generally not used by the public for recreation.

By adding parcels to its open space inventory, the town can relieve some of the development pressure on environmentally sensitive lands, reduce the tax burden and strain on municipal services resulting from the development of new single family homes, increase recreational opportunities, and increase environmental support of wildlife.

Types of open space in Monroe:

Protected Open Space

- **Dedicated Open Space:** Open space that is subject to restrictions that limit the use and transfer of property to permanently maintain its status for conservation or recreation; a legal deed restriction or conservation easement that requires the parcel to remain in open space, recreational, park, or agricultural use in perpetuity, regardless of ownership; or ownership by a non-profit conservation organization or Land Trust, whose stated purpose is to preserve the parcel in perpetuity.
- **Regulated/Protected Water Company Land:** Open space that is designated as Class I and/or Class II Water Authority property by the Connecticut Department of Public Health under CGS 25-32. Class I land is protected by a blanket prohibition on sale or lease, while Class II land is protected by a review process: any sale, lease, or change in use must be approved by the state Commissioner of Public Health, and both the state and towns have a right of first refusal for any land put up for sale. Both land classes are designated as protected open space under Connecticut's Green Plan and subject to significant legal barriers to development.

Open Space (not permanently protected)

- **Municipally Managed:** Open space that is owned by the Town of Monroe and used for conservation or recreational purposes, but not permanently protected from development.
- **Water Company Land:** Open space that is designated as Class III Water Authority property, which is subject to weaker development restrictions than Class I or Class II land.
- **PA 490:** Open space that is privately owned and designated as forest, pasture, or farmland under Public Act 490. The land is subject to tax incentives that prohibit new development, but the landowner may elect to repeal the designation, re-allowing development.
- **No Protection:** Open space that is privately owned with the unencumbered right to pursue development of the land.

Of Monroe's total of approximately 16,832 acres (26.3 sq. mi.), open space is broken down as follows: Update per POCD

Total Open Space: **3341 acres**

Includes:

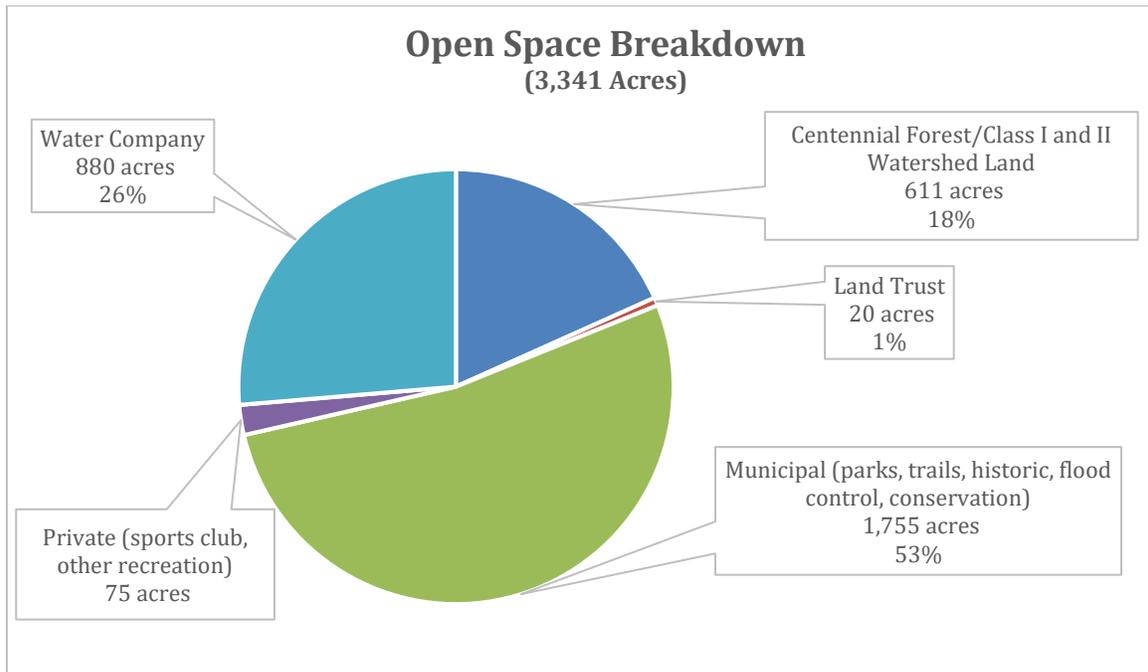
Centennial Forest/Class I and II Watershed Land: **611**

Municipally managed (parks, trails, historic, flood control, conservation): **1755**

Water company: **880**

Private (sports, clubs, other recreation): **75**

Land trust: **20**



5. Goal of the Open Space Plan

The goal of the Town of Monroe Open Space Plan is to create a vision and determine actionable steps to increase acreage of permanently protected lands that fit one or more of the assessment criteria.

The protected land should improve and preserve water quality for current and future residents, preserve land that will help protect Monroe and surrounding towns from flooding and erosion, save from development land that will protect fragile flora and fauna in a changing climate, create opportunities for a wide range of recreational uses important for physical and mental health, and/or preserve Monroe's character as an historic and scenic town. While commercial and residential development will continue, open space planning should strive to balance both and not have one to the detriment of the other. Open space once developed is rarely returned to an undeveloped, natural state.

6. Objectives of the Open Space Plan

To achieve the goal this plan:

- 1) Establishes criteria to assess parcels of land
- 2) Identifies some options for landowners considering a land donation
- 3) Identifies some funding sources
- 4) Identifies properties that would be important to preserve

7. Criteria to Assess Parcels of Land

Open space has a range of functions and values. The following important open space attributes should be considered in identifying priority lands for preservation.

1) Acquisition of lands that serve to protect high-quality natural waters and drinking water resources – The CT Green Plan gives priority to these acquisitions. Clean water, including in our rivers, lakes, and inland wetlands, are essential to life and provide some of the richest wildlife habitat in the state. Land conservation is an important part of watershed management for protecting habitat and water quality against impacts by fragmentation, climate change, runoff pollution, and other threats.

Additional benefits

- Groundwater replenishment - Natural land cover promotes replenishment of natural groundwater supplies by encouraging infiltration of precipitation into the soil.

- Flood Control – By promoting infiltration of rain and snowmelt into the ground, natural land helps protect against flooding. Flood prone lands adjacent to water bodies provide storage volume for floodwaters.

2) Recreation opportunities – Natural lands are a valuable recreational resource for such activities as hiking, bicycling, bird watching, and others. Open space that provides recreational opportunities improves quality of life for residents and visitors and also enhances property values. It also can bring revenue to the Town by attracting non-residents who use the resources.

3) Ecosystem and habitat preservation – Open space lands provide habitat for plant, insect, and animal species essential for the healthy ecosystem we depend on. Many of our plants, insects, and animals are threatened by loss of habitat to development. Strong consideration should be made for preservation of habitat for native plant or animal species listed as threatened, endangered or of special concern and/or a relatively undisturbed outstanding example of a native ecological community.

4) Preservation of historical or agricultural heritage or preservation of a natural landscape feature- There are specific open space sites in the Town with historical or other cultural importance that merit their retention as open space. While the most important function of agricultural land is food production, it also contributes greatly to the visual qualities of the community.

Additional considerations in evaluating open space opportunities

- Proximity or contiguity to other open space can enhance the value of both spaces. Parcels, even if they are small, that connect spaces and create wildlife corridors can be particularly important.
- Long term strategic planning – Evaluation of prospective parcel acquisitions should also consider the future potential of the acquisition to, for example, create a greenway corridor and enhance an existing trail system, expand a town park, and other opportunities.

8. Some Options for Landowners

Landowners who would like to preserve the open space on their land have several options to consider. Not all landowners can consider a full donation of their land but would like to see the natural beauty of the open space preserved forever. Below is a list of some options. This is not to be considered legal advice, if interested landowners should seek professional advice.

Fee Simple Transfer – by sale or donation, transfers all rights, title and interest in property

Conservation Easement (Conservation Restriction) – by sale or donation, transfer permanent rights to the property to protect its conservation values through an agreement between a landowner and the town. A conservation easement limits the type and scope of development of the property. Landowner retains the title to their property and use of the land; allows the landowner to sell or pass the land onto heirs; permanent but flexible for the landowner; creates a partnership with the town to ensure that all restrictions are followed to protect the land

Conveyance of a Remainder Interest – Conveyance of lands in a way that allows landowners and other named persons (called life tenants) to continue living in or using the land during their lifetimes. Landowner has full responsibility for taxes and maintenance during their lifetime. Allows life tenant to enjoy the land for a lifetime. May qualify as a charitable gift income tax deduction.

Donation of Title or Conservation Easement by Will – Landowners retain title to their land during their lifetime and then transfer title through their will. This option allows the landowner to use their land as is for the remainder of their life. It may protect their land from being taxed as part of their estate.

Resale – Landowner can sell their land right away and place a conservation easement on the land before it goes on the market. This option allows the landowner to sell their land in a timely manner and protects the land from development.

Bargain Sale – The land is sold at less than its fair market value, increasing the chance that the town can purchase it. May provide benefits to the landowner, such as providing the landowner with cash, possibly avoiding some capital gains tax and possibly allowing the landowner a charitable income tax deduction based on the difference between the land's fair market value and its sale price.

9. Funding Sources

The following are some funding options that may be available to the town to acquire properties or create easements on open space.

Monroe Payment In lieu/Fee in lieu - As of the writing of this plan, Monroe has a small fund for open space. Monroe has a payment or fee-in-lieu program that will add to the open space fund if a subdivision that is required to set aside open space is unable to reserve appropriate open land. Per Subdivision Regulation § 111-303 Open spaces - In lieu of reservation of open space on-site, the Planning & Zoning Commission may authorize a payment of a fee in lieu of, or may approve a combination of paying a fee to the Town of Monroe and preserving land in accordance with this Section, in lieu of part or the full requirement to preserve open space otherwise required by these Regulations.

Audubon Connecticut In-Lieu Fee Program - The National Audubon Society, Inc., through its Connecticut program (Audubon Connecticut), is the sponsor of an In-Lieu Fee Program for aquatic resource compensatory mitigation required by Department of the Army authorizations. This program was established by the New England District Corps of Engineers and Audubon Connecticut in 2013.

Open Space and Watershed Land Acquisition Grant (OSWA) Program is a competitive grant program intended to provide financial assistance to municipalities and nonprofit land conservation organizations to acquire land for open space, and to water companies to acquire land to be classified as Class I or Class II water supply property.

Community Forest Program (CFP) is a competitive program that provides financial assistance to tribal entities, local governments, and qualified conservation non-profit organizations to acquire and establish community forests that provide community benefits. Community benefits include economic benefits through active forest management, clean water, wildlife habitat, educational opportunities, and public access for recreation.

Land and Water Conservation Fund (LWCF) Grants - The State Side of the LWCF provides matching grants to States and local governments for the acquisition and development of public outdoor recreation areas and facilities.

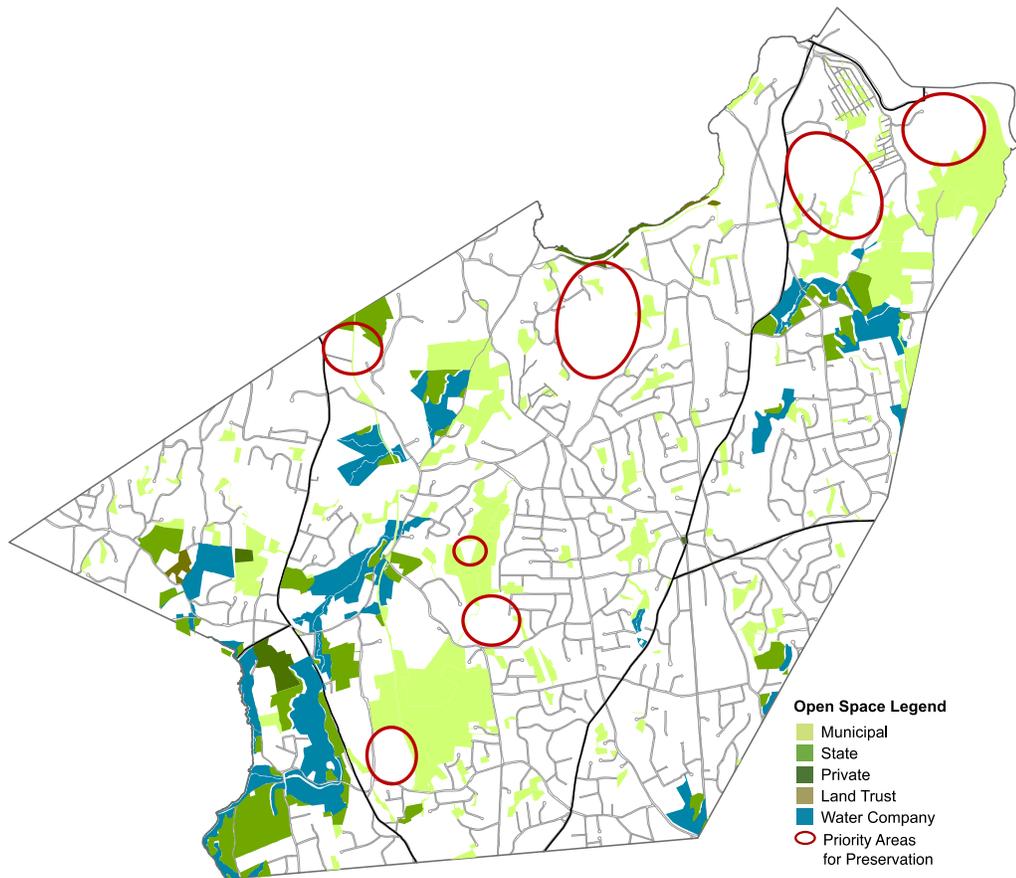
U.S. Fish and Wildlife Service – North American Wetlands Conservation Act (NAWCA) grant program provides matching grants to wetlands conservation projects.

Recreational Trails Program - The Recreational Trails Program (RTP) provides funds to the States to develop and maintain recreational trails and trail-related facilities for both non-motorized and motorized recreational trail uses. The RTP is an assistance program of the Department of Transportation's Federal Highway Administration (FHWA).

10. Properties Worthy of Open Space Preservation

There are many properties in Monroe that would be very welcome additions to the town's open space whether for recreational opportunities, scenic views, or importance for wildlife or water quality preservation

The following map, also on page 59 of the 2021 Monroe POCD, indicates the priority preservation/protection areas.



11. Management of existing open space (maintenance and use) - pending

In conjunction with relevant boards and staff, the Commission will develop a plan for maintenance and uses for Monroe’s current open space.

Information contained in the Monroe Open Space Plan 2021 may be updated periodically. For the current version please contact the Monroe Conservation and Water Resources Commission through Monroe Town Hall.