



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

OPEN SPACE COMMITTEE

Wednesday, January 2, 2019

4:30 P.M.

Main Meeting Room, Town Hall, 933 Hopmeadow Street

REGULAR MEETING AGENDA

Call to Order

1. Public Audience
2. Minutes of September 5, 2018
3. Parks and Open Space Master Plan Update
4. Old Growth Forest Designation for Belden Forest
5. Policies and Procedures
 - Acquisition Guidelines and Criteria
 - Stewardship Policy/Land Management Plans
6. Updates (Oral Reports)
 - State Grange Updates
 - State Public Land Vote (*Legislative Requirements to Transfer State Properties, Amendment 2*)



Adjourn



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Open Space Committee

Wednesday, September 5, 2018

4:30 p.m.

Main Meeting Room, Town Hall, 933 Hopmeadow Street

REGULAR MEETING MINUTES - DRAFT

Members Present: Jackie Battos (Zoning), David Bush (C, P & R), Helen Peterson, Bill Rice (Planning), Eric Wellman, Margery Winters (Conservation)

Staff Present: Maria Capriola, Mike Glidden, Tom Tyburski

1) Call to Order

The meeting was called to order at 4:30pm. Susan Masino was introduced. Ms. Masino is being recommended by the Personnel Sub-Committee for the Open Space Committee at-large member vacancy. The Board of Selectmen will consider Ms. Masino's appointment at their September 12, 2018 meeting.

Ms. Peterson asked participants to speak loudly, clearly, and slowly to assist people with hearing impairments.

2) Public Audience

Diane Nash, Simsbury. Ms. Nash echoed Ms. Peterson's remarks during call to order. She spoke to the membership turnout at the meeting. She also expressed a desire to have an ecologist be part of the team that conducts the parks and open space master plan.

Danielle D'Ermo, Simsbury. Ms. D'Ermo spoke to the parks and open space master plan RFQ. She spoke to the importance of protecting wildlife and pollinator habitat. She expressed a desire for the parks and open space master plan to have a timeframe for implementation and performance measurements to monitor progress.

Sue Brackwicz, Simsbury. Ms. Brackwicz stated that there is opposition to the four forest management plans, and should those plans be provided to the consultants selected to work on the parks and open space master plan, that the opposing information be provided as well.

Erin Leavitt-Smith, Simsbury. Ms. Leavitt-Smith expressed a desire to have an ecologist and other subject matter experts be part of the team that conducts the parks and open space master plan. She indicated that not every parcel will require action.

3 & 4) Parks and Open Space Master Plan Discussion and RFQ

Members commented on what they hoped to accomplish from the master plan, along with feedback regarding the draft RFQ prepared by staff. Staff provided an overview of the RFQ

process. Ms. Masino and Ms. Winters agreed to assist with the RFQ review and selection process, and the Committee endorsed their participation. The Culture, Parks and Recreation Commission will also be reviewing the RFQ, and will be selecting 1-2 members to participate in the RFQ review and selection process.

Ms. Peterson expressed a desire for the RFQ to reference open space more, with a goal to conserve the land and to have stewardship of our forests.

Ms. Winters expressed a desire for the Conservation Commission to have representation during the RFQ review and selection process.

Mr. Bush expressed a desire for the master plan to have a solid fiscal analysis of the costs required to maintain our open space.

Mr. Rice stated that he would like for the master plan to identify any current open space parcels that could be sold (i.e. to abutters, for development).

Ms. Masino provided feedback for a number of sections to the RFQ. The feedback will be forwarded to staff and incorporated where possible.

5) Minutes of November 8, 2017

The minutes of November 8, 2017 were approved as presented by consensus.

6) 2019 Regular Meeting Schedule

By consensus the 2019 regular meeting schedule was approved for the first Wednesdays of January, March, May, July, September, November at 4:30pm.

7) Adjournment

The meeting adjourned at 5:30pm.

Respectfully Submitted,

Maria E. Capriola
Town Manager



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OPEN SPACE COMMITTEE MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Parks and Open Space Master Plan RFQ Update
2. **Date of Committee Meeting:** January 2, 2019
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Tom Tyburski, Director of Culture, Parks and Recreation
4. **Action Requested of the Board of Selectmen:**
This item is intended to update the Committee on the Parks and Open Space Master Plan RFQ. No formal action is needed at this time.
5. **Summary of Submission:**
The Town received five responses to its Parks and Open Space Master Plan RFQ. We received submissions from Beta Group; Dodson and Flinker; Fitzgerald and Halliday; Milone and MacBroom; and Weston and Sampson. A panel consisting of Maria Capriola, Melissa Appleby, Tom Tyburski, Mike Glidden, Susan Masino, Margery Winters, David Bush and Gerry Wetjen have been reviewing those proposals and are narrowing down the list of firms to three. It is anticipated that the panel will interview selected firms on January 30th with the intention of selecting a finalist shortly thereafter.

Staff from the Town Manager's Office and Tom Tyburski will be working with the panelists to create an outline that is sent to firms that will guide them in creating their presentations. The outline will consist of topics we would like the presentation to highlight based upon the areas of focus/anticipated scope of work identified in the RFQ.

Overall the RFQ process is moving along smoothly. We look forward to seeing what the selected firms have to offer us and how they are best suited for Simsbury's needs.
6. **Financial Impact:**
\$100,000 is budgeted for this project.
7. **Description of Documents Included with Submission:**
None



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OPEN SPACE COMMITTEE MEETING AGENDA SUBMISSION FORM

- Title of Submission:** Old-Growth Forest Network Designation for Belden Forest
- Date of Board Meeting:** January 2, 2019
- Individual or Entity Making the Submission:**
Tom Tyburski, Director of Culture, Parks and Recreation; Susan Masino, Open Space Committee Member
- Action Requested of the Open Space Committee:**
If the Open Space Committee is in support of seeking an Old-Growth Forest Network designation for Belden Forest, the following motion is in order:

Move, effective January 2, 2019 to recommend to the Board of Selectmen to authorize the Town Manager to sign the Old Growth Forest Network's Memorandum of Agreement to include Belden Forest in the Old-Growth Forest Network.

5. **Summary of Submission:**

The Old-Growth Forest Network (OGFN) is a national nonprofit working to create a network of older and old-growth forests within each county in the U.S. where forests grow naturally. The network is comprised of old growth or future old growth forests that are accessible to the public and protected from logging. Currently the network has 67 forests protected in 16 states, but none in Connecticut.

A forest is designated based on its owner signing a Memorandum of Agreement. The OGFN will participate in a designation event of the Town's choosing and will provide the town with a metal plaque to be displayed at a location of the Town's choosing – i.e., inside Town Hall, at the forest entrance, etc.

OGFN designation has neither legal implications nor restrictions. It is primarily a statement of community support. It does not restrict any activities or uses of the forest. *(As a subsequent, the Old-Growth Forest Network recommends seeking a "Forever Wild" easement or similar protection. This has been very successful in other areas).*

The Old-Growth Forest Network recommends that best practices for managing OGFN included forests be based on the goals of 1) allowing the forest to evolve in a natural state, and 2) keeping the forest open to passive recreation for people of all ages. Basic ongoing monitoring and management should continue. Conditions should be assessed periodically to ensure no adverse conditions represent a threat to the public or to the forest. *(Note: even a "Forever Wild" easement allows intervention if deemed necessary based on the latest conservation science.)*

Having Belden Forest included in the OGFN would bring positive public recognition for this "pocket forest" located right in the center of town and put the Town of Simsbury in a position of leadership on open space issues. This recognition may also help engage individuals and local groups like scouts that may visit the forest regularly.

Belden Forest is currently one of four town properties with a forest management plan. If Belden is designated as an Old-Growth Forest, the Forest Management Plan for that parcel would not be appropriate for implementation.

6. Financial Impact:

Often forests with the OGFN designation see increased visitation and provide economic benefits to local communities. People seek out Old-Growth and future Old-Growth Forests as places to frequently visit.

7. Description of Documents Included with Submission:

- a) Old-Growth Forest Networks Memorandum of Agreement



OLD-GROWTH FOREST NETWORK

MEMORANDUM OF AGREEMENT

To include a forest in the Old-Growth Forest Network

Recognizing that less than 1% of the eastern US forests, and less than 5% of the western US forests, have remained undisturbed long enough to develop old-growth characteristics.

Recognizing that many species of plants, animals, and fungi are most successful in older forests.

Recognizing that the older forests are best at purifying the air and the water, and creating fertile soil.

Recognizing that most humans consider older forests to be the most beautiful forests, and will travel to see them.

Recognizing that ecotourism is economically beneficial for nearby communities.

Recognizing that all people, but especially the younger generations, need contact with natural areas.

Therefore

The **Old-Growth Forest Network** shall be established. Every county where forests can grow will be invited to designate at least one forest to be part of the network. These forests shall serve as examples of baseline conditions and allow old-growth characteristics to develop naturally. These forests will be open to visitation by all ages.

For Hartford County in the State of Connecticut, a forest to be designated as part of the network shall be Belden Forest which is owned by the Town of Simsbury.

(Signature of landowner's representative)

(Signature of OGFN representative)

(Date)

(Date)

(Printed name of landowner representative)

(Printed name of OGFN representative)

(Title of landowner representative)

(Title of OGFN representative)

Mailing Address for Landowner: _____



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OPEN SPACE COMMITTEE MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Policies and Procedures
2. **Date of Committee Meeting:** January 2, 2019
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager
4. **Action Requested of the Board of Selectmen:**
This item is intended as discussion for potential future projects for the Committee. No formal action is needed at this time.
5. **Summary of Submission:**
Below are future projects I would like to discuss for potential action from the Open Space Committee.

Creating and adopting an Open Space Acquisition Guidelines and Policy for the Town will be beneficial and should be an important project for the committee to consider. Committee member Helen Peterson has prepared correspondence regarding this same matter (attached). As an attachment to this memo there are a few samples for review. One of them is the draft Open Space Stewardship Policy from April 2016; it was endorsed by the Open Space Committee but never adopted by the Board of Selectmen. There are also samples of Open Space Evaluation Criteria and a Planning, Acquisition and Management policy from the community I worked in prior to Simsbury. These samples are meant to be areas of reference that could potentially be adapted to fit Simsbury's characteristics and needs.

Another future project to discuss is potential updates to the open space acquisition ordinance. Chapter 21 of the Town Code is attached to this cover memo as well. It was adopted on September 25th, 2000 under the title: Article I. Fund for Land Acquisition and Preservation. With this ordinance being 18 years old there may be areas that the Committee finds are out of date and need to be updated to today's processes.

Lastly, I also believe it would be beneficial for the town to develop land management plans for our open space acquisitions. The results of the Parks and Open Space Master Plan may help to inform us regarding future land management plans.

6. **Financial Impact:**
None

7. Description of Documents Included with Submission:

- a) Memo from H. Peterson, dated December 2018
- b) Draft Open Space Stewardship Policy, dated April 6, 2016
- c) Chapter 21 of the Simsbury Code of Ordinances re: Open Space
- d) Sample: Mansfield POCD Open Space Evaluation Criteria
- e) Sample: Mansfield Planning, Acquisition and Management Policy

December, 2018

To the Members, Open Space Committee:

As Town staff, the Culture, Parks and Recreation Commission, and the Open Space Committee were preparing the RFQ to solicit consultants for a Simsbury Parks and Open Space Master Plan, I expressed my concern regarding: 1. Purpose: "The Master Plan will guide policy development" (paragraph 2, line 5), and 2. Scope of Work: Item 18. Develop an official document that will, in part, "guide Town policy" and decisions regarding parks and open space."

Specifically, in the 1990s-2000s, the Town established an effective Open Space Plan to guide the continued acquisition of conserved lands – a practice begun approximately 100 years ago. We were remiss however, in not adopting a Stewardship Policy (much conversation but no action) reflecting our philosophy for acquisition, and to guide all future agencies responsible for the care of these conserved lands. Such a Policy should have been in place to guide any consultant, past and present, in their recommendations, as well. The RFQ Timeline suggests that a consultant be selected and their services begin in early February, 2019. Our Committee had not met for about a year until this past September, 2018, and our next meeting is January 2, 2019.

My comments are based on intense research and discussions in previous Open Space Committee meetings for several years, and continued into many meetings of the Conservation Commission in late 2017 into 2018, in our effort to adopt a Stewardship Policy. From all my notes and recollections, I have prepared a Outline of Stewardship Policy Discussions and will ask that it be an agenda item at the January meeting. It is offered only as a document for discussion.

Even though responsibility of Stewardship of our conserved lands has not as yet been assigned to a specific agency by the Board of Selectmen, and with new membership and leadership, I believe it is an important conversation to begin, in parallel with the RFQ process.

I appreciate the opportunity to share this with you and look forward to the discussion.

Respectfully,



Helen K. Peterson

Outline of Stewardship Policy Discussions

Introduction: Informing Ourselves and Establishing Philosophy

Conserved open land in Simsbury is over 32% of the total land area and highly valued by the Town's citizens. It is comprised of 1,680 acres owned by the State of CT, 1,100 acres owned by the Simsbury Land Trust, and 3,200 acres owned by the Town. Acres of WATER COMPANY land? It is diverse in category – farmland, forests, meadow, ponds, grasslands, wetlands, waterways, marsh and barrens. Much of these holdings are connected within town borders, and our neighboring towns. These habitats support rich biodiversity and provide a variety of ecosystem services.

Beyond conserving these lands, we are the policy makers, caretakers, citizen decision makers – the stewards of it all. But stewardship carries responsibility to study, read, listen, share information, be aware of emerging conservation science, so that we get it right. Our mantra should be, First Do No Harm.

Forests are the predominant category of Simsbury's conserved lands. Healthy, resilient forests play an important role in climate regulation, air and water purification, flood protection, and provide wildlife habitats and corridors. Forests, with their ability to capture carbon dioxide and remove air pollutants, are critical in improving Connecticut's poor air quality created by particulate emission from upstream sources from other states. The question before us is how should we value and maintain the Town-owned forests. These forests returned with the abandonment of the farms that once dominated the landscape in the 1800s and 1900s, leaving us with relatively even-aged, young to mature forests, and no old growth forests. State-owned forests in Simsbury are actively managed for timber harvest providing the Town with a changing mosaic of shrub, thicket and young forest habitats critical for wildlife diversity. Much of the town forests may have the potential to become old growth forest, a rare habitat which represent only 2% of the New England landscape.

While wetlands and waterways habitats are regulated and protected, farmland soils lack such protection and policies should be formulated for the preservation and improvement of Town-owned farmland. All other landscape categories will also require policy guidelines and strategies.

As conservers and stewards of our natural lands, it is our ethical responsibility to respect and maintain the life-sustaining integrity of the landscape, essential to maintain quality of life for the Earth and the well-being of all that depend on her.

Establishing Practices (Goals)

To inform appropriate decisions; stewardship practices should be based on:

- Understanding that the landscape context in which a natural area sits might determine our conservation priorities;
- Applying values informed by the history of parcels, the initial objectives for their preservation, and current conservation science;
- The history of the habitat value and use of each parcel;
- Monitoring and the use of best practices to assure the health of each parcel;
- Maintaining and updating a valuable resource – the Open Space Inventory, a work in progress which is essential to the identification of the unique features, ecological value, and qualities of each parcel and critical to the success of our stewardship efforts;
- Allowing all, or portions of, Town-owned forests to continue to self-organize, mature, and evolve (as they have always done in the absence of human management). This can be considered most efficient use of limited resources (\$);
- Assuring safe conditions on all trails and areas accessible to public;
- Assessing, where necessary, the restriction of public access to protect sensitive areas;
- Establishing ‘definitions’ while identifying natural features: definitions are absolutely necessary for informed academic discussions going forward;
- Developing strategies for stewarding all categories of our conserved lands;
- Exploring partnerships with other landowners of connecting parcels within and beyond Simsbury’s borders; to understand, respect and complement each other’s stewardship priorities.

Open Space Stewardship Policy

Endorsed by Open Space Committee on 6 April 2016

Objective

It is the objective of this policy to guide the Simsbury Open Space Committee (the "Committee") and related Town of Simsbury staff (the "Staff") in managing the care of town owned open space, optimizing its use and considering disposing of parcels that do not serve a public purpose.

Classification

The Committee shall, with the assistance of the Staff, classify open space parcels into the following categories, reflecting the public purposes which they serve or have the potential to serve:

- a. Special ("S") - parcels hosting monuments and other noted public facilities;
- b. Park ("P") - parcels hosting town parks;
- c. Connectivity ("C") - parcels hosting or having the capacity to host trails and pathways;
- d. Wetlands ("W") - parcels hosting wetlands and watercourses;
- e. Habitat ("H") - parcels hosting wildlife habitat;
- f. Agriculture ("F") - parcels hosting or having the capacity to host farming activities;
- g. Aquifer ("A") - parcels in identified aquifer protection zones;
- h. Buffer ("B") - parcels adjoining and serving to protect other useful open space parcels;
- i. Scenic ("V") - parcels contributing to a scenic viewshed

The Committee may adopt additional categories or modify the categories in its discretion. The categories shall not be exclusive, and a given parcel might be placed in more than one category. It is expected that not all parcels will have attributes that permit them to be thus classified.

Evaluation

The Committee shall, where possible, make judgments about the values of the contributions made by the parcels or their potentials for development as public assets. These judgments may be reflected in subjective comments or in whatever format the Committee deems appropriate in each case.

The Committee shall also, where possible, make note of the cost to the town of the regular upkeep of the parcels.

Priorities

In light of such classification and evaluation, the Committee shall, from time to time, offer its guidance on the allocation of resources to the maintenance and enhancement of open space parcels. In addition to routine maintenance and activities required for public safety, priority activities may include, without limitation:

- a. encouraging farming on suitable parcels, particularly organic farming and activities intended to enhance valuable farmland soils;
- b. seeking to control alien invasive plants on targeted parcels;
- c. fostering the creation of multiuse trails and footpaths increasing connectivity for green travel; and
- d. protecting wetlands and watercourses, wildlife habitat, and aquifers.

Acquisitions

The Committee shall, from time to time, offer its guidance on the allocation of resources to the possible acquisition by the town of open space parcels or of easements or similar interests in land.

Dispositions

If it is proposed to the Committee that consideration be given to the disposition of a parcel, whether because it is not serving a useful public purpose and does not offer the likelihood of doing so or for other reasons, the Committee shall consider whether to recommend its disposition to the Board of Selectmen.

In considering whether to make such a recommendation, the Committee shall begin with a strong presumption that open space parcels should be retained.

The Committee's evaluative process shall include, without limitation, the following steps:

- a. assessment of the condition of the parcel, its present and potential utility, and the likely impact of its disposition on other assets both public and private;
- b. determination, assisted by counsel, of whether there are deed restrictions or other title matters inconsistent with disposition;
- c. in the case of properties acquired by gift, determination of any evidence of the donor's intent;
- d. determination, assisted by counsel, of the process by which the parcel was acquired and its implications for the manner of permissible disposition;

- e. determination, assisted by counsel, of the manner in which acquisition of the parcel was financed and its implications for permissible application of proceeds, if any;
- f. determination, assisted by the Staff, of cost to the town of regular maintenance of the parcel; and
- g. determination of the apparent market value of the parcel, net of transaction costs likely to be borne by the town.

In considering whether to make such a recommendation, the Committee shall solicit public comment in one or more public meetings (including site visits where appropriate) which have been well publicized and formally noticed to owners of nearby properties.

If the Committee determines that it should recommend any such disposition to the Board of Selectmen, it may subject its recommendation to conditions, which may include, without limitation:

- a. limitation of potential transferees to conservation or other suitable nonprofit organizations;
- b. imposition of conservation easements restricting the uses to which the parcel may be put; and
- c. imposition of restrictions on subdivision of a property to which the parcel might be appended.

If it is proposed to the Committee that consideration be given to the disposition of an easement or interest in land other than a town owned parcel, the Committee shall apply the above procedures in such manner and to such extent as it deems appropriate.

Because the town code provision setting forth the process for considering proposals for disposition of parcels of town-owned open space charges the Open Space Committee with responsibility for evaluating any such proposal and making a recommendation to the Board of Selectmen, it is the Open Space Committee's view that it would be inappropriate for the Committee to *initiate* any such proposal lest its required evaluation be tainted with the appearance of predisposition.

It should be for others to raise such proposals to the Board of Selectmen and the Board of Selectmen to determine whether to initiate the process set forth in the town code.

In accordance with its Open Space Stewardship Policy, the Open Space Committee has made an effort at classifying the many town-owned open space parcels according to the roles they serve and the burdens of their maintenance. That classification is published as the *Inventory of Town Owned Open Space, A Work-in-Progress*. The Open Space Committee hopes that resource, which is available on the town web site, will be helpful to others in assessing open space policy.

Chapter 21. Funds

[HISTORY: Adopted by the Board of Selectmen of the Town of Simsbury as indicated in article histories. Amendments noted where applicable.]

Article I. Fund for Land Acquisition and Preservation

[Adopted 9-25-2000]

§ 21-1. Establishment.

In recognition that land is a valuable resource to the town, that land use is important to the general welfare of town residents and that the opportunity to preserve land through acquisition and/or purchase of development rights occurs on an irregular basis, a fund for land acquisition and preservation is hereby established, pursuant to General Statutes §§ 7-131q(b) and 7-131r, as a fund balance for capital and nonrecurring expenditures.

§ 21-2. Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

AGRICULTURE

The production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including but not limited to forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, swine, horses, ponies, mules or goats, or any mutations or hybrids thereof, including the breeding or grazing of any and all of such animals; bees and apiary products; aquaculture; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program.

DEVELOPMENT RIGHTS

Any rights or combination of rights to develop, construct on or otherwise improve land.

LAND

Real property with or without improvements thereon located within the Town of Simsbury.

FUND

An account established solely for the purposes of the acquisition of development rights or fee simple purchase of undeveloped or underdeveloped land.

TOWN

The Town of Simsbury.

§ 21-3. Open Space Committee.

For purposes of this chapter there may be established pursuant to Section 403 of the Town Charter an Open Space Committee (hereinafter referred to as "Committee") to assist the Board of Selectmen in administering the fund. If so established by appropriate resolution, the Committee shall consist of the First Selectman, Chairman of the Planning Commission, Chairman of the Conservation Commission,

Chairman of the Zoning Commission, or their designees, and one other member to be appointed by the Board of Selectmen. The Committee shall establish rules of procedure for the conduct of its business.

§ 21-4. Selection criteria for land to be considered for acquisition and preservation.

- A. The types of undeveloped or underdeveloped land, or development rights with respect to such land, to be considered by the Board of Selectmen for acquisition wholly or partially with moneys from the fund must be land or development rights the ownership of which would be consistent with the general purposes of this chapter. The Committee shall work with town staff and the Board of Selectmen to identify land or development rights for the purposes of this chapter. If requested by the First Selectman, the Committee may solicit potential sellers and may negotiate transactions to be recommended to the Board of Selectmen for approval for acquisition.
- B. Land may be considered for acquisition and preservation, either in fee simple or through the acquisition of development rights. Priority shall be given to land parcels of scenic beauty, wildlife corridors, or agricultural significance.
 - (1) The types of land for acquisition in fee simple by the Board of Selectmen may be:
 - (a) Land that has passive or active recreational value as outlined in plan of development.
 - (b) Land that will promote the preservation of forest land, or has significant scenic, topographic, conservation or wild life habitat, or value based on the characteristics of the land.
 - (c) Land that has significant historical or archaeological value based on the character of the land and/or improvements thereon.
 - (d) Land that will contribute toward the preservation of agriculture, promote agricultural land or has significant value as agricultural land based on its potential, customary or historical use.
 - (2) The types of development rights to be considered for purchase by the Board of Selectmen must be consistent with the general purpose of this chapter and may include one or more of the following:
 - (a) Development rights which will tend to maintain and enhance the conservation of natural or scenic resources.
 - (b) Development rights which will tend to protect natural topography, streams or water supply.
 - (c) Development rights which will tend to enhance active or passive public recreation opportunities.
 - (d) Development rights which will tend to protect historical or archaeological sites.
 - (e) Development rights which will tend to promote conservation of agricultural soils, particularly prime farmland soil, and/or contribute towards the preservation of agriculture in the town.
 - (f) Development rights which will tend to promote orderly development of the town.
 - (3) In considering the acquisition of a particular parcel of land in fee simple or certain development rights thereto, the Board of Selectmen may obtain written recommendations from town agencies, commissions, committees, the general public, state or federal agencies or any other source deemed to be relevant to this chapter.

§ 21-5. Approval; administrative.

Determination that a particular parcel of land or development rights thereto is to be acquired with moneys in the fund shall be made solely by the Board of Selectmen after recommendation from the Committee and by the Town Meeting if required by Section 503(h) of the Town Charter. Referral to the Simsbury Planning Commission shall be made pursuant to Connecticut General Statutes, § 8-24. The fund shall be administered by the First Selectman and appropriations made from the fund by the Board of Finance as directed by the Board of Selectmen in accordance with the provisions of this chapter and the Town Charter.

§ 21-6. Funding.

- A. In preparing the annual town budget, the Board of Selectmen shall consider additions to the fund as part of its capital improvement program. The town shall also investigate on a continuing basis the availability of any state and federal money available for land acquisition and development rights. State and federal grants to the town for acquiring land consistent with this chapter may be deposited in the fund. Interest that accrues on the balance of the fund shall be deposited into the fund. Proceeds from the sale of town-owned real estate may be deposited into the fund.
- B. Contributions to the fund shall be accepted from individuals, corporations, associations, partnerships and any other legal entities. Said contributions shall be used exclusively for the herein-stated purposes of the fund. Proceeds from the sale of municipal bonds shall not be deposited into the fund but may be used to supplement fund resources.
- C. Any unencumbered funds from any source appropriate for the purpose set forth in this chapter prior to the adoption of this chapter may be transferred into the fund. Unencumbered proceeds from the sale of bonds shall not be transferred into the fund, unless the town's bond counsel approves such transfer.

§ 21-7. Dissolution of fund.

If the fund is terminated for any reason, the balance remaining in the fund at the time of such termination shall be used exclusively for the benefit of the maintenance, improvement and upkeep of the town's parks, recreational areas and open space.

§ 21-8. Process and criteria for disposition of open space land.

[Added 2-22-2016]

The following process shall be followed in the event that the Board of Selectmen desires to sell, transfer, assign, release or otherwise dispose of a parcel of Town-owned real estate designated as open space, or any interest designated as open space:

- A. The Open Space Committee, the Culture, Parks and Recreation Commission and the Conservation Commission shall severally review and report to the Board of Selectmen on any proposed disposition of an interest in real estate. The failure of the Open Space Committee and/or the Commissions to report within 60 days after the date of official submission of the proposal to it for a report, unless that period is extended by the Board of Selectmen, shall be taken as approval of the proposal. In the case of the disapproval of the proposal by the Open Space Committee or either of the Commissions, the reasons therefor shall be recorded and transmitted to the Board of Selectmen.
- B. The proposed disposition shall be subject to a public hearing before the Board of Selectmen and to review by the Planning and Zoning Commission pursuant to Connecticut General Statutes § 8-24.
- C. The Board of Selectmen shall consider the following matters, among others in evaluating any proposed disposition.
 - (1) Each property shall be assessed individually for suitability and/or desirability of disposition.
 - (2) Any property conveyed may, where deemed appropriate, be conveyed subject to a conservation easement, restricting development. Any such conservation easement shall,

where deemed practical, be transferred to an independent third party such as a land trust or similar organization.

- (3) Any property conveyed may, where deemed appropriate, be conveyed subject to a condition that any parcel to which it is appended not be permitted to be subdivided.
- (4) Any property conveyed may, where deemed appropriate, be conveyed subject to such retained rights, easements and interests as the Board of Selectmen deems to be in the best interest of the Town.
- (5) Any easement or other right of interest retained or otherwise acquired by the Town in connection with a disposal under this section shall itself thereafter be treated for purposes of this section as an interest in real estate designated as open space.

D. Any funds received from such conveyance should be applied to the Town's Open-Space Fund.

APPENDIX C: Open Space Evaluation Criteria

Whether an open space property is preserved by acquisition, conservation easement, donation, or a dedication resulting from the regulatory process, all open space preservation decisions are based on a comprehensive review of specific site characteristics. The Town uses the criteria outlined below to evaluate whether or not to preserve an open space property. These criteria are not weighted to help establish priorities. However, sites that address multiple primary categories or that would address a goal or objective of the Town's Plan of Conservation and Development have a higher priority. Land availability, acquisition costs and budgetary priorities also influence open space acquisition decisions. These criteria may be updated from time to time and adopted by the Town Council with input from the Open Space Preservation Committee and the Planning and Zoning Commission.

Planning: Identified as a potential resource in a government planning document.

- Identified or specifically referenced as a potential conservation, preservation or recreational resource in planning documents such as Mansfield's Plan of Conservation and Development, the CRCOG Regional Land Use Plan or the Connecticut Conservation and Development Policies Plan, or other local, state, or federal planning document

Historic: Conserves or preserves historic or archaeological resources.

- Site is located within or adjacent to a historic village or district.
- Site contains historic structures, sites or features, such as a mill site, cemetery, foundations, or stone wall
- Site contains archaeological resources

Habitat: Conserves, preserves or protects wildlife habitats and/or plant communities

- Site includes species listed by State or Federal agencies as endangered, threatened or of special concern, or classified as a critical habitat by CT DEEP
- Site is identified as a critical habitat by CTDEEP
- Site contains or helps protect notable plant or animal habitats, such as vernal pools, marshes, cedar swamps, or grasslands
- Site is within a large contiguous interior forest area
- Site includes a diversity of habitats

Water resource: Conserves, preserves or protects surface or groundwater resources

- Site is located within or proximate to a State-designated wellfield aquifer area, potential stratified drift wellfield area or existing public water supply well
- Site is proximate to the Willimantic Reservoir or tributary watercourses and waterbodies
- Site contains or impacts water resources, such as wetlands or watercourses
- Site contains a flood hazard area

Agriculture and forestry: Conserves, preserves or protects agricultural or forestry land.

- Site contains prime farmland soils, statewide or locally important farmland soils.
- Site is located within an existing agricultural area
- Site is within a large contiguous interior forest or within a site implementing a long-term forest management plan
- Site buffers an existing agricultural use

Scenic: Conserves, preserves or protects scenic resources

- Site contains an area or view of scenic importance, such as an overlook, ridgeline, open field, meadow, river valley
- Site contains significant roadside features, such as specimen trees and noteworthy stone walls
- Site abuts or is visible from a Town-designated Scenic Road
- Site is visible from existing roadways, trails and/or readily accessible public spaces
- Site contributes to the scenic quality of one of Mansfield's commercial areas, compact residential areas, mixed use center, or village center.

Connectivity: Creates or enhances connections

- Site is located along a state designated greenway, such as the Willimantic River, Mt Hope, Fenton, Natchaug, the Nipmuck Trail, or a potential town-wide or multi-town greenway or trail system
- Site expands an existing park or open space property, contributes to a continuous area of open space, protects a wildlife corridor, and/or provides a new trail access between open space properties or from existing roads or subdivisions to open space properties)
- Site links an existing or proposed residential neighborhood to an open space property/park area, school or commercial area
- Site buffers existing trails

Recreation: Creates or enhances recreational opportunity

- Site is physically suitable for active recreational use
- Site abuts an existing school, playground or active recreational site
- Site provides boating or fishing access to watercourses or waterbodies
- Site abuts or is within the watershed of existing outdoor public swimming site, such as Bicentennial Pond in Schoolhouse Brook Park
- Site is located within or proximate to existing areas of higher-density residential development

Planning, Acquisition, and Management Guidelines for Mansfield Open Space, Park, Recreation, Agricultural Properties and Conservation Easements

(Approved by Mansfield Town Council Nov. 13, 1995, revisions approved Aug. 25, 1997 and August 24, 2009)

Background

This document serves to guide the Town of Mansfield as it plans, acquires and manages the following:

- Open space, park, and recreation areas
- Agricultural properties
- Open space acquired as a result of subdivision, as appropriate
- Conservation easements

I Planning

- A. The Planning and Zoning Commission (PZC) has a statutory responsibility to periodically review and update the Town's Plan of Conservation and Development (POCD), including open space, recreation and agricultural elements. Appendix J of the 2006 POCD contains a listing of Significant Conservation and Wildlife Resources. Appendix K contains the Open Space Acquisition Priority Criteria. These pertinent sections of the POCD are contained in **Attachment A**.
- B. The Town Council, Conservation Commission, Agriculture Committee, Open Space Preservation Committee, Parks Advisory Committee, Recreation Advisory Committee, Historical Society, various staff members and the public shall directly assist the PZC with its review and updating of the POCD. Interim studies and reports shall be encouraged on specific areas of Town and on various aspects of local goals to promote recreational opportunities and to protect and enhance valuable natural, agricultural or historic resources.
- C. The PZC and Inland Wetland Agency periodically shall review and update land use regulations to help implement community goals and objectives regarding the protection and enhancement of natural, agricultural, historic and recreational resources.
- D. The Town Council shall consider on an annual basis the allocation of funds and taxation policies to help implement community goals regarding the protection and enhancement of natural, agricultural, historic and recreational resources.

II Acquisition

- A. Planning and Zoning Commission/Inland Wetlands Agency (IWA) Application/Approval Process

The Town Manager is authorized to receive for the Town any open space/conservation easement acquisition approved by the PZC/IWA application process. However, in the event that the Town Council disagrees with PZC/IWA recommendation for the proposed acquisition, the Town Manager is not authorized to accept the acquisition without specific Town Council authorization. Before acting however, the Town Council will provide PZC/IWA the opportunity to justify their recommendation.

1. The procedure for reviewing open space/conservation easement acquisitions associated with the PZC application/approval process is detailed below.
2. Proposed open space/conservation easements associated with the PZC application/approval process shall be referred for comment to the Open Space Preservation Committee, the Town Council, the Conservation Commission, and as appropriate, the Parks Advisory Committee, the Recreation Advisory Committee, and the Agriculture Committee.
3. Proposed open space/conservation easements associated with the PZC application/approval process shall be evaluated by taking into account site and neighborhood characteristics, the proposed development layout, natural, historic, cultural and scenic resource information, and priority criteria contained in Mansfield's POCD and regulatory provisions.
4. Comments from committees shall be forwarded to the PZC/IWA and the Town Council. As deemed necessary, the PZC/IWA and/or the Town Council may obtain expert advice to address management concerns and potential liabilities.
5. Any Town Council comments or recommendations, including any obtained expert advice, shall be forwarded to PZC/IWA in association with the application review process.
6. If a public hearing is held as part of the PZC/IWA application process, committee and Town Council comments shall be submitted prior to the close of the public hearing.

B. Other potential open space acquisitions

1. Step I-Committee Reviews

In response to a Town Council or staff referral or a committee initiative, the Open Space Preservation Committee shall conduct preliminary reviews of potential acquisitions and/or conservation easements. Potential acquisitions shall be evaluated based on resource information and priority criteria contained in Mansfield's POCD. As deemed appropriate, property owners shall be contacted, sites shall be visited and the Town's other land use commissions and committees shall be consulted. Available properties worthy of further consideration shall be referred to the Town Council with a background report. Said report shall identify important site characteristics and potential benefits. In addition, potential liabilities and management concerns, including anticipated maintenance and improvement costs, shall be noted.

2 Step II-Town Council Review

The Town Council shall review the Open Space Preservation Committee report. In instances where deemed necessary to maintain the confidentiality of the transaction, the Open Space Preservation Committee report shall be discussed in executive session. As deemed appropriate, the Town Council shall take a field trip to the site. Where multiple properties are being reviewed, the Town Council may schedule a meeting (in executive session when necessary) with the Open Space Preservation Committee to consider priorities.

3. Step III-Negotiations, Grant Applications

After evaluation of site characteristics, potential benefits and management needs, the Town Council shall authorize the Town Manager to begin preliminary negotiations with property owners of land deemed suitable for further consideration. If appropriate, and if grant funds are available, the Town Manager shall direct staff to complete a grant application to subsidize the purchase of the identified property.

4. Step IV-Appraisals, Consultants

Depending on preliminary negotiations, the Town Council may authorize the Town Manager to hire a real estate appraiser to prepare an opinion of value or appraisal report for potential properties or portions of said property. In addition, the Town Council may authorize the Town Manager to retain other expert advice to inform the Council on other management concerns and/or potential liabilities.

5. Step V-Purchase Agreements

Subject to Town Council authorization, the Town Manager may negotiate and execute purchase agreements for potential acquisitions. Said purchase agreements shall be conditional upon final approval by the Town Council, following a Public Hearing. As appropriate, the Town Manager may utilize specialists, such as the Trust for Public Land, to negotiate and facilitate agreements.

6. Step VI-Public Hearing

The Town Council shall hold a Public Hearing to receive public comment regarding a proposed purchase. Prior to the Public Hearing, neighboring property owners shall be notified by staff and, in situations where a referral has not yet taken place, the proposed purchase shall be referred to the PZC pursuant to Section 8-24 C.G.S.

7. Step VII-Town Council Vote

Following the Public Hearing, the Town Council shall vote on whether to acquire the subject property.

8 Step VIII-Property Preparation

After the Town Council votes to acquire the property, and before a management plan is approved, Town Staff, relevant committee members and other volunteers shall take appropriate steps to prepare the property for Town ownership. These steps may include, but are not limited to:

- Gathering information from abutters regarding management issues/concerns
- Creating safe access
- Surveying land and marking boundaries, if appropriate
- Developing a map including boundary information, existing notable features such as trails, waterways, buildings and vistas

C. Sale of Town-owned Properties

In general, it is the Town's policy not to sell land or conservation restrictions acquired by the Town through purchase, donation or as a result of a PZC/IWA subdivision application process. In some instances, a deed restriction may prevent the Town from selling Town-owned land. In the unusual instances where Town lands and easements may be transferred to private ownership, clear benefit to the Town must be demonstrated. In these instances, the Town Council shall refer the property to PZC pursuant to Section 8-24 of the Connecticut General Statutes, and hold a Public Hearing to receive public comment regarding the proposed sale. In addition, staff shall notify neighboring property owners of the proposed sale.

D. Leasing of Town-owned Properties

1. **Agricultural Land**

The policy goals of the Town 2006 POCD encourage sustainable agricultural land use, and the conservation and preservation of Mansfield's agricultural resources (p.4). For this reason, when the Town acquires farmland or land with prime agriculture soils, it is Town policy that this land be actively farmed. When the Town initiates an agricultural lease of Town property, there shall be a formal "Request for Agricultural Services." The Town shall publish a legal notice requesting sealed proposals no less than 10 days prior to the date the proposals are due. The Town Manager, with advice from the Agriculture Committee, shall be responsible for selecting the services rendered and for monitoring the leases. A sample lease for Town-owned agricultural land is contained as **Attachment B**.

2. **Other Land**

In instances where an individual requests to lease Town-owned property, this request shall be referred to the Open Space Preservation Committee and any other relevant committee to review. In general, it is the Town's policy to lease only Town-owned agricultural lands. In the rare instance when the Town agrees to lease other Town-owned land to a private party, clear benefit to the Town must be demonstrated. In these instances, the Town Council shall refer the property to PZC pursuant to Section 8-24 of the Connecticut General Statutes, and hold a Public Hearing to receive public comment regarding the proposed lease. In addition, staff shall notify neighboring property owners of the proposed lease.

III Managing Town Parks, Preserves, Open Space and Agricultural Land

A. Step I-Management Plan Assignments

The Town Manager, with the advice of committees and Town staff, shall assign the support role of a draft management plan to the appropriate Town staff, with input from appropriate committees.

As a general rule, the preparation of a draft management plan shall be a coordinated effort involving the Conservation Commission, Agriculture Committee, Parks Advisory Committee, Recreation Advisory Committee, Open Space Preservation Committee, Town staff, and, as appropriate, the PZC, Inland Wetland Agency and Beautification Committee. Responsibility for preparing a written draft management plan will be as follows:

- 1) The Conservation Commission shall provide input for draft management plans for undeveloped open space areas;
- 2) The Agriculture Committee shall provide input for draft management plans for properties with existing or proposed agricultural or horticultural uses;
- 3) The Parks Advisory Committee shall provide input for draft management plans for existing or proposed park areas with trails, community gardens or other recreational facilities;
- 4) The Recreation Advisory Committee shall provide input for draft management plans for properties with existing or proposed playgrounds or athletic fields.
- 5) The Open Space Preservation Committee shall provide input for draft management plans for properties with special characteristics reviewed during the acquisition process.

B. Step II-Drafting the Management Plan

1) Format

Management plans shall be prepared utilizing the general format contained in **Attachment C**. Each plan shall summarize the information gathered and presented during the acquisition process. In addition, the management plan shall document important site characteristics, concerns, and goals for the use of the property as well as recommended management and monitoring actions.

2) Invasive Species

Pursuant to Mansfield's Non-Native Invasive Species Policy (included as **Attachment D**) adopted on the staff level after briefing the Town Council at their 11/22/04 meeting, management plans shall include the development and implementation of an invasives control plan and prohibit the use of species banned by Public Act 04-203 of the State of Connecticut, with any subsequent revisions.

3) Fiscal Notes and Budget Considerations

Fiscal notes estimating the costs associated with managing the property shall be included as an attachment to the management plan. These fiscal notes shall serve to guide the Town

Council and committee members as to *estimated* projected costs associated with implementing the management plan. More precise cost estimates shall be prepared annually for budget consideration by the Town Manager and Town Council as part of the annual Capitol Improvement Budget. When available, sources of grant assistance shall be investigated and grant applications shall be prepared by staff to implement goals and objectives stated in the management plan.

4) Naming the Property

The proposed name of the property shall be included in the draft management plan. In general, the Town of Mansfield shall name properties after a significant natural or historic feature. In some instances, it shall be deemed appropriate by the advisory committees, the Town Council, the PZC or staff to name a property in a different manner. Naming of properties after a person shall be limited to those properties that have been donated to the Town or made a specific condition of acquisition. In all cases, the Town Council, with advice from advisory committees and the PZC, shall make the final decision regarding the name of the property.

C. Step III-Staff and Committee Review

Staff shall provide comment and circulate the draft management plan to appropriate committees for final review before an abutters' review and public comment.

D. Step IV-Abutters' Review

After the preparation of a draft management plan or significant changes in a plan, the responsible staff member or committee member shall notify abutting property owners and schedule an abutters' meeting to provide opportunity for neighborhood comment.

E. Step V-Town Council Review

The Town Council shall review draft management plans or significant changes in a plan and, as deemed appropriate obtain additional information from the Town's various land use commissions/committees and staff. The Town Council may choose to hold a Public Hearing to receive public input to the plan.

F. Step VI-Town Council Approval

The Town Council shall approve a new management plan or significant changes to an existing plan for Town-owned properties.

G. Step VII-Implementation

Implementing management plans shall be a coordinated effort among Town staff, advisory committee members, and volunteer stewards. Implementation shall be coordinated through the Parks and Recreation Department but may include staff from various other Town departments including the Department of Public Works, Planning Department, etc.

Plan implementation may include but will not be limited to:

- Structural improvements for public access and safety (such as establishing a parking area, constructing trails, improving wheelchair accessibility)
- Ecological management (such as inventorying natural resources, managing and controlling invasive species, encouraging native habitats, improving wildlife habitat)
- Maintenance of parking areas, signage, and boundary markers
- Monitoring of plan goals and objectives to ensure effective implementation
- Public outreach including public information and interpretive guides and maps, and use for education and research

H. Step VIII-Monitoring

Site conditions, including any new improvements, shall be monitored in accordance with the schedule established in the approved management plan by staff or appropriate volunteers. Any problems or issues uncovered shall be reviewed by staff and the commission /committee members that assisted in the preparation of the management plan. As appropriate, problems or issues shall be referred to the Town Council.

I. Step IX-Management Plan Update

The management plan(s) shall be updated as per the approved schedule or as often as deemed necessary by the Town Council or by the commissions/committees.

IV Management of Conservation or Agricultural Easements

A specific management plan is not needed for conservation or agricultural easements unless public access, trails or other municipal interests not adequately addressed in the easement are involved. If a management plan is appropriate, a draft shall be prepared, using the steps detailed in Section III of these guidelines. The Conservation Commission, with staff assistance, shall be responsible for periodically monitoring Mansfield's existing Conservation Easements. **Attachment E** contains a Conservation Easement Abstract and Monitoring/Inspection Form. The Agriculture Committee, with staff assistance, shall be responsible for periodically monitoring any agricultural easements.

Problems or issues uncovered shall be reviewed with staff. As appropriate, problems or issues shall be referred to the Town Council, PZC, or Inland Wetland Agency, depending on the specific easement document.

Attachment A
Pertinent Documents from the 2006 POCD

APPENDIX K-OPEN SPACE ACQUISITION PRIORITY CRITERIA

The following open space acquisition criteria, are provided to assist in the evaluation of potential sites for additional preserved open space. All open space acquisition decisions should be based on a comprehensive review of specific site characteristics, information contained or referenced in this Plan and information obtained through an active public notice and review process. The listed criteria are not weighted to help establish priorities, but in general, sites that address multiple primary categories or that would be of town-wide significance in addressing a goal or objective of this Plan would have a higher priority than sites that address fewer primary categories or do not have Townwide significance. It also is noted that land availability, acquisition costs and budgetary priorities will also significantly influence open space acquisition decisions.

1. Identified or specifically referenced as a potential conservation, preservation or recreational area within Mansfield's Plan of Conservation and Development, the WINCOG Regional Land Use Plan or the Connecticut Policies Plan for Conservation and Development
 - Identified as a potential conservation area on Map 21
 - Identified as within one of Mansfield's significant conservation and wildlife resource areas in Appendix J
2. Conserves or preserves historic or archaeological resources
 - Site is located within or adjacent to a Plan-identified village area (see Map #5)
 - Site contains historic structures, sites or features including, but not limited to mill sites, cemeteries, foundations, stone walls (see Map 2)
 - Site is a recorded archaeological site
3. Conserves, preserves or protects notable wildlife habitats and/or plant communities
 - Site includes species listed by State or Federal agencies as endangered, threatened or of special concern (see Map #11 for DEP Natural Diversity Data Base data)
 - Site contains or helps protect vernal pools, marshes, cedar swamps, grasslands, waterbodies or other notable plant or animal habitats
 - Site is within a designated large contiguous interior forest area (see Map #11)
 - Site includes a diversity of habitats
4. Conserves, preserves or protects important surface or groundwater resources
 - Site is located within or proximate to a State-designated wellfield aquifer area, potential stratified drift wellfield area or existing public water supply well
 - Site is proximate to the Willimantic Reservoir or tributary watercourses and waterbodies
 - Site contains or is adjacent to significant wetlands, watercourses or waterbodies and acquisition will significantly help to protect the water resource
 - Site contains a flood hazard area
5. Conserves, preserves or protects agricultural or forestry land
 - Site contains prime agricultural soils or agricultural soils of State-wide significance, (particularly important when in association with an existing agricultural use)

2006 MANSFIELD PLAN OF CONSERVATION AND DEVELOPMENT

Effective Date: April 15, 2006

Adopted by Mansfield Planning and Zoning Commission: January 17, 2006

Endorsed by Mansfield Town Council: January 9, 2006

- Site is located within an existing agricultural area such as the area in southwestern Mansfield along Mansfield City Road, Stearns Road, Browns Road, Crane Hill Road and Pleasant Valley Road
 - Site contains prime forestry soils (particularly important when located within a large contiguous interior forest area or within a site implementing a long-term forest management plan)
 - Site would provide a significant buffer for an existing agricultural use
6. Conserves, preserves or protects important scenic resources
- Site contains scenic overlooks, ridgelines, open fields, meadows, river valleys and other areas or features of particular scenic importance. (Information contained on Map 12 should be utilized in considering relative scenic importance.)
 - Site contains significant roadside features such as specimen trees and noteworthy stone walls
 - Site abuts a Town-designated Scenic Road
 - Site is visible from existing roadways, trails and/or readily accessible public spaces
 - Site contributes to the scenic quality of one of Mansfield's historic village areas
7. Creates or enhances connections
- Site is located along the Willimantic River, the Nipmuck Trail or other State-recognized greenway or a potential town-wide or multi-town greenway or trail system
 - Site would expand an existing park or preserved open space area and contribute to a continuous area of open space, protect a wildlife corridor, and/or provide a new trail access between open space properties or from existing roads or subdivisions to open space properties)
 - Site would provide a new linkage from an existing or proposed residential neighborhood to an open space/park area, school or commercial area
 - Site provides a buffer area for existing trails
8. Creates or enhances recreational opportunity
- Site is physically suitable for future ballfields and other active recreational use
 - Site abuts an existing school, playground or active recreational site
 - Site provides new boating or fishing access to the Willimantic River or other significant watercourses or waterbodies
 - Site abuts or is within the watershed of existing outdoor public swimming site, such as Bicentennial Pond in Schoolhouse Brook Park
 - Site is located within or proximate to existing areas of higher-density/residential development

Attachment B
Sample Lease for Agriculture Land

LEASE AGREEMENT

Made the day of 2005, between the Town of Mansfield, acting herein by Matthew W. Hart, its Town Manager, a municipal corporation located in the County of Tolland, State of Connecticut, hereinafter referred to as "Lessor," and [insert name of farmer] , hereinafter referred to as "Lessee".

WITNESSETH

That the said Lessor, for and in consideration of the covenants hereinafter reserved and contained, and to be kept and fulfilled on the part of said Lessee, has let and by these presents does grant, demise and farm let unto said Lessee for an initial sixty (60) month term or five (5) planting seasons.

AND IT IS FURTHER AGREED that if Lessee is found to be in default of any of the covenants herein contained, Lessor shall cause written notice of said default to be sent, by Certified Mail, to Lessee. In the event Lessee takes no steps to cure said default within fifteen (15) days after mailing of said notice, then it shall be lawful for Lessor, without further notice to re-enter and take possession of said leased premises, and such re-entry and taking possession shall end and terminate this lease.

AND THE SAID LESSEE does hereby further agree to comply with and conform to all the laws of the State of Connecticut, and the by-laws, rules, and regulations of the Town of Mansfield within which the premises hereby leased are situated, relating to health, nuisance, fire, highways, and sidewalks, so far as the premises hereby leased are, or may be, concerned, and to save the Lessor harmless from all fines, penalties, and costs for violation of, or non-compliance with, the same.

THE LESSEE will maintain the fields in good agricultural condition and will mow the field at least once a year.

THE LESSEE will submit by November 30 of each year a form enclosed in Attachment B to:

The Mansfield Parks Coordinator
Parks and Recreation
10 South Eagleville Rd.
Storrs, CT 06268
860-429-3015x110
860-429-9773 (FAX)

Any restricted use pesticide must be applied by a licensed applicator. The plan will conform to agricultural practices recommended by the CT Cooperative Extension System or a comparable advisor.

The LESSEE agrees to refrain from the long-term storage of manure on the site. The temporary storage of hay is allowed until November 1 of each year.

THE LESSEE shall not cut, other than pruning, destroy or remove any trees without the consent of the Town of Mansfield, said consent to be in writing, and not unreasonably withheld; nor introduce farm or domestic animals; nor install any fencing.

At the end of the five (5) year period, beginning with the effective date of this lease, and at the end of any succeeding five (5) year term agreed to by the parties, the Lessor may review the terms and conditions of the lease to determine if it is in the best interests of the Town to continue the lease for additional five (5) year term and if so, whether any changes will be made in the lease at the discretion of the Lessor. The Lessee may terminate the lease with written notification prior to November 30 of any year. If the Lessee fails to meet the terms of the lease as contained herein, the Lessor may terminate the lease with a one-month written notice.

AND AT THE TERMINATION of lease as provided for above, the Lessee will quit and surrender the premises

hereby demised in as good state and condition as reasonable use and wear thereof will permit, damages by the elements excepted, and the said Lessor shall have the right to enter said premises for the same purpose of showing the same to applicants for hiring the same, at any time subsequent to the November 30 date. The Lessee shall have the first option of renewing this lease under terms to be set forth by the Town.

COMMENCING WITH the growing season of a year to be determined, the Lessee agrees to compensate the Lessor in an amount to be determined payable on or before February 1 of each year. Said amount will be negotiated prior to each subsequent growing season.

THE LESSEE and the Lessee's family shall be relieved of any obligation within this lease should the Lessee become incapacitated or unable to maintain the responsibilities entailed in this agreement.

THE LESSEE will maintain Workmen's Compensation coverage in accordance with the laws of the State of Connecticut if employees are hired to work the land. The Lessee will provide liability insurance with limits of not less than \$100,000.00 per occurrence, naming Lessor as an additional insured, insuring against loss or injury caused by Lessee's activity on the demised premises.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
In the Presence Of

TOWN OF MANSFIELD

Attachment C
Sample Management Plan

Mansfield Preserve Management Plan

MANFIELD LAND MANAGEMENT PLAN FOR PARK, RECREATION, OR OPEN SPACE PROPERTY

NAME OF PROPERTY: Mansfield Preserve.

LOCATION OF PROPERTY: Frontage on Gurley Road, Birch Drive and Main Street

MAP/BLOCK/LOT :

Smith Revocable Trust	10.43.35-1	28.76 acres	
Mansfield Heights Subdivision		10.43.12	1.6 acres
	<i>Total</i>		<i>30.36-acres</i>

PUBLIC ACCESS: Allowed, passive recreation only.

PROPERTY CLASSIFICATION: Open Space Preserve

PURCHASE INFORMATION:

Smith Revocable Trust: 28.76 acres for \$90,000 on 5/22/1996 from Open Space Fund.

Mansfield Heights Subdivision: 1.6 acres for \$1.00 on 9/27/1967

AGENCIES THAT HELPED PREPARE MANAGEMENT PLAN: Staff, Parks Advisory Committee, Open Space Preservation Committee

DATE MANAGEMENT PLAN WAS PREPARED: November 2007

REVISION DATES:

DATE OF TOWN COUNCIL APPROVAL:

COMMITTEE REVIEW DATE: PAC to review biannually

OVERVIEW

Mansfield Preserve is a 30-acre parcel with frontage on Gurley Road, Birch Drive, and Main Street. The property is primarily wooded and contains a portion of Bundy Brook and an approximately 4-acre agricultural field, currently in hay production and leased to a local farmer. There are remains of the former Bundy Homestead. The Chipmunk Trail runs through the eastern portion of the property connecting Joshua's Trust's Gurleyville Gristmill to UConn's Fenton River Forest Tract.

MANAGEMENT GOALS

A. Recreational

Maintain trail system in conjunction with Connecticut Forest and Parks Association.

B. Ecological

Maintain riparian buffer along Bundy Brook.

C. Agricultural

Encourage sustainable agricultural practices on the agricultural field.

D. Historical

Encourage interpretation of Bundy Homestead. Cooperate with Mansfield Historical Society and Joshua's Trust to preserve historical artifacts on the property.

INVENTORY

A. Notable Physical Characteristics

The northwestern portion of Mansfield Preserve contains a steeply sloping hemlock forest. The center of the property contains an approximately 4-acre agricultural field currently in hay production and leased to a local farmer. The eastern portion of the site contains a swampy area with an adjacent esker. Bundy Brook is located in the southern part of the forest. A mature stand of pines and other interesting vegetation is located along the Northern side of Bundy Brook.

B. Notable Special Features

Mansfield Preserve contains approximately 0.25 miles of the Chipmunk Trail, which connects Joshua's Trust's Gurleyville Gristmill to UConn's Fenton River Forest Tract. The main entrance to the property is off of Gurley Road, where there is adequate parking. The former Bundy Homestead site is located in the southwest corner of the site and contains foundations, a root cellar and stone walls.

C. Notable Concerns

Monitor the Bundy homestead area for debris. Obtain permanent easement for access to the field by farmer and for land management. The site contains steep slopes. Thus, trail should be planned to minimize erosion.

MANAGEMENT

A. Preparation

1. Develop, purchase and install appropriate preserve signage
2. Install boundary markers and signs as needed
3. Mark existing pedestrian trail leading out to Holly Drive (Torrey Trail).

B. Maintenance

1. Maintain trailheads and trails in conjunction with Connecticut Forest and Parks Association, which maintains the Chipmunk Trail.

C. Ecological Management

1. Prepare a natural resources inventory.
2. Based on the natural resource inventory, determine how to encourage native plant and animal communities and to control invasive plants.

D. Enhancements

1. Encourage public participation by recruiting and training a volunteer steward
2. Solicit educational and research use
3. Create an interpretive trail guide

E. Monitoring

1. Staff and/or volunteer annually monitor entrances, trails, and boundaries
2. Staff and/or volunteer annually update and review the management schedule

ATTACHMENTS

- Attachment 1 Aerial Photo
- Attachment 2 Trail Map
- Attachment 3 Bundy Preserve Abutters List
- Attachment 4 Fiscal Notes
- Attachment 5 Property Deeds

Appendix D
Non-Native Invasive Species Policy

Non-Native Invasive Species Policy- Adopted on the Staff level after briefing the Town Council at their 11/22/04 meeting.

To properly address non-native invasive species, use the resources available in the already established academic invasives community, and ultimately define the Town role, the Town enacted the following invasives policy:

The Town of Mansfield recognizes that the spread of invasive plants and animals is a serious environmental problem threatening our local natural ecosystems. Therefore, in the Town's continuing effort to preserve, restore, and protect native plant and animal communities of Mansfield, we establish this policy for invasives control.

- Include the development and implementation of an invasives control plan in Town properties' land management plans.
- Train staff and volunteers in control methods, and apply to selected sites.
- Educate residents about the invasives problem.
- Work with other groups concerned with invasives control.

Are you concerned about non-native invasive species such as Asiatic bittersweet, burning bush, multiflora rose, autumn olive, Russian olive and others? There are several excellent sources of information available through the Connecticut Invasive Plant Working Group (CIWPG), Invasive Plant Atlas of New England (IPANE), Natural Resources Conservation Service (NRCS).

Attachment E
Conservation Easement Abstract
Conservation Easement Monitoring/Inspection Form

Mansfield Conservation Easement Abstract

Location of Easement (address): _____

Name of Property: _____

Subdivision (if applicable): _____

Original Grantor: _____

Assessor's Map: _____ Block: _____ Lot: _____

Date Easement filed on Land Record: _____

Size of Easement: _____

Current owner(s) (attach listing of all owners address and phone): _____

Method of Identifying Easement area (iron pins, medallions): _____

General Description of Easement area (special features, existing structures, roads, etc.):

Nature of Easement restrictions (notation of unique or special conditions): _____

Attachments (check all the apply)

- _____ Copy of Conservation Easement document
- _____ Survey Plan/Subdivision map
- _____ Topographic map with Easement boundaries
- _____ Aerial Photo
- _____ Photos with associated map/sketch indicating location and direction of photos
- _____ Record of ownership/property transfers
- _____ Monitoring Inspection Reports
- _____ Other (please describe)

Mansfield Conservation Easement Monitoring/Inspection Report

Location (address): _____

Name of property/subdivision: _____

Local contact/resident (as appropriate): _____

Monitoring visit notification:

Date letter was sent to owner/local contact: _____

Date/time of follow-up phone call: _____

Description of current land use abutting easement area: _____

Easement boundaries/markers (are boundaries present and visible): _____

Descriptions of observed human or natural alterations or encroachments to the conservation area _____

Observations/Comments (List any potential problems/general condition of easement):

To the best of your knowledge and observation, are the terms/conditions of the Conservation Easement being complied with? (please describe) _____

Method/nature of inspection (personal visit, aerial, walked boundaries/spot-check interior, etc.): _____

Date and Time of Inspection): _____

List all persons attending inspection (owner and others): _____

Monitor's name: _____

Monitor's signature: _____

Owner's/local contact's name and signature (where possible):

Attached support data (please describe) (i.e. photos, aerial photos, maps/illustrations/sketches, other): _____

