

PUBLIC LAND: MANAGEMENT, ACQUISITION, USE AND DISPOSAL

(Adopted 1966, Revised 1983, 1985, 1989, 1992, 1995, 2001)

To maintain the character and beauty of our town and its natural resources, to contain and shape commercial growth, and to control traffic and town development, the League of Women Voters of Westport supports a strong program for municipal acquisition and preservation of open space. We urge the Town of Westport to acquire and retain through whatever means are available to it, specific parcels of undeveloped land that meet criteria adopted by LWV Westport, the 1997 Town Plan of Conservation and Development (the Town Plan), and the Land Acquisition Committee Report, 2000 (LAC).

Explanation:

The League of Women Voters of Westport advocates a program of open space land acquisition and conservation in an age of ever-increasing population pressures. Westport is fast approaching its ultimate population under present zoning laws, and the possibility of future zoning breakdown has to be considered. Open land is fast disappearing. Once developed it is lost. Therefore, the urgency of the problem becomes immediate. Besides the preservation of the character and beauty of our town, we emphasize the importance of conservation of wildlife habitat and natural resources and the need for inland natural recreation areas. It makes fiscal sense to leave land undeveloped, as opposed to providing full municipal services for developed land.

The Land Acquisition Committee reported in 2000: "9.8% of Westport's land is open space as defined by the State. However, if State and privately owned land is removed from this, then only 4.8% is Town owned open space. Furthermore, much of this Town owned land is comprised of small parcels and cannot be used for the municipal needs identified in the Town Plan. The LAC believes that Westport should be closer to the State guideline of 21% and, therefore, must be more aggressive in obtaining the privately owned parcels outlined in the recommendations."

OPEN SPACE DEFINITIONS

Westport has many different kinds of open space. To clarify differences, we recommend the town adopt the following open space definitions:

1. Open Space for **Passive or Non-Organized Recreation**. Areas with public access for informal, non-organized activities such as walking, picnicking, fishing, relaxation, bird watching and communing with nature. Includes undeveloped parks and beaches; woods, meadows and waterside areas and offshore islands. (Areas do not contain buildings, structures or playing fields.)
2. Open Space for **Active, General Formal Recreation**. Publicly accessible areas that may include playing fields, courts and/or structures. Includes playgrounds, golf courses, tennis courts, developed beaches, and areas for other active, organized sports.
3. Open Space for **Conservation**. Environmentally fragile public areas. Includes wetlands, flood plains, topographically limited areas (e.g., steeply sloped), farmlands, historic sites, green belts and buffer zones. Also, publicly accessible

private and semi-private conservation reserve areas operated by not-for-profit land trusts and nature conservancies and societies; and public utility and water supply lands.

4. Open Space **Unsuitable for Public Use.** Land parcels of small size, inadequate access and/or parking. Includes rotaries, cemeteries, and miscellaneous small areas without sufficient open space for public use.
5. Open Space at **Schools and Other Public-Access Properties.** Publicly owned land around town structures and buildings that is currently or potentially usable for active or passive recreation.
6. Open Space in **Subdivision Reserve Areas.** Areas kept open as integral parts of private development. Includes portions of residential properties left in their natural state--owned by and accessible to development residents.

We are in agreement with the 1997 Town Plan Open Space Categories and Definitions for Public and Private Lands, p.26.

CRITERIA

1. **Criteria for Evaluating Acquisition or Retention of Town Land:** The Town should acquire and retain land according to the following criteria:

- Land environmentally fragile, including wetlands and steep slopes.
- Land offering potential for public recreation.
- Land offering the potential for public building or other municipal uses.
- Land that acts as a buffer between conflicting uses.
- Land for pocket parks.
- Land along the waterfront.
- Land that in an undeveloped state maintains the character and beauty of our town
- Land that left undeveloped may help control traffic congestion and town development.
- Parcels of land five acres or more.
- Land that is currently or potentially farmland.
- Other land designated "open space" in the Town Plan.

Top priority should be given to acquisition of the kinds of properties listed above, as well as the specific properties listed in the Land Acquisition Committee Report, June 2000, pp.18-20 and the 1997 Town Plan, pp.28-29. In addition, emphasis should be placed on acquisition of waterfront properties such as Cedar Island and riverside parcels and farmland such as the Belta property. Other parcels should be pursued as they become available.

Any 8-24 granted by the P&Z for acquisition of land should have a time limit for development plans.

2. **Criteria for Evaluating the Disposal of Town Land:** Because there is so little open space remaining in Westport, the Town should dispose of land only after considering the following criteria:

- The land should be examined in view of the criteria for acquisition or retention.
- The land has no potential public use, meets zoning approvals, and its disposal would be in keeping with the character of the neighborhood.

The land is an isolated building lot with no potential public use and its disposal would be in keeping with the character of the neighborhood.
Parcels with municipal buildings no longer needed or appropriate for public use that could be put to non-municipal uses without negatively affecting public land.
The land could be given to an environmental group that will care for it.

We are in agreement with the 1997 Town Plan, p.25: “Disposal of Town owned land should only be considered under the most extreme circumstances and if the property does not meet any of the criteria outlines for the purchase or retention of property. In addition, the proceeds from any property sold should be deposited and held only in the Land Acquisition Fund.”

We also agree with the recommendation of the 2000 Land Acquisition Committee Report, p.24: to “Allow the sale of several parcels of Town owned land appropriate for residential construction with the proceeds “banked” for future land acquisition. This would include this report’s specific recommendation to sell the ½ acre lot on Maplewood Avenue and some of the 26 acres on Waterside Terrace at Longshore.”

3. Criteria for Evaluating the Use of Town Land (including land with buildings):

- Is it a use anticipated in the 1997 Town Plan? (Possible locations for current or potential community facilities needs, pp. 98-99).
- Will the proposed use meet a public need that is broad-based and controlled by the Town for public use?
- Can, or should the needs be met elsewhere or by other means? What are the alternatives and how practical are they?
- Is the use needed all the time or only part of the time? Can it be shared and will the need continue in the future?
- How does this use or need relate to other town land uses and needs as to priorities, the number of citizens served, and preexisting like uses?
- How suitable is the land for the proposed use?
- Is the proposed use compatible with the existing zoning?
- How will the proposed use affect traffic?
- If only part of the land will be used for a particular use, is the use compatible with the uses
planned for the rest of the land?
- How will the proposed use affect the neighborhood?

LAND ACQUISITION AND MAINTENANCE

LWV Westport endorses the continuation of the Land Acquisition Committee to work with the First Selectman and Town boards and commissions to simplify proposals for acquisition, care, use and disposal of land.

The 1997 Town Plan also recommends a permanent Natural Resources Citizen Committee (p.24). This Committee’s mission should be expanded to develop policy for the use and financing of maintenance and improvement of Town owned land.

The Acquisition Fund should not be used for maintenance.

LWV Westport will work with other organizations, such as the Westport Woman’s Club, the Historical Society, and the Conservation Commission, in increasing public awareness of the need for open space acquisition and land use management.