

FCPOS Focuses on Special Places-another element of Open Space Planning

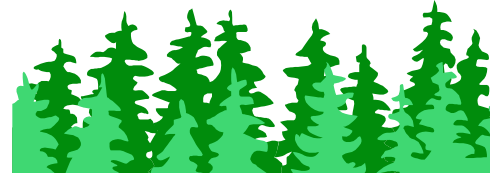
In 1998, FCPOS began to identify "Special Places " in Clifton Park as part of our town-wide Open Space Planning effort. Inspired by a process begun by Clifton Park's town government and the Land Trust of the Saratoga Region (formerly Saratoga Land Trust), FCPOS is identifying sites of particular ecological, cultural or scenic significance to our community. These may contain lands in public or private stewardship, and are often threatened by encroachment, weak zoning regulations, or overly intensive development. This effort is ongoing. We welcome your nominations as well. Some details about one of the Special Place we have identified follow. Look for more information on Special Places in future newsletters.

Endangered species habitat along Wood Road. What we call a "Drylands Complex" exists along both sides of Wood Road in the Town's northeast corner near Northway Exit 10. The mainly open, partly wooded landscape has mostly sandy soils and a rare pine barren and oak savanna ecology which harbors the NYS and Federally-listed Endangered Species—the Karner blue butterfly, along with other rare animals. A sand dune provides a scenic backdrop to former agricultural fields. Wood Road itself connects at its northern end with several routes that join the proposed Saratoga County Heritage Trail and its existing Zim Smith trail segment. The entire length of

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Steering Committee:

Frank Berlin, *Friends of Veteran's Park*
Margaret Catellier, *Citizens Association for Reasonable Expansion; United Civic Associations & Neighbors*
Bill Engleman, *Saratoga County Water Quality Committee*
Gil Kortz, *Clifton Park Zoning Board, past Chair of CP Environmental Conservation Committee*
Ray Seymour, *President of Board of Directors of Land Trust Of the Saratoga Region*
Clark Wilson, *Officer of Board of Directors of the Rexford Civic Association*



Open Space Is a Bargain

Development is often encouraged in our towns as a means to produce jobs and increase the tax base. FCPOS encourages responsible development as a natural complement to Open Space in any attractive community with good quality of life.

However, sometime only the value of development is stressed and the value of open space is underestimated. It is important to remember that Open Space brings both esoteric and economic value.

Less tangible values of Open Space include:

- Environmental quality and natural resource protection including our all-important water sources as well as soil conservation and wildlife conservation
- Preservation of cultural and historical treasures that help define our sense of community
- Enjoyment of both passive and active recreational areas

But Open Space provides tangible economic value as well which should be considered in any land use evaluation. **Open space avoids the need—and cost—for:**

- Redundant infrastructure outside existing centers
- Transportation spending for roads both new and old
- Utility line extensions and other services delivered into dispersed development areas or abandoned by private developers to the town taxpayers
- Expanded school enrollment and maintenance of long bus transportation routes
- Reduced fire and EMS protection requirements

A 1997 Penn State University study showed that farmland and open space cost taxpayers much less than new development. Using Bedminster Township in Bucks County as an example, *for every dollar in taxes a homeowner paid, the town spent \$1.12 for service to support that household. By contrast, for every dollar a farm paid in taxes, it received only \$.04 in services.*

These are important facts to remember—and to remind our officials.

Wood Road, including this rare habitat area, has peaceful views and a quiet beauty favored by cyclists and walkers.

Of the several sites in town which harbor Karner blues and their requisite food plant—the wild blue lupine flower—this one is the least disturbed by encroachment from sprawl development. The butterfly populations here are considered significant. Thus the area is a critical reservoir of rare biodiversity in Clifton Park. These fragile habitat and ecosystem values exist over part of a Type I groundwater aquifer (the highest drinking water aquifer classification) and its associated extensive groundwater recharge area.

FCPOS is joined by the Nature Conservancy: Eastern NY Chapter, Capital Region Audubon Society; the Land Trust of the Saratoga Region, and Save the Pine Bush in its concern for the future of this ecological treasure. Governmental agencies which have called for rigorous protective measures include the NYS Department of Environmental Conservation Endangered Species Unit, and in 1988, the Town of Clifton Park Environmental Conservation Commission (ECC). The ECC was one of several groups that called for an Environmental Impact Study to be done for this area because of proposed developments along Wood Road.

Development Pressures

The entire site is currently zoned "Light Industrial" and is part of the much larger Wood Road "corridor". The larger area did become the subject of an Environmental Impact Study in 1988 through 1991 which determined, according to a Findings statement issued by the Planning Board, that the endangered species wildlife habitat values

must be protected in any potential development here. Protections specified included "requiring landowners to cooperate in the active management activities and expenditures required to preserve, enhance and protect these habitats. Land conservation easements or other devices will be required to ensure that management activities are permitted."

The latest of several project proposals to threaten the area is a 50,000 square foot structure planned to be located nearby which could encroach upon, fragment, and reduce habitat values for this rare ecosystem. One of many issues which must be addressed is the ability of Karner blue butterflies from separate population patches to move unimpeded between habitat areas, thereby maintaining genetic variation and viability and providing a greater chance for the species' survival in the area over the long term.

FCPOS believes that a comprehensive plan of protection for this area, including substantial buffer zones, must be created and adopted before any development is approved nearby.

This is in accord with applicable Findings for the Wood Road area, and complies with previous public-private protection agreements, which have yet to be realized for this Special Place. We believe these must be both achieved and expanded for serious and equitable land protection effort in this area --one which preserves the identified public values inherent in this special landscape.

FCPOS is monitoring and commenting upon this application and should it proceed past the conceptual stage then,

Friends of Clifton Park Open Space supports:

- The necessity of access for and review by NYS DEC officers for walk-thru review of the site.
- Reviewing the impact of new roadway access intruding upon habitat areas and the impact of such on the viability of this habitat.
- Calling upon the Planning Board to allow public comments at site plan review and/or a public hearing on the application.

Please add your comments in writing to the Town Board and Planning Board or in person at town meetings. **We urge you to support these issues along with recommendations of the Town Engineer regarding this site, that "Given the size of the project site and significant development potential based on the current zoning, the preparation of a master plan of development for this site may allow a more appropriate and thorough review of the conceptual design.."** This area of **Open Space in the northern part of our town is important to manage and protect and that is always better accomplished with citizen input. We ask for yours.❖**

CALENDAR OF EVENTS:

FCPOS GENERAL MONTHLY MEETING

PLACE: SHENENDEHOWA UNITED METHODIST CHURCH

TIME: 7:30 PM, THURSDAY, MARCH 16TH

SPECIAL SPEAKER-A WILDLIFE BIOLOGIST FROM NYS DEC REGARDING KARNER BLUE BUTTERFLY PROTECTION NEEDS

PUBLIC MEETING ON FARM LAND PRESERVATION

PLACE: VISCHER FERRY FIREHOUSE

TIME: A SATURDAY IN MARCH

11:00AM TO 4:00 PM

MEMBERSHIP DRIVE

PLACE: ANY NEIGHBORHOOD IN CLIFTON PARK

TIME: COMING IN THE SPRING

SOLICIT MEMBERSHIP OR CONTRIBUTIONS

CALL: GREG SUNDIK AT 373-1627

CLIFTON PARK TOWN BOARD MEETINGS

PLACE: TOWN HALL

TIME: EVERY MONDAY NIGHT, 7:00 PM

CLIFTON PARK PLANNING BOARD MEETINGS

PLACE: TOWN HALL

TIME: EVERY 2ND & 4TH TUESDAY NIGHT, 7:00 PM

MARCH 16TH MEETING AT SHENENDEHOWA UNITED METHODIST CHURCH

Our monthly meeting will take place on Thursday, March 16th at 7:30 PM. We will again be reviewing our progress on the Open Space document to be presented to the town for inclusion in the Comprehensive Plan. We will also hear about progress on fund-raising and have a plan laid out on our public forum on farmland preservation methods.

We will have a special speaker this evening—a wildlife biologist from the NYS Dept of Environmental Conservation discussing reasons for protecting the Karner blue butterfly, explains its life cycle, and address land management challenges in conjunction with habitats of this federally endangered species in Saratoga County. Since space at the church can be limited, please call Greg Sundik at 373-1627 if you think you might like to come.

MARCH MEETING AT THE VISCHER FERRY FIRE STATION *OPEN SPACE PROTECTION*

Set to take place on a Saturday in March, we hope to have a good turnout at our open space seminar. We plan an array of presenters to provide new ideas and review current options for preserving some of the larger tracts of existing open land as open space in the most economical ways.

Friends of Clifton Park Open Space
PO Box 821
Clifton Park, New York 12065

ADDRESS CORRECTION REQUESTED

OPEN SPACE MEETING FOR LAND-HOLDERS—March, 2000

FCPOS is planning a meeting in conjunction with some of the larger landholders in the town. The purpose of the meeting is several fold:

- FCPOS hopes to introduce our group, its history, and work to date to this important segment of the Open Space community.
- We also hope to hear first hand the concerns of these people since it is their land which is frequently the issue when it comes to Open Space.
- Finally we hope to have some experts on hand to discuss ways to keep their land as open space and more economically viable.

The town assessor will be on hand to answer questions about the town's various easement programs. We plan on having several smaller group discussions on various topics. Several speakers will be invited from a variety of groups specializing in topics pertinent to the issues at hand.

We believe much helpful and educational information will be shared by everyone involved. All this information will be useful in formulating a working Open Space Plan for incorporation into the Town's Comprehensive Plan

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Summerhill Subdivision Planning Board Update....

Summerhill is a proposed subdivision of 143 lots along Vischer Ferry Road. The property is the last large, currently open space area located along Vischer Ferry Road between Clifton Park Center and Grooms Roads. The land now includes scenic views across open fields to "the Drumlin", an interesting, major topographic rise located along its northwest edge. The preservation of forest tracts in that area, intended to be dedicated to Town ownership, was billed as one of the selling points by the applicant in local newspaper reports.

At a public hearing in December, a FCPOS representative addressed the subdivision design with respect to maintaining wide protected open space corridors in the development for wildlife and human use. Such corridors were called for by the Clifton Park Environmental Conservation Commission in the early 1990's and the Findings of the Vischer Ferry Generic Environmental Impact Statement. Adjacent cluster subdivisions such as The Oaks and Meadow Estates have made efforts to incorporate such contiguous undeveloped spaces in their designs. **Unfortunately, the design plan was not available before the meeting and after a brief review that night we misinterpreted portions of the layout.**

On February 29th the Planning Board is scheduled to review this subdivision based upon the December hearing. Having now thoroughly reviewed the 2/8 plan, **we believe implementation of the open space configuration shown in the area of Roseland Court and Lot 21 would have a serious negative impact on the continuity and connection of contiguous open space corridors already established north and south of this project.**

The main issue is the bottleneck in the corridor that will connect with the 350-foot corridor already found in The Oaks plan. **The corridor is significantly narrowed here. Plus, many roadways intersect here** having more negative impact on the ability of the areas to maintain continuity in the corridors. Relocating these 7 lots would dramatically improve the situation.

FCPOS issued written comments addressing these concerns to the Planning Board at their 2-29th meeting, and the Board asked the applicant to consider them before final approval is granted. FCPOS stands willing to work with the Planning Board and applicant to achieve a better, more conserving subdivision design for this important landscape.

Definition of Terms...

Conservation Easement: A legally binding instrument for interests in land, granted to a qualified agency for the purpose of conservation fits scenic, historical, ecological or agricultural character. Qualified agencies include:

- Not-for-profit land conservation organizations, also known as "land trusts"
- Government agencies
- Historic preservation organizations

Conservation easement usually refers to a grant of such interests in perpetuity, as opposed to a term easement which expires after a set period. **Clifton Park's easement program usually involves term rather than conservation easements and are, therefore, temporary.**

Conservation easements differ from deed restrictions in that they offer a legally stronger protection of the conservation values the land possesses, and they may be enforced by third parties who do not own either the land itself or abutting parcels. A conservation easement is essentially a bundle of rights, including most or all development rights, transferred by the landowner to another entity which assumes the responsibility to make sure such rights are never exercised.

Conservation easements may be granted to a qualified agency through:

- Sale at appraised value (as in Purchase of Development Rights Programs)
- Sale at a bargain price for less than appraised value
- Donation

This last method is the most common.

Once sold or donated, the landowner retains fee ownership of the land and the rights not transferred in the conservation easement—such as the rights to farm the land, enjoy the property, and transfer or sell it.

When donated in perpetuity, the value of the rights given up by the landowner may qualify as a charitable gift under the IRS Code. When sold at a bargain price, the difference between the appraised value of the rights and the sale price may likewise qualify as a charitable gift. Owners of family lands may realize substantial estate tax savings by reducing the value of an estate via a conservation easement donation made prior to the landowner's death. Property tax liability of lands conserved by permanent conservation easement is a matter of policy determined by the assessor and other local officials.

Conservation easements can be tailored to individual properties and the owner's wishes for protection. Conservation easements can not only facilitate complete preservation, but also come into play in "limited development" and "open space development" options. Typically, open space developments include a permanent conservation easement over the open space, granted to a land protection organization which will legally protect its open space status. If the easement is granted to local government, then a land conservation organization may serve as a back-up grantee.