

# **Town of New Hartford Open Space Tax Abatement Program**

## **Program Description**

The Town of New Hartford's Open Space Tax Abatement program is a new initiative that gives the Town and landowners another tool to work together to permanently preserve key parcels of land as open space. It allows the Town to abate a property owner's taxes over a period of time (not to exceed 20 years) in exchange for preservation of the land in perpetuity. The total amount of taxes to be waived is to be negotiated between the Board of Selectmen (BOS) and the landowner and cannot exceed the value of the conservation easement to be placed on the land. All projects under this program are subject to final approval at a Town Meeting.

## **What Types of Projects Will Be Considered (Criteria)**

The Open Space Tax Abatement is intended to preserve parcels of land that have important conservation value. To apply for the program, a proposed preservation project would need to meet the following criteria listed in the ordinance:

- Maintain and enhance the conservation of natural or scenic resources
- Protect natural streams or water supply
- Promote conservation of soils, wetlands, and beaches
- Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- Preserve historic sites, and/or
- Promote orderly development

Preservation projects that contribute significantly in one or more of these areas and contribute to the priorities established in the New Hartford Open Space Plan would be considered highest priority for a tax abatement. The priorities established in the Open Space Plan are preservation projects that:

- Preserve the rural, agricultural character of the Town and scenic views
- Preserve passive recreational opportunities
- Protect water resources
- Protect important ecosystems and wildlife corridors
- Protect land for agriculture
- Protect archaeological sites
- Preserve land as open space in a way that enhances the Town's economic well-being

## **How to Apply**

To be considered for a tax abatement, please complete the Notice of Intent available on the Town website or by contacting Town Hall.

## What to Expect After You Apply

### Pre-Application Review

1. *Initial OSPC Screening.* The New Hartford Open Space Preservation Commission (OSPC) will review the Notice of Intent form, discuss it with the BOS, and notify the applicant of Town's interest in further discussing the project within 65 days of receipt of the form. Not all projects will be considered priorities for the program.
2. *Site Visit.* If the initial review is favorable, OSPC and a representative of the BOS will meet with the landowner, tour the property, and discuss the steps for preparing a formal application.

### Project Documentation

3. *Conservation easement.* The landowner, OSPC, and BOS negotiate a conservation easement
4. *Appraisal, formal survey, and baseline report.* The property owner prepares the following:
  - A certified appraisal performed by a licensed real estate appraiser of the Fair Market Value of the property with and without the easement
  - A formal survey that shows the boundaries of the conservation easement with every corner and angle point marked on the ground
  - A baseline report that describes the property in its current state

### Formal Application and Review

5. *Formal Application.* Applicant submits a formal application with all project documentation (described above).
6. *OSPC Review.* OSPC reviews the formal application based on the criteria listed in the Open Space Tax Abatement Ordinance and Open Space Plan and makes a formal recommendation to the BOS within 30 days.
7. *BOS Review.* The BOS negotiates the tax abatement terms with the landowner and makes a recommendation to Town Meeting.
8. *Town Meeting.* The public considers and votes on the application.

## When to Apply

Notice of Intent forms can be submitted any time during the year. Formal applications will be accepted during the month of September each year. Applicants are strongly encouraged to submit a Notice of Intent well before the formal application is due. The steps required to prepare the project documentation can be lengthy, and all project documentation will be required for a formal application to be considered complete. Submission of an incomplete application will delay formal review.

## For More Information

Please refer to the Town's website for the following additional information:

- Tax Abatement Program Notice of Intent Form
- Open Space Tax Abatement Ordinance
- New Hartford Open Space Plan