



New Hartford Open Space Plan - 2022 Update

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I. Introduction: Investing in New Hartford's Health

In the 20 years since the formation of New Hartford's Open Space Preservation Commission (OSPC), our understanding of the value of preserved open space has expanded beyond the economic and environmental benefits outlined in the original 2002 Open Space Plan¹. Today, open space is also recognized as contributing to physical, mental, and emotional well-being as well as stronger social bonds and communities. Each preserved parcel provides an opportunity to connect to nature by exploring forests, fields, and mountains. The historic Jones Mountain Open Space Preserve, the Goula Open Space Preserve and Phillips Farm, and the Helen Butler Riverfront Trail provide natural spaces for everyone to enjoy New Hartford's scenic vistas, vibrant natural habitats, and educational opportunities. Open space supports New Hartford's motto, "A Town for All Seasons."

OSPC consists of seven members and two alternate members appointed by the Board of Selectmen. The original Open Space Plan (Addendum 1) was adopted in 2002, with OSPC and the Land Preservation Fund created by ordinance, effective October 18, 2002 (Addendum 2). This ordinance was amended, effective May 10, 2014 (Addendum 3).

In alignment with the objectives of federal, state, and local land conservation organizations, New Hartford's goal is to permanently protect at least 7,309 acres, or 30% of the 24,362 acres² of land in New Hartford. OSPC supports this goal by advising the town's elected officials, boards, commissions, committees, landowners, and the general public on the value of open space. Further, OSPC identifies valuable parcels for consideration as conserved open space. For any open space acquisitions under consideration, the Commission researches, coordinates, and recommends funding options and conservation partnerships to meet the town's goals. Through this approach, with details outlined in this plan, OSPC supports New Hartford's and the State of Connecticut's open space goals, providing open space for the public's benefit.

II. Background

The New Hartford Board of Selectmen appointed the Open Space Planning Committee on September 5, 2000 for the purpose of making an inventory of significant undeveloped land and writing an Open Space Plan for the Town of New Hartford³.

Committee members included representatives from the New Hartford Land Trust, the Board of Selectmen, the Board of Finance, the Inland Wetlands and Watercourse Commission, the Conservation Commission, the Economic Development Commission, the New Hartford Historical Society, the Recreation Commission, the Planning and Zoning Commission, a guest member from the Farmington River Watershed Association, and several other interested residents.

The Open Space Plan and the Open Space Ordinance were approved by the Town in 2002, concluding the work of the Open Space Planning Committee. Subsequently, OSPC was formed, with the mission to preserve key lands in New Hartford as open space. The Open Space Plan is a useful guide for boards and commissions as well as land use professionals, developers,

¹ Reference:

https://www.newhartfordct.gov/sites/g/files/vyhli961/f/file/new_hartford_open_space_plan_final_version_4-28-2002.pdf.

² New Hartford Natural Resources Inventory (NRI), 2000, by FRWA.

³ Minutes, Board of Selectmen, September 5, 2000, page 3.

and the general public. OSPC updates the Open Space Plan periodically. From 2002 through 2022, OSPC coordinated the permanent preservation of 428.6 acres of open space or farmland in New Hartford (Goula Preserve 117.9 acres, Jones Mountain 157.8 acres, Phillips Farm 59.1 acres, Butler Farm and Riverfront 93.6 acres.)

III. Definition of Open Space

This Plan defines *open space* as undeveloped land, water resources, farmland and other working lands, and other important natural resources that are protected from development and habitat degradation in perpetuity. That is, open space remains essentially in its natural state, or it is used for farming or forestry. Details specifying allowed uses (for example, trails for public access) are defined in legal agreements known as *conservation easements* that are customized to each property (<https://www.conservationeasement.us/what-is-a-conservation-easement/>). Preserved open space is not developed for residential, commercial, or government use. This land typically provides non-facility-based passive recreational, scientific, educational, cultural or aesthetic uses and amenities.⁴

The definition of the term *open space* has evolved over time. In this document, “open space” means the land is protected in perpetuity, as page 30 of the 2015 Plan of Conservation and Development states (see Addenda #6a and 6b), whereas in 1994 the term *open space* meant “not yet developed.” Terminology in the 1994 Plan of Development⁵ included designations such as “Existing Public Open Space,” “Existing Semi-Public Open Space,” or “Proposed Preservation Areas” (Addendum 7). These lands included town-owned undeveloped land, camps, and land along the Nepaug and Farmington Rivers. Much of this land is still not preserved in perpetuity as open space, so New Hartford should prioritize its preservation.

⁴ This definition is consistent with the Connecticut State Open Space Definition (<https://www.cga.ct.gov/PS98/rpt%5Colr%5Chtm/98-R-0836.htm>). CGS § 12-107b defines open space land as: “any area of land, including forest land, land designated as wetland under section 22a-30 and not excluding farm land, the preservation or restriction of the use of which would (1) maintain and enhance the conservation of natural or scenic resources, (2) protect natural streams or water supply, (3) promote conservation of soils, wetlands, beaches or tidal marshes, (4) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open spaces, (5) enhance public recreation opportunities, (6) preserve historic sites or (7) promote orderly urban or suburban development”

⁵1994 New Hartford Plan of Development, pages 35-37, especially the map on page 37. (See Addendum 7.) The 2015 POCD (p. 30) says, “The Open Space Plan is hereby incorporated by reference into this Plan of Conservation and Development. The goals of that Plan are to preserve 30% of our land in perpetuity as open space to protect the environment and quality of life in New Hartford, promote economic development and fiscal balance and protect farmland and archaeological sites.” (https://www.newhartfordct.gov/sites/g/files/vyhlf961/f/file/file/pocd_final_9-10-15_0.pdf)

A. Open Space Land

Open space, as defined above, includes various categories of land, as shown in the chart below. New Hartford currently has 4,512 acres of protected open space (18.5% of total land area) within its borders. The Town’s goal, therefore, is to preserve 2,797 additional acres. The Town of New Hartford maintains a Natural Resources Inventory (NRI) as part of its Plan of Conservation and Development (POCD) process. The New Hartford Conservation Commission (CC) is in the process of updating the prior (2018) version. A component of the NRI is an inventory of permanently preserved open space.

Categories of preserved open space land:	
CT DEEP Land: Cedar Swamp Wildlife Area & Satan’s Kingdom	120
CT and CFT Ag. Easements	346
Town of New Hartford*	335
New Hartford Land Trust	658
MDC Class I & II lands (Connecticut General Statutes 25-37c.)	1,607
Nepaug State Forest	1,262
Heritage Land Preservation Trust	14
Farmington River Watershed Association (FRWA)	13
Open space land set aside according to subdivision regulations	approx. 157
Total acres permanently preserved as open space:	4,512
Total acres remaining to be preserved:	2,797
Total open space preservation goal (30% of 24,362 acres)	7,309

*The Town of New Hartford’s open space program has been instrumental in preserving 429 acres, but some of these acres are listed above in other categories.

B. Undeveloped but Unprotected Land

Unpreserved public or private lands that are undeveloped are often erroneously perceived as protected open space. Some of New Hartford’s important undeveloped but unprotected parcels include Metropolitan District Commission Class 3 land⁶, local game clubs, scout and other camps, and the town-owned parcels known as the Surdam Property, Brodie Park, and Brodie Park South.

In addition, other privately owned large parcels of land can continue to be developed for residential, commercial, or industrial uses at the discretion of the owners, subject to zoning and inland wetlands regulations.

⁶ Class 3 lands are those that are off the water supply watershed and beyond 150 feet of a storage reservoir and the tributaries which directly enter it. Source: “An Ounce of Prevention: Land Conservation and the Protection of Connecticut’s Water Quality”, 1998, The Trust for Public Land, Connecticut General Statute 25-37c.

C. Public Act 490 Land Designations

Every state has a Use Value Assessment law for its farm, forest, or open space land. In 1963, Connecticut’s legislature passed the Department of Agriculture’s Public Act 490 program⁷, which provides landowners a property tax incentive to keep eligible land undeveloped for ten years⁸ (not in perpetuity). This law has the effect of *delaying*, but not preventing, the land from being developed. Interested landowners can contact New Hartford’s Tax Assessor for more information. Although P.A. 490 lands are often said to be “in open space,” they are not protected in perpetuity open space because they have the potential to be developed in the future. Some of these lands may be good candidates for permanent preservation if they fit the criteria of this Plan.

P. A. 490 “Open Space” designation	3,525 acres
P. A. 490 “Forest” designation	5,577 acres
P. A. 490 “Farm” designation	1,902 acres

Total acres of New Hartford Land in P.A. 490 (as of 10/1/2020 Grand List): 11,004⁹

⁷ (<http://www.ct.gov/doag/cwp/view.asp?a=1366&q=259834>). Connecticut General Statutes Sections 12-107a through 107-f)

⁸ PA 490 landowner [application](#) Form M-30: <https://www.cfba.org/wp-content/uploads/2018/06/m-30-open-space-rev.-2014.pdf>

⁹ New Hartford Tax Assessor’s Office

IV. The Goals of Open Space Preservation

The top priority of open space protection is the maintenance and enhancement of the high quality of life that New Hartford residents and visitors enjoy. Open space preservation, complemented by well-planned economic development, promotes a healthy, welcoming environment, agriculture and forestry, a more stable tax base, passive recreational opportunities, and the quiet, scenic natural beauty that attracts people to New Hartford to visit, work, and live.

New Hartford’s 37.0 square miles had a 2020 population of 6,658, a density of 180 residents per square mile. After decades of rapid population growth, New Hartford and the towns immediately surrounding it have seen a slight decline in population since 2012, while nearby Burlington, Avon and Simsbury have continued to grow.¹⁰ This pause in growth provides us the opportunity to expand our preserved open space.

Town	Population Density			change from 2012	2020 Population	Area (mi ²)
	2002	2012	2020			
New Hartford	166	187	180	-3.8%	6,658	37.0
Canton	330	417	412	-1.3%	10,124	24.6
Barkhamsted	96	105	100	-4.3%	3,647	36.3
Winchester	330	346	317	-8.5%	10,224	32.3
Torrington	884	847	835	-1.4%	33,676	40.3
Harwinton	171	183	178	-2.7%	5,484	30.8
Burlington	274	314	321	2.1%	9,519	29.7
Avon	600	780	806	3.3%	18,932	23.5
Simsbury	640	695	715	2.8%	24,517	34.3

New Hartford’s open space goals are listed below without regard to priority.

A. Goal: Preservation of the Quality of Life

1. Scenic Views

Lands that provide scenic views are high priorities for preservation. People traveling along roads throughout New Hartford, including State Routes 202, 44, and 219, enjoy many scenic views of rolling hills, meadows, forests, rivers, reservoirs, farms, colonial homes, and historic buildings.

¹⁰ United States Census: Connecticut 2020 Census: <https://www.census.gov/library/stories/state-by-state/connecticut-population-change-between-census-decade.html>

2. Recreation

New Hartford contains pristine lakes and streams, as well as miles of increasingly popular hiking trails. By preserving more open space for the benefit of the town's current and future residents and visitors, New Hartford can increase opportunities for passive recreational activities such as hiking, fishing, paddling, bird-watching, and cross-country skiing.

Fishing on the Farmington River is a particularly noteworthy example of a recreational activity that enhances New Hartford's quality of life, as well as its economy. The Farmington River draws fishermen from around the country and even around the world. The economic benefits of the Farmington River's Wild and Scenic River designation are extensive¹¹.

The Tunxis Trail¹² runs in an unbroken path through the eastern portion of New Hartford, from the northern town line to the southern town line. It is part of the major trail system known as the Blue-Blazed Trails of Connecticut¹³. Such a trail system would be extremely difficult, if not impossible, to reestablish today. Therefore, it is of great value to New Hartford residents and to Connecticut as a whole. For much of its length through New Hartford, the trail exists because of the willingness and support of private property owners, whose continued support should be encouraged. In addition, the town should encourage these property owners to consider voluntary land preservation to ensure permanent protection.

New Hartford's 2015 Plan of Conservation and Development (p. 34, Action Steps #4 & 5) describes potential trail networks. The town should encourage landowners along those routes to consider protecting their land permanently, and should guide land uses in these areas to reduce motor vehicle traffic along portions of walking trails that follow roads.

Active recreational amenities are complementary to the passive recreational opportunities afforded by protected open space land. Some of the Town's recreational areas include land that could be preserved in a way that would offer passive recreational opportunities while also protecting important natural resources such as watercourses, ponds, wildlife habitats, and prime farmland soils. The Town of New Hartford should consider preserving in perpetuity the important natural areas of these town-owned lands as open space for the benefit of current and future townspeople and visitors.

¹¹ <http://www.farmingtonriver.org/index.php/river/about/projects>,
<https://frwa.org/what-we-do/education/publications/>.

¹² <https://www.ctwoodlands.org/blue-blazed-hiking-trails/tunxis-trail>

¹³ <https://www.ctwoodlands.org/blue-blazed-hiking-trails>

B. Goal: Protection of the Environment

Land use has a direct effect on the water, soil and air, and thus the health of people and wildlife. Land in environmentally sensitive areas should be protected to the fullest extent possible. Since New Hartford's original Open Space Plan was completed in 2002, the concept of 'core forests,' understanding the important ecosystem services they provide, and their mapping have become priorities in regional land conservation. This is in addition to other important habitat types such as meadow, transitional edge areas, shrubland, etc., for wildlife including reptiles, amphibians, native pollinators, insects, and many bird species that are listed by the state as threatened or of special concern. The Connecticut State Council on Environmental Quality's (CEQ) 2020 Annual Report¹⁴ explains that "Core forests are essentially forests surrounded by other forests, and in Connecticut, it has been defined as forest features that are relatively far (more than 300 feet) from the forest-nonforest boundary. Core forests provide habitat for many species of wildlife that cannot tolerate significant disturbance." Forests are also important for "climate regulation through carbon sequestration and storage."

There are also wildlife species including many reptiles and amphibians that depend on a 'mosaic' of habitat types to successfully make it through their life cycle.¹⁵ This is another feature of parcels or group of parcels to consider when assessing the conservation value of lands being considered for preservation.

1. Protection of Water Resources

Land development can lead to sedimentation and the runoff of nutrients, fertilizers, pesticides, metals, gasoline, oils, and pathogens into lakes, rivers, ground water, reservoirs, and other wetlands. Open space land preservation should prioritize lands that are important for the health and cleanliness of these waters. These lands include 'core forest' because "The loss of core forest cover diminishes water purification and habitat values, and could result in heavier runoff, which might lead to poorer water quality and impaired habitat."¹⁶

Development leads to an increase in surfaces impervious to water, such as pavement and rooftops. Impervious surfaces and landscaping features such as lawns increase stormwater runoff, causing erosion, flooding, and contamination that can damage water quality.¹⁷ Impervious surfaces exceeding 10% of a watershed's land area can degrade water quality.¹⁸ Preserving open space thereby helps to protect water quality.

¹⁴ <https://portal.ct.gov/CEQ/AR-20-Gold/2020-CEQ-Annual-Report-eBook>

https://portal.ct.gov/CEQ/AR-20-Gold/2020-CEQ-Annual-Report-eBook/Land-Preserved_Land/Forests

¹⁵ <https://portal.ct.gov/CEQ/AR-18-Gold/2018-CEQ-Annual-Report-eBook/Mosaic-Habitats--Turtles-and-Grouse>

¹⁶ <https://portal.ct.gov/CEQ/Publications/Publications/Annual-Report-Main>

¹⁷ Environmental Protection Agency, Office of Water, Office of Wastewater Management. Storm Water Program. "Stormwater runoff is generated from rain and snowmelt events that flow over land or impervious surfaces, such as paved streets, parking lots, and building rooftops, and does not soak into the ground. The runoff picks up pollutants like trash, chemicals, oils, and dirt/sediment that can harm our rivers, streams, lakes, and coastal waters." (<https://www.epa.gov/npdes/npdes-stormwater-program>.)

¹⁸ Center for Watershed Protection. Rapid Watershed Planning Handbook: A Resource Guide for Urban Subwatershed Management. Ellicott City, Maryland: by the author, 1998.

For information on regulatory and non-regulatory approaches for protecting drinking water, see footnote.¹⁹ For information about approaches to protecting other water resources, see footnote.²⁰

a. Nepaug Reservoir

Nearly two-thirds of New Hartford, or 15,590 acres, lies within the Nepaug Reservoir Watershed,²¹ which contributes substantially to the drinking water of Greater Hartford. New Hartford should promote its role in protecting the reservoir, especially when pursuing funding for long-term preservation of open space.

b. Lake McDonough

Lake McDonough lies downstream of the MDC's Barkhamsted Reservoir. Although it is not a source of drinking water, it is important for recreation. It is also the main source for water flowing through the East Branch of the Farmington River. Land in the Lake McDonough watershed is therefore important to preserve.

c. Underground Drinking Water Supplies

Open space helps to protect the water in the ground below it and also waters downgradient from it. When land is developed, these waters become more vulnerable to pollution, especially from septic systems and land application of chemicals.²² Studies testing residential wells in Connecticut have found pollution from as many as seven different pesticides.²³

In New Hartford, two drinking-water wells operated by the Aquarion Water Company serve New Hartford center and Pine Meadow, while private individual wells serve the rest of town. Some water supplies are protected by open space, especially by MDC or State of Connecticut lands, but large areas of potential ground water are located within unprotected land²⁴. Such lands should receive priority consideration for open space.

¹⁹ The Connecticut Department of Environmental Protection publication, Protecting Connecticut's Water-Supply Watersheds: A Guide for Local Officials. (https://portal.ct.gov/-/media/DEEP/aquifer_protection/groundwater/ProtectingConnecticutsGroundwaterMainSectionspdf.pdf)

²⁰ <https://portal.ct.gov/DEEP/Water/Water-Quality/Water-Quality-Standards-and-Classification>

²¹ The Nepaug Reservoir has a 9.5-billion-gallon capacity. The total acreage of the watershed is 20,249, of which 77%, or 15,590 acres, lie in New Hartford (FRWA). <https://themdc.org/drinking-water/watershed-protection/>

²² Sources: *Health Effects of Pesticides*, James Moore, Executive Director of the New York Coalition for Alternatives to Pesticides, July 11, 1996 – see website at <http://www.crisny.org/not-for-profit/nycap/nycap.htm>; Office of the Attorney General of the State of New York, *Toxic Fairways: Risking Groundwater Contamination from Pesticides on Long Island Golf Courses*, 1995 (<https://www.beyondpesticides.org/assets/media/documents/documents/toxic-fairways-1995.pdf>); also the Environmental Review Team report on The Preserve, a proposed development in Westbrook and Old Saybrook.

²³ *A Survey of Private Water Wells for Lawn and Tree Care Pesticides in a Connecticut Town*, Environment and Human Health, Inc., 1999. (The town was Woodbridge.) Many synthetic pesticides persist for a long time in the environment and accumulate in human body tissue.

²⁴ See the latest New Hartford Natural Resources Inventory (NRI).

d. The Farmington River

Based on its outstanding fish, wildlife, historic and recreational resources, fourteen miles of the upper Farmington River²⁵ (from Goodwin Dam in Hartland to the New Hartford/Canton town line) were designated as “Wild and Scenic” by Congress in 1994. New Hartford also created the Farmington River Protection Overlay District to add a local level of protection to the banks of the river,²⁶ providing some additional protection to this area. It is a high priority to permanently protect remaining undeveloped lands along the river.

The Farmington River is a valuable resource for the Town of New Hartford. Its preservation should be a priority. Aesthetically, the river serves as a focal point in the landscape of the town. It is one of the premier trout fishing streams in New England and it is used extensively by boaters. In addition, the water meets all criteria allowing for safe swimming and fishing (Class B water).²⁷ The Town of New Hartford should follow the recommendations of the Farmington River Watershed Water Quality Improvement Action Plan.²⁸

e. West Hill Pond (West Hill Lake)

West Hill Pond is one of Connecticut’s most beautiful lakes, with notably clear, clean water. The land around West Hill Pond is currently used for residences, camps, private beach clubs, and homeowners’ association beaches. The Town of New Hartford owns a recreation area known as Brodie Park on the eastern shore that includes water recreation facilities, day camp and athletic facilities, fields, woods, and rustic buildings. West Hill Pond drains into Morgan Brook, and from there into the Farmington River. Its water quality is critically important for the health of the environment and for the people who enjoy the many recreational opportunities the lake offers, such as swimming, boating, and fishing.

The land around West Hill Pond is zoned for residential use. Almost none of the land in West Hill Pond’s 790-acre watershed²⁹ is permanently preserved open space. Development around West Hill Pond should be carefully managed, especially if large privately owned parcels

²⁵ This federal designation includes the section flowing through New Hartford. Public Law 103-313, which was signed by President Clinton on August 26, 1994, protects the river from any federally funded or licensed water resource projects that would harm the river.

²⁶ The Farmington River Protection Overlay District is defined as: The Farmington River (West Branch and mainstream) within the Town of New Hartford including a contiguous and parallel buffer strip (100 ft.) which together constitute a culturally significant and environmentally sensitive river corridor. (See Section 17 of the New Hartford Zoning Regulations for a complete description of the uses that are permitted or prohibited within the Overlay District.) In 2019, 1.1 miles of the Farmington River in Canton were added to the Wild & Scenic designation, making the Upper Farmington River Wild & Scenic area a total of 15.1 miles. Farmington River Coordinating Committee, <http://www.farmingtonriver.org/>.

²⁷ Farmington River Watershed Association (FRWA).

²⁸ <https://environmental-planning.online.uconn.edu/wp-content/uploads/sites/3050/2020/12/Environmental-Plan-Dawn-Works-Dennis-v2-13DEC19.pdf> (December, 2019)

²⁹ West Hill Pond is of natural origin, although the surface elevation has been raised by a low earthen and masonry dam. The surface area of the pond is 238.8 acres with a maximum depth of 65 feet and a mean depth of 32 feet. The pond is fed by several small intermittent brooks and streams. Drainage from the pond is to the north into Morgan Brook, which flows into the Farmington River. West Hill Pond drains into the Farmington River. (CT DEEP.)

or Brodie Park should be offered for sale. Higher density development could create water quality problems and damage the environmental, aesthetic, and recreational values of West Hill Pond and the Farmington River. These parcels are particularly important to preserve permanently as open space.

2. Protection of Important Ecosystems and Wildlife Corridors

For the protection of wildlife, the preservation of natural woodlands, wetlands, vegetated buffers along waterways, and farmland should be a top priority for the town. A variety of endangered or threatened species require the grasslands or shrubs of open fields and meadows,³⁰ the most rapidly disappearing wildlife habitat in New Hartford. As farms are developed or left to go back to forest,³¹ the habitats of many species are shrinking. In addition, a variety of rare species are found at or near significant water bodies and require a vegetated buffer for nesting, feeding or protection.³²

New Hartford's natural ecosystems, its farmlands and aquatic habitats, support many declining species.³³ The 2002 Open Space Plan stated that there were over 100 species of breeding birds,³⁴ some endangered, as well as four species of reptiles and amphibians³⁵ that are rare mainly because of human encroachment on their habitats.³⁶ Vernal pools are especially important to reptiles and amphibians. In recent years, there have been legal changes that allow Inland Wetlands Commissions to expand areas of protection for “obligate”³⁷ species, in particular those that depend on vernal pools for survival. The Town of New Hartford should stay up-to-date and implement current effective practices to help preserve natural ecosystems.

Any disruption to the *movement* of wildlife can be detrimental to both plants and animals. Therefore, it is very important to preserve *wildlife corridors*³⁸, which are linear habitats connecting two or more significant habitat areas. When development fragments these ecosystems into isolated patches, it threatens the affected species, so we should continue to preserve land connecting existing protected areas in our town. The wildlife and hiking trail corridor protected

³⁰ Examples include the upland sandpiper, grasshopper sparrow, Henslow sparrow, bobolink, meadowlark, yellow-breasted chat, prairie warbler and blue-winged warbler.

³¹ In New Hartford, approximately 1,937 acres of farmland from 17 parcels of land were lost to development for residential housing in the decade preceding the 2002 Open Space Plan (Source: Terry Moreschi and Alden Ringklib’s research).

³² See New Hartford’s most recent NRI.

³³ DEEP Natural Diversity Database. <https://portal.ct.gov/DEEP/Endangered-Species/Natural-Diversity-Data-Base-Maps>

³⁴ Examples from the 2002 Open Space Plan included the Pied Billed Grebe, American Bittern, Coopers Hawk and bobolink.

³⁵ The 2002 Open Space Plan named the four-toed salamander, wood turtle, smooth green snake and red bellied snake.

³⁶ The Atlas of Breeding Birds of CT. 1994. Louis Bevier, Editor; State Geological and Natural History Survey of CT, Klemens, Michael, 1993. Amphibians and Reptiles of CT and Adjacent Regions. State Geological and Natural History Survey of CT

³⁷ “Obligate species” are species that depend on a specific habitat for survival.

³⁸ <https://www.fws.gov/story/wildlife-corridors>

through the preservation of Phillips Farm and the Goula property serves as a good example. This protected corridor could be increased by preserving town-owned land through which the Antolini-Goula Traverse passes. Similarly, land abutting the Cedar Swamp Wildlife Refuge and MDC land could be protected to create larger wildlife corridors.

C. Goal: Economic Benefits

Open space preservation contributes to the fiscal health of the community and the financial health of individuals and families in New Hartford. By protecting natural resources and contributing to the community's popular options for outdoor activities, open space preservation enhances economic development, helps to sustain property values, and supports healthy lifestyles. Open space preservation also helps support fiscal responsibility and balanced growth.

1. Open Space Supports Economic Development

Open space preservation aligns with and supports New Hartford's economic development strategy, including the goal of retaining and attracting high quality, well-paying jobs and environmentally responsible businesses in New Hartford.³⁹ Open space preservation supports the "Town for All Seasons" theme⁴⁰ and supports the retention and growth of businesses, especially those that attract tourists and outdoor enthusiasts to New Hartford throughout the year. Businesses benefitting from open space preservation include those directly reliant on the environmental benefits of open space (farms, river outfitters, etc.) and those providing goods and services to visitors attracted by hiking, skiing, and scenic vistas (restaurants, stores, etc.).

In addition, open space can encourage retention and growth of businesses that are not linked, directly or indirectly, to the tourist and outdoor recreation economy. Open space supports the health and well-being of residents and workers. These benefits are attractive to employers looking to locate a business in an area that will attract talent and support a stable workforce.

2. Open Space Supports Individuals and Families

Open space supports the wellness of individuals and families by providing places where individuals and families can get outdoors, walk, and enjoy natural sights, sounds, and scents. Resulting benefits include health benefits such as physical fitness (strength, cardiovascular benefit, etc.) and improved emotional and mental well-being⁴¹. Regardless of whether people visit open space preserves, open space supports health by promoting cleaner air and water. Better health and well-being can lower people's medical costs and enhance their work-life balance.

By providing an attractive, healthy place for individuals and families to live, and by promoting economic development, open space can also support stable and increasing property values over the long-term. Current and future New Hartford residents will benefit from these effects.

³⁹ See Section 5 of New Hartford's 2015 Plan of Conservation and Development.

⁴⁰ <https://www.ctvisit.com/listings/town-new-hartford>, <https://www.newhartfordct.gov/>

⁴¹ <https://www.apa.org/monitor/2020/04/nurtured-nature>

3. Open Space Supports Balanced Growth and Fiscal Responsibility

Open space is an important element in a balanced community development and growth strategy. Rapid, unplanned development can create imbalances between a community's tax base and the community services required to support new development (infrastructure, emergency services, schools, etc.). When designed as part of a planned, long-term growth strategy, open space can help provide fiscal stability (e.g., by encouraging growth in areas where community services are either currently available or more fiscally sustainable in the long run and reducing the costs associated with erosion). Fiscal instability can force a community to make tough choices between increased property taxes and reduced services. Either of these choices often has the greatest impact on those who can afford it the least, including older adults on fixed incomes and families with school-aged children. Open space preservation should be viewed not as an expense but as an investment that directly produces important economic benefits for taxpayers.

D. Goal: Protection of Land for Agriculture

Farmland is a hallmark of New Hartford's landscape. Farmland is critically important for future food security. Locally grown food is vital to people's physical and economic health. The working farms in town provide employment opportunities and an abundance of fresh, locally grown produce, maple syrup, trees, plants, livestock, apple cider, wine, etc. Farmland can also provide grasslands and brushy habitat essential for wildlife⁴².

Land with farmland soils in New Hartford should be a high priority for permanent preservation, especially when these soils are on land that the Town already owns. The term "farmland soils" includes land defined as prime, unique, or farmland of statewide or local importance based on soil type.⁴³ Farmland soil is irreplaceable once it is lost. Farmland preservation and restoration are priorities for the State of CT Department of Agriculture⁴⁴. New Hartford's 2002 Open Space Plan stated that approximately 1,937 acres of farmland from 17 parcels of land had been lost to development for residential housing in the previous decade.⁴⁵ Since then, the OSPC and NHLT have helped to preserve 174 acres of active farms in perpetuity. Landowners of these properties should be encouraged to preserve them.⁴⁶

Farmland is particularly susceptible to development because of its topography and because it has less legal protection than some other types of land, in particular wetlands and steep slopes. The *number* of farms in Litchfield County has increased in recent years, but the total *acreage* of farmland has continued to decline, although much less rapidly than it did during the second half of the 20th century⁴⁷. Farmland in Litchfield County declined by 42,085 acres from 1969 to 2017⁴⁸, as shown here:

⁴²<https://www.audubon.org/news/how-one-underappreciated-habitat-boon-birds>

⁴³In accordance with the Code of Federal Regulations, CFR title 7, part 657.

https://cteco.uconn.edu/guides/Soils_Farmland.htm

⁴⁴Farmland Preservation Program: <https://portal.ct.gov/DOAG/ADaRC/ADaRC/Farmland-Preservation>,

Farmland Restoration Program: <https://portal.ct.gov/DOAG/ADaRC/ADaRC/Farmland-Restoration-Program>.

⁴⁵These figures are based on research in New Hartford by Terry Moreschi and Alden Ringklib of the Open Space Planning Committee.

⁴⁶<https://www.nrcs.usda.gov/wps/portal/nrcs/site/national/home/>

⁴⁷<https://www.usda.gov/media/blog/2014/06/12/farming-rise-connecticut>.

⁴⁸https://www.nass.usda.gov/Publications/AgCensus/2017/Online_Resources/County_Profiles/Connecticut/cp09005.pdf

Loss of Farmland in Litchfield County⁴⁹

Year	Acres in Farms
1969	132,407
1982	103,942
1997	90,538
2017	90,322

E. Goal: Protection of Archaeological Sites

New Hartford's most valuable known archaeological sites are the significant soapstone quarries found in various parts of the town. A concerted effort should be made to save them from damage. The use of a designated "Archaeological Preserve" or a conservation easement would be appropriate tools for protection of the quarries. Additionally, there are some identified pre-colonial burial sites and village sites within the boundaries of the town. New Hartford zoning regulations require an archaeological survey when development is planned in a sensitive area, such as along a watercourse or on certain slopes.

V. Specific Open Space Criteria and High-Priority Open Space Lands

In order to accomplish the open space goals described above, we prioritize lands to preserve as open space as follows:

A. Lands important for water quality

Examples include underground water supplies, the Nepaug Reservoir, Lake McDonough, the Farmington River, West Hill Pond, smaller bodies of water, wetlands, and watercourses. Woodland provides the best possible protection for groundwater below it and streams flowing through it.⁵⁰ The 8.1-acre Helen Butler Riverfront Trail Preserve and the 85.5-acre Butler Farm at the confluence of the East and West Branches of the Farmington River are examples of such parcels that the Town of New Hartford, and the State of Connecticut preserved permanently.

B. Lands important for local agriculture

Farms, orchards, tree farms, vineyards, meadows, and open fields are high priorities for preservation.⁵¹ The Phillips Farm Conservation Easement and the Butler Farm Agricultural Easement are examples of farmland preservation projects that the Town of New Hartford has achieved since 2002. The fields at Brodie Park South include USDA Prime Farmland Soils and CT Statewide Important Farmland Soils⁵², another reason for the town to prioritize preservation of this resource.

⁴⁹Census of Agriculture is done every 5 years: <https://www.nass.usda.gov/AgCensus/>

⁵⁰<https://themdc.org/drinking-water/watershed-protection/>

⁵¹See Addendum #4 for a map of New Hartford's prime agricultural soils; also available at this link: [SoilFarm_NewHartford.pdf \(uconn.edu\)](#)

⁵²BPS Environmental Baseline Report, 2010, Northwest Conservation District, pp. 22-24 (Addendum #5).

C. Lands important for wildlife or natural resources

Examples include habitat for native plant or animal species listed as threatened, endangered, or of special concern. Relatively undisturbed native ecological communities, important wildlife corridors, and lands connecting existing open space or undeveloped parcels with the potential for protection should receive high priority. Environmentally sensitive lands worthy of preservation include farmland, difficult soils (for example, soils particularly susceptible to erosion), watercourses, hilltops, wetland areas, and steep slopes, especially those sloping directly down to wetlands or watercourses. In particular, continuous stretches of land should be protected along the Farmington and Nepaug Rivers and their tributary streams to preserve riparian corridors⁵³ and aquatic habitats.

D. Lands important for passive recreation

Land linking existing open space parcels can provide opportunities for long trail systems. Examples include extending existing trail networks to include unimproved town roads, utility corridors, former rail lines, existing trails along the Farmington and Nepaug Rivers, and trails within state forests and other open space.⁵⁴ Neighborhood parks should be an integral part of this network of connected open space land. The Town of New Hartford should place a conservation easement on the undeveloped land at Brodie Park South to protect it from development, as the 2015 Plan of Conservation and Development recommends⁵⁵, as well as on the Surdam Property to support the linear trail known as the Antolini-Goula Traverse.

E. Lands important for scenic views

Examples include farmland, undeveloped hillsides, ridgetops, and other lands that provide views from main roads such as Routes 44, 219, and 202 including Jones, Yellow, and Bee Mountains. The town should also give high priority to wooded and field parcels having long frontages along Routes 219 and 202 or any of the town-owned roads that feature scenic views. The Jones Mountain Preserve and the Goula Preserve are examples of such parcels in highly visible locations that the town purchased for permanent open space preservation. Town-owned land such as Brodie Park South, the Surdam Property, and the natural areas surrounding the schools are other examples of such parcels that should be preserved.

F. Large tracts of undeveloped land

Tracts of undeveloped land have the potential to become subdivided or otherwise significantly altered from their natural state, so clearly this category of land overlays all of the above criteria. High priority should continue to be given to large properties that, for any number of reasons (for example, the landowner is enthusiastic about preserving the land or the town of New Hartford already owns the land), may be easier to protect.

⁵³The term “riparian corridor” refers to river ecosystems, including the land near the river.

⁵⁴Page 34, 2015 New Hartford Plan of Development

https://www.newhartfordct.gov/sites/g/files/vyhlf961/f/file/file/pocd_final_9-10-15_0.pdf

⁵⁵2015 POCD, p. 32: https://www.newhartfordct.gov/sites/g/files/vyhlf961/f/file/file/pocd_final_9-10-15_0.pdf. (See Addendum 6a.)

VI. Methods for Preserving Open Space

Towns have many tools with which to preserve open space. The outright purchase of land is the most obvious method, but it is also the most expensive. Less costly alternatives exist that in many cases better suit the needs of the landowner and the town.

A. Landowners' Options: Voluntary methods of open space preservation

Landowners can enter into voluntary agreements with the town, the New Hartford Land Trust, or other land conservation organizations. These agreements are complex and varied, but include outright purchases of land, conservation easements, donations of land, New Hartford's Open Space Tax Abatement Program⁵⁶, etc. Many of these options give substantial tax advantages to the landowner and are tailored to specific cases. The New Hartford Land Trust has information for landowners, including a list of knowledgeable advisers. The Connecticut Land Conservation Council provides numerous resources⁵⁷ for interested landowners' information about a variety of methods for preserving their land as open space. Interested landowners should consult with an attorney and a financial planner to assess the advantages in their individual cases.

Other good references for landowners interested in preserving open space are the following books:

Preserving Family Lands, Book I, revised edition, by Stephen Small, Landowner Planning Center, 1998.

Preserving Family Lands, Book II: More Planning Strategies for the Future, by Stephen Small, Landowner Planning Center, 1997.

Conservation Options, by the Land Trust Alliance, 1993.

Tax Economics of Charitable Giving, by Arthur Andersen.

Your Family Lands, Legacy or Memory, Commonly Asked Questions on Estate Planning and Practical Answers, by Southern New England Forest Consortium, Inc.

Protecting the Land: Conservation Easements Past, Present, and Future, edited by Julie Ann Gustanski, Island Press, 2000.

A common way to permanently preserve land is by "conservation easement." A conservation easement (also known as a conservation restriction or conservation agreement) is a voluntary, legal agreement between a landowner and a land trust or government agency that permanently limits uses of the land in order to protect its conservation values. It allows landowners to continue to own and use their land, and they can also sell it or pass it on to heirs. The land uses specified in the conservation easement 'run with the land,' meaning that even if the land is inherited or sold, the restrictions stay in place.⁵⁸ Jones Mountain, Phillips Farm, the Goula Preserve, and the Helen Butler Riverfront Trail parcel are protected by conservation easements. The Butler Farm is protected by an agricultural easement.

⁵⁶<https://www.newhartfordct.gov/open-space-preservation-commission/pages/open-space-tax-abatement-program>

⁵⁷<https://ctconservation.org/conserve-land/>

⁵⁸<https://www.landtrustalliance.org/what-you-can-do/conserve-your-land/conservation-options>

B. Regulatory Tools

The Town of New Hartford's two primary commissions regulating land use are the Planning and Zoning Commission (authorized by CT statute Chapter 124 – Zoning - Section 8-2 – Regulations⁵⁹) and the Inland Wetlands and Watercourses Commission (authorized by the CT statute Chapter 440 Section 22a-36⁶⁰), which maintain legally enforceable regulations. The regulations are subject to change through a specified process involving public hearings, etc. Because these regulations are subject to change, they do not preserve land in perpetuity.

Zoning Regulations⁶¹ specify minimum lot sizes, rules governing cluster subdivisions, green spaces, special districts with restrictions on building activities, uses that alter the character of the landscape, uses that impact vegetation and wildlife, uses that impact public safety, etc.⁶² State statute dictates that these regulations shall be made in accordance with a comprehensive plan, e.g. the Town Plan of Conservation & Development (POCD), which in New Hartford includes and directly references this Open Space Plan. With some minor exceptions, New Hartford is largely zoned for residential development. With a few exceptions such as cluster developments, new residential lots are required to meet minimum lot sizes of one to four acres. Two-acre and four-acre zones are based on established scientific standards for the protection of watersheds, public drinking water supplies, and private wells from pollution arising from septic systems, land application of chemicals, etc.

Subdivision regulations⁶³ may require that up to 15% of the land in new subdivisions be set aside for open space. Alternatively, in lieu of dedication of land, the applicant may be required to pay a fee so that funds can be used to preserve open space land in a more suitable location.

New Hartford's Inland Wetland and Watercourse Regulations⁶⁴ restrict activities in wetlands and watercourses and within specific buffer areas around them. The commission also helps the town to clearly delineate wetlands, stream margins, vernal pools, intermittent and perennial watercourses, and other sensitive natural areas. As part of the permitting process for activities in wetland areas, the Inland Wetlands Commission has the authority to define and establish upland review areas⁶⁵ adjacent to all wetlands soils and watercourses. This authority is essential to the protection of watersheds and natural water resources.

⁵⁹ https://www.cga.ct.gov/current/pub/chap_124.htm

⁶⁰ https://www.cga.ct.gov/current/pub/chap_440.htm#sec_22a-36

⁶¹ Section 4.15, p. 36, New Hartford Subdivision Regulations: https://www.newhartfordct.gov/sites/g/files/vyhlf961/f/uploads/subdivision_regulations_effective_november_1_-_2019.pdf

⁶² New Hartford Zoning Regulations: <https://www.newhartfordct.gov/land-use-department/pages/zoning-regulations>

⁶³ Section 4.15, p. 36, New Hartford Subdivision Regulations: https://www.newhartfordct.gov/sites/g/files/vyhlf961/f/uploads/subdivision_regulations_effective_november_1_-_2019.pdf

⁶⁴ https://www.newhartfordct.gov/sites/g/files/vyhlf961/f/uploads/iwc_regulations_-_effective_12-06-2012_2.pdf

⁶⁵ <https://portal.ct.gov/-/media/DEEP/water/wetlands/uplandreviewdocumentjune1997PDF.PDF>

VII. Sources of Funding

Most land conservation projects in Connecticut and in New Hartford have three or more funding sources. It is important for New Hartford to continue vigorously seeking out multiple sources of funding for open space. The town, the New Hartford Land Trust, and other appropriate parties should continue to apply for the private and public grants that are available.

A. Town Sources of Funding

New Hartford's officials, boards, and commissions have reached out to voters to explain how the preservation of open space benefits them, both financially and from a quality-of-life standpoint. The voters have responded by approving, by large majorities, all four of the town's open space preservation projects achieved between 2002 and 2019.

The town's budget contains a line item for the Open Space Land Preservation Fund (LPF), which currently has two sources of revenue: Fee-in-Lieu of Open Space and Public Act 490 Penalties. The money in the LPF accumulates from year to year. The Board of Selectmen should continue allocating funds every year to the open space line item in the budget.

New Hartford's Open Space Tax Abatement program is another tool we can use to help interested landowners preserve their land. Please see details on the Town website at the links shown in footnote.⁶⁶

Throughout Connecticut, voters have supported municipal bond issues for open space. They have approved public finance measures to protect cherished local landscapes and provide parks and open space for people and wildlife. Public officials have successfully asked residents to contribute tax dollars to protect open space, and with it their community's quality of life. New Hartford voters approved an authorization to bond measure in 2004. Each project was then voted on at referendum. This bonding contributed to the preservation of the Goula and Jones Mountain Preserves.

B. State of Connecticut Sources of Funding

1. CT Open Space and Watershed Land Acquisition Grant Program (OSWA)⁶⁷ has been used to help fund New Hartford's preservation of Jones Mountain, the Goula Preserve, and Phillips Farm.

2. CT Community Farms Preservation Program is a joint funding mechanism between the CT Dept. of Agriculture and municipalities to preserve food-producing farms under 100 acres. It was used to preserve Butler Farm.

3. CT Recreation and Natural Heritage Trust Program⁶⁸

⁶⁶<https://www.newhartfordct.gov/open-space-preservation-commission/pages/open-space-tax-abatement-program>,
https://www.newhartfordct.gov/sites/g/files/vyhli961/f/file/file/tax_abatement_facts_2017_2.pdf

⁶⁷<https://portal.ct.gov/DEEP/Open-Space/Open-Space-and-Watershed-Land-Acquisition-Grant-Program>

⁶⁸<https://portal.ct.gov/DEEP/Open-Space/The-Recreation-and-Natural-Heritage-Trust-Program>.

C. Federal Sources of Funding

1. Federal Land and Water Conservation Fund⁶⁹
2. Federal Highlands Act Funding.⁷⁰
3. USDA-Natural Resources Conservation Service (NRCS)
4. U.S. Department of the Interior’s new “America the Beautiful” Program⁷¹ aims to “conserve at Least 30% of Lands and Waters by 2030.”

D. Private Sources of Funding and Other Assistance

1. The expert assistance provided by The Trust for Public Land (TPL)⁷² was critical to the success of the Town of New Hartford’s first three open space preservation projects.

2. The New Hartford Land Trust (NHLT)⁷³ contributed substantial funding to two of the Town of New Hartford’s open space preservation projects.

3. The Connecticut Land Conservation Council (CLCC)⁷⁴ provides expert assistance to land trusts. Its programs are also open to town commission members and other volunteers working to preserve open space.

VIII. Implementation of the New Hartford Open Space Plan

After the Town’s Open Space Plan was approved in 2002, the Board of Selectmen charged the Open Space Preservation Commission (OSPC) with its implementation. OSPC manages open space funds, works with private conservation organizations such as the New Hartford Land Trust, works with landowners, and works with the Planning and Zoning Commission (P&Z) to identify subdivision open space set-asides. It is crucial that OSPC and P&Z work together to continue fostering broad-based community support for land preservation.

Action Plan:

1. OSPC should continue to work closely with the New Hartford Land Trust to identify parcels of land, educate landowners, and implement land preservation agreements. The New Hartford Natural Resources Inventory should be used as a guide for identifying priority parcels of land to preserve. The Commission has criteria to rate the preservation worthiness of properties that come before the Commission.

2. OSPC may conduct periodic public outreach sessions to maintain public awareness of New Hartford’s Open Space Preservation program. OSPC should coordinate closely with NHLT before entering into discussions with landowners. OSPC should also coordinate with the Conservation Commission.

⁶⁹<https://www.nps.gov/subjects/lwcf/index.htm>, <https://www.tpl.org/lwcf>

⁷⁰ <https://www.fws.gov/program/highlands-conservation-act-grant>

⁷¹ <https://www.doi.gov/priorities/america-the-beautiful>

⁷² <https://www.tpl.org/about-us>

⁷³ New website under development

⁷⁴ <https://ctconservation.org/>

3. Before key parcels of undeveloped but unprotected land are put on the market, the Town of New Hartford or the New Hartford Land Trust should be proactive in communicating with landowners about options for preserving their land.

4. Large parcels of undeveloped but unprotected land owned by the town, such as Brodie Park South, the Surdam Property, and the woodlands on the Antolini School property where the Antolini-Goula Traverse Trail begins, should be permanently preserved.

5. OSPC should continue using the Town website to inform the public of its work.

IX. Conclusion: Vision for the Future of Open Space in New Hartford

Open space preservation has taken its place alongside development as part of the community fabric. As of this writing in 2022, the Covid-19 pandemic has resulted in greatly increased demand on open space lands for their passive recreational opportunities such as hiking. People want more places to socialize and exercise outdoors in a healthy environment.

Residents who want to comment on this open space plan or get involved in open space preservation are invited to call the Selectmen's Office, 860-379-3389. The Open Space Preservation Commission welcomes input from all New Hartford residents. The Commission meets in Town Hall, usually on the fourth Monday of every month. Residents should call 860-379-3389 or check the town website (<https://www.newhartfordct.gov/>) for updates to this schedule.