

The Greening of Falmouth

May 6, 2005

A Vision for Falmouth's Future in a New Millenium

Falmouth has changed a great deal since the Council approved the town's first Open Space Plan in 1990. New subdivisions, roads, and shopping malls have been constructed, traffic has increased, and the price of real estate has skyrocketed. Yet much has been done, through the efforts of many people, to save the rural character that Falmouth's citizens regard as an important element of their community's quality of life.

The 1990 Plan is now dated. Many of its recommendations have been implemented, but circumstances have changed such that we need a new way of looking at the issue of open space and natural resource protection. In 1990, the issue was how to identify and begin conserving natural and cultural resources in the community. Today, the main issue is finding a way to unify the fragmented way that decisions are made about land use generally, and about conservation in particular.

Falmouth's conservation community needs to be redefined to include all major stakeholders: landowners, the public, realtors, and developers, along with the Town and private conservation groups. Decisions about conserving land need to reflect a common vision for the future development of Falmouth, and conservation land, once acquired, needs to be actively managed in order to produce the maximum benefits possible for both people and wildlife.

This report, prepared by a diverse citizen's group, takes us back to the basics. What is our common vision? What are our goals for conservation? How shall we achieve those goals? In answering these questions, we will need to develop new ways of looking at conservation and development, and find new ways to create opportunities in a physical and cultural landscape that is rapidly changing.

Part 1: How Far Have We Come?

The Open Space Committee

The Conservation Commission, working with the Comprehensive Plan Advisory Committee, assumed responsibility for updating the 1990 Open Space Plan. To do that, it established a subcommittee called the Open Space Committee with expertise in particular areas needed by the Town and who represented more diverse points of view than Commission members themselves.

Members of the Open Space Committee included Judy Adelman, a teacher and Trustee of the Falmouth Conservation Trust; David Chase, a contractor and developer; Mel Dickenson, a hydrogeologist; David Merrill, a member of one of Falmouth's oldest families and a forest landowner; Frank Ruch, a biochemist; Bob Shafto, an educator, forest landowner and Chair of the Conservation Commission; and Faith Varney, a music educator and Chair of the Falmouth Community Programs Advisory Committee.

The committee has met regularly between January 2004 and March 2005. Three major assumptions guided the committee's work:

1. The updated open space plan must be a **community** plan, one grounded in factual information, and reflecting community values and beliefs, not just the individual views of committee members.
2. The committee must reach out to and communicate with other groups and individuals who care about this issue and about the development of the community in general, actively seeking their ideas, reactions, and feedback.
3. The preservation of open space must not come at the expense of landowners. Open space protection will have a cost that must be acknowledged and planned for.

For the purposes of its work, the committee defined open space as "*Any non-developed land and water areas in the community. Open space may include woodland, wetlands, riparian corridors, farmland, orchards, and fields that serve a variety of functions: wildlife habitat, buffer zones, ecological protection, agriculture, passive public recreation, and scenic enjoyment.*"

Committee members decided against including active recreation areas, such as parks, golf courses, and playing fields, in this definition. These are important land uses which are usually considered open space for recreational purposes, but planning for these areas would appear to duplicate the efforts already being undertaken by a number of strong community groups and town departments.

Committee activities included studying current land use patterns in Falmouth, reviewing critical issues and approaches used in other communities, examining past open space citizen surveys and referendum results, creating a vision for open space in Falmouth, formulating the goals and strategies for achieving that vision, and then testing these ideas with various community groups before the report was finalized.

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The Greening of Falmouth was adopted by the Conservation Commission at its meeting of May 2, 2005, and forwarded to CPAC and the Town Council for their review. We hope the report stimulates deep discussion about future development in Falmouth and that action is taken quickly to act on its recommendations.

Conservation History from 1990 to 2004

The Open Space Committee examined the projects undertaken in Falmouth since the Town Council adopted the Open Space Plan in January of 1990. The Committee noted how much had been done by the community as a whole to conserve land and natural resources since that time. This information is summarized in Table 1.

As can be seen in the Table, both the Town and the Falmouth Conservation Trust (FCT) were very active in protecting land permanently from development during this period. The Town almost doubled the amount of land it was conserving through easements, and the FCT increased the amount of land it was protecting three times over. The amount of undeveloped land in subdivisions increased by more than ten times. This

Table 1: Change in Open Space and Recreation Land, 1990-2004

Land Use*	1990 Acres	2004 Acres	% Increase
Undeveloped Town Land Protected by Easements	222	413	86
Undeveloped Town Land with No Deed Restrictions	279	672	141
Falmouth Conservation Trust Land	163	634	289
Development Rights Purchased on Farmland	0	118	--
Undeveloped Land in Subdivisions	30	385	1,183
Parks, Athletic Fields, Golf Courses	725	753	4
Tree Farms and Tree Growth	3,020	3,264	8
Total	4,439	6,239	41

* All categories are mutually exclusive. See notes at end of report.

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was due mainly to the enactment of the Resource Conservation Overlay District in 1996, which requires a certain amount of open space to be conserved in new subdivisions, if the subdivisions are located in areas of high natural resource or scenic value as identified in the 1990 Open Space Plan.

The Town conservation land was acquired mainly through the purchase of Wilshore Farm and the Otte property, which has become part of the Falmouth Nature Preserve. The FCT land was acquired mainly by gift from a few private individuals and developers, and by the purchase of the Blackstrap Preserve. The increase in the Parks, Athletic Fields, and Golf Course category was due to the purchase and development of the playing fields at Community Park.

A great deal of cooperation within the community was required to achieve these acquisitions and easements. For example, the Trust for Public Lands purchased Wilshore Farm first, and held it temporarily until the Town had enough money to complete the transaction; and the purchase of the Blackstrap Preserve by the Falmouth Conservation Trust required funding from multiple sources, including private individuals, the Town, and the Land for Maine's Future Program. In each case, the purchase of these properties also included the acceptance of a conservation easement by a second or third party, in order to ensure that the properties remained undeveloped. The agency qualified to accept and enforce these easements depended on circumstances. The Town, the FCT, and the Maine Department of Inland Fisheries and Wildlife all accepted this responsibility for one or more properties during this period.

The table shows a modest growth of 8% in land being managed as part of the American Tree Farm System (ATFS) and the Tree Growth Tax Program. Although not shown in the table, there has been a substantial turnover of properties managed under the Tree Growth Program over the past fourteen years. In general, the acreage being managed under both programs grew steadily during the period, from about 270 acres in 1990 to about 1014 acres today. Based on these figures and information from the ATFS, it appears that many tree farmers during this period not only kept their land undeveloped but also joined the Tree Growth Program. Meanwhile, a substantial number of properties that were in Tree Growth in 1990 left the program and did not return.

How do we measure success?

The bare facts of protecting land for conservation purposes does not tell us, by itself, whether the Town or the community as a whole has succeeded in achieving its goals for open space in the last fifteen years. That is because the quality of open space and its influence on community character are inherently subjective values, and, in order to resolve these issues, a long process of discussion and debate among many people is usually required. On the other hand, it is always helpful to take a methodical approach, even if the debate is fundamentally subjective. To this end, the Committee reviewed the eight goals in the 1990 Plan and compared them to what has been accomplished since then. The result is summarized in Table 2.

Analyzing the Results

The Committee agreed that the Town has made significant progress on many of the goals identified in the 1990 Open Space Plan, as indicated in Table 2. On the other hand, the Committee noted that there was still a lot of work to be done in some areas. One of the difficulties facing the Committee was deciding how much open space is enough. Some members argued that the Town already has enough open space. Other

members argued that Falmouth’s rural character continues to be eroded by new development, increased traffic, road reconstruction, the loss of farmland and fields, and the loss of large blocks of undeveloped land.

Table 2: Actions Taken to Implement the 1990 Open Space Plan

1990 Open Space Plan Goals	Actions Taken Since 1990
<p><u>Community Character</u> Preserve Community Character in the form of fields, forests, villages, small roads and old cemeteries.</p>	<p>Major land acquisitions have taken place, as shown in Table 1.</p>
<p><u>Natural Resources</u> Protect Natural Resources that support the public welfare and wildlife habitat, such as surface and ground water supplies, prime farmland soils, forests, wetlands, floodplains and steep slopes.</p>	<p>The Town has adopted new ordinances that severely restrict development on or near streams, lakes, ponds, wetlands, floodplains, and steep slopes. The land area affected by these regulations is about 4,000 acres out of a total land base in Falmouth of 18,706 acres (about 21%).</p>
<p><u>Outdoor Recreation</u> Provide a mix of developed and undeveloped recreation areas for a wide range of outdoor recreation, including unorganized activities like hiking and snowmobiling, as well organized activities, like team sports.</p>	<p>The Town has purchased and developed a portion of Community Park to allow for the increased growth in team sports, and it has purchased and developed Walton Park for passive recreation. It has also added trails to some properties and maintained its existing facilities to a high standard.</p>
<p><u>Public Access</u> Ensure public access to open space.</p>	<p>The Town has attempted to ensure public access through its land acquisition program.</p>
<p><u>Trails</u> Use greenways to link trail systems of all kinds townwide.</p>	<p>The Resource Conservation Overlay District provides incentives to developers for conserving trails on their projects.</p>
<p><u>Buffers</u> Create stream and wetland buffers to protect water quality, and buffers between developed and less developed areas to ensure privacy and quality of life for residents.</p>	<p>The Town has adopted a comprehensive stream and wetland buffer ordinance, which, in combination with Shoreland Zoning, protects buffers townwide. Buffers between new developments and existing homes are encouraged, but not always required by ordinance.</p>

After lengthy debate, the Open Space Committee finally came up with the following conclusions about what has and what has not been accomplished since 1990.

Category 1: Major Accomplishments

1. The Town took significant steps to protect the quality of land and surface water through Shoreland Zoning, the Wetland Buffers and Setbacks Ordinance, the Highland Lake Conservation Overlay District, and consolidation of its erosion and sedimentation control rules. As a result of these reforms, naturally vegetated buffers and other protections are now required adjacent to all of Falmouth's rivers, streams, ponds, floodplains, high value wetlands, Highland Lake and the ocean.
2. The Town recognized the importance of controlling non-point sources of pollution many years ago and has consistently improved its stormwater management program. The latest phase of this work consists in meeting the Phase II requirements of the Clean Water Act. By pooling its resources with seven other communities in the Portland metropolitan area, Falmouth has been able to implement the new regulations to date at very low cost.
3. The Town directly or indirectly helped to conserve 604 acres of scenic forest, fields, and farmland in Falmouth since 1990. This includes 309 acres of land it purchased directly for open space purposes at Wilshore Farm and the Otte property, as well as indirect assistance it provided to the Falmouth Conservation Trust in purchasing 295 acres of land at the Blackstrap Preserve and Pleasant Hill. Since 1990, the Town has also acquired through donation or purchase another 393 acres of undeveloped property on which there are currently no deed restrictions or conservation easements.
4. The Town provided additional athletic fields to keep pace with the growing demand in team sports, including the acquisition and development of the playing fields at Community Park, the reconstruction of the playing fields at the High School after the new High School was built, and the reconstruction of the small playing field at Village Park. Moreover, Falmouth's playing fields have been maintained to a high standard by Falmouth's excellent Parks and Community Programs Department.
5. The Town continued to build and maintain other types of recreational facilities as needed, including new trails at the Falmouth Nature Preserve and Community Park, the purchase and development of Walton Park, the recent purchase of the Blackstrap Road Boat Launch, and ongoing maintenance of neighborhood parks throughout the community, including Underwood Park, Phillips Park, Graves School Park and Huston Park.

Category 2: New Challenges

1. More work can be done to conserve fields visible to the public. Fields are perhaps the single most important factor in rural character.
2. The Town should develop a more focused strategy to conserving wildlife habitat. A generalized approach to wildlife habitat protection is not needed, because the suburbanization of Falmouth results in plenty of habitat for edge species, like deer, raccoons, skunks, squirrels, foxes, house sparrows, and house finches. Ironically, many of these species are common in Falmouth partly because of development. The

wildlife habitat needed most is the large, unfragmented areas of forestland 250 acres or more in size. Blocks of this nature are necessary to support Maine's indigenous forest-dwelling birds and mammals.

3. More could be done to ensure that trails and open space remain available in the future for traditional outdoor sports, like hunting, hiking, horseback riding, and snowmobiling. Opportunities for these pursuits is in decline as a result of rapid development and the posting of land by landowners.
4. Automobile and truck traffic on the Town's roads create a major impact on the Town's quality of life, and cannot be separated from other issues of open space and rural character. The Town needs to do more to reduce the noise, speed, and volume of traffic on all of its roads.
5. The Town needs to monitor open space opportunities more closely and work more collaboratively with other partners in the conservation community. Otherwise, there is a tendency for open space planning to become reactive and fragmentary. Furthermore, the concept of who should be participating in the open space planning process needs to be expanded to include a broader cross-section of the community. At a minimum, the Town's partners in conservation should include landowners, private conservation organizations, the public, realtors, and developers, as well as Town Boards and committees.

Conclusion

The Open Space Committee recognizes how much the Town has accomplished in the last fifteen years to implement the goals of the 1990 Open Space Plan. Armed with this analysis, and knowing also how much still remains to be done, the Committee set out to define a new open space vision, new goals, and new ways for conserving land that it hopes will reflect the aspirations of all Falmouth's residents. Part 2 shows the Committee's view of how this new course in open space planning could begin.

Part 2: Charting a New Direction

The Open Space Committee developed the following vision statement and goals after deep reflection and debate. The Committee believes that these statements reflect the dreams and aspirations of a majority of Falmouth's residents, as evidenced by their support for purchases of open space land; their willingness to pay for this land through the issuing of bonds; their tolerance for new regulations to safeguard the environment; and their willingness to work together for the common purpose of protecting Falmouth's community character and quality of life.

Open Space Vision

Falmouth will continue to be recognized as a place defined by its rural character and open space resources – open fields and woodlots, scenic vistas, scenic road corridors, with an abundance of wildlife and flora. People in all parts of Falmouth, in both established neighborhoods and newer subdivisions, will have convenient access to open space. Access will be provided to the ocean, Highland Lake, and our major rivers and streams for boating, fishing, hiking, and sightseeing. The park system will be maintained as a significant component of the open space system.

Townspeople will identify key natural resources that are inherent elements of the town's rural character. They will continue to be involved in land preservation efforts, actively learning from the success of other towns with histories of natural resource protection.

Additional homes and roads will be built as the community grows. At the same time, new residential development will preserve natural features; provide buffers along roads, wetlands, and streams; and incorporate meaningful pieces of open space. Connectivity will be a hallmark of new development for both wildlife (in the form of travel corridors and interconnected habitat) and pedestrians (in the form of off-road trails). Some very large natural areas will be preserved to protect habitats of area-sensitive species and provide opportunities for traditional outdoor pursuits, such as hunting, snowmobiling, and hiking.

There will be many ways to get around the community. A well-marked system of off-road trails will connect neighborhoods, schools, shopping areas, and places of employment. Through the help of trail clubs and other organizations that assist with planning and funding trail construction, townspeople will find ways to safely cross highways, streams, and rivers. Motorists and

non-motorists alike will still have the opportunity to travel tree-lined roads bounded by stone walls that preserve Falmouth's rural character.

Community organizations, town government, landowners, developers, realtors, the public, and people in adjacent towns will work together collaboratively to actively plan for, protect, and manage the open space resources of the community. A guiding principle for land conservation will be that landowners retain the fair market value of their land. Thus, the methods will be flexible, depending on the type of open space to be conserved and the nature of the collaboration involved. Appropriate measures may include research and education, monetary incentives, encouraging the use of tax programs, conservation easements and purchasing fee interest in land. Because of the active involvement of private landowners, a significant portion of the town's forestland will continue to be managed for wood products, wildlife habitat, outdoor recreation, and the protection of groundwater supplies.

Open Space Goals

1. To retain and protect Falmouth's rural character and natural resources.

Open fields, woodlands, farmland, stone walls, tree-lined roads, and scenic vistas are some of the elements that define the rural character of Falmouth and give it a unique sense of place. Our natural resources include productive farmland and forests, significant wildlife habitat, the coastline, streams and rivers, lakes and ponds, floodplains, unique natural areas, and aquifers. These are all fragile resources that must be protected through a common vision of environmental stewardship.

2. To insure the availability of outdoor recreation.

For generations Falmouth residents have enjoyed the use of its open spaces for hunting, fishing, hiking, horseback riding, snowmobiling, and other outdoor pursuits. Future generations should continue to have opportunities for convenient outdoor recreation in pleasant surroundings. While conservation lands in rural areas can provide opportunities for traditional outdoor pursuits, the quality of life in new and older neighborhoods should be enhanced by street trees, nearby parks, quiet streets, and pedestrian and bicycle connections to other neighborhoods, parks, ball fields, schools, and nature preserves.

3. To preserve large tracts of undeveloped land that provide wildlife habitat.

Large contiguous tracts of undeveloped land (250 acres or more), primarily in the western and northern portions of Falmouth, provide significant wildlife habitat as well as recreational opportunities, water quality protection, and forest products. Conserving

land areas of this size and value is becoming increasingly urgent as development spreads out and the town's remaining forestland becomes fragmented into smaller and less functional parcels.

4. To provide connectivity between open space areas.

Falmouth's conservation lands should be planned as a continuous network of open space, rather than isolated patches of land. This ecosystem approach recognizes the significance of travel corridors for wildlife habitat and the social and recreational benefits of trail systems accessible to all residents.

5. To actively manage open space to benefit all citizens of Falmouth.

The Open Space Plan presents the town with a common vision of environmental stewardship that emphasizes shared responsibility for the management of Falmouth's land and water resources for present and future generations. This vision respects the rights of individual property owners to protect their privacy and to manage their land for economically viable uses. The objectives of the Plan should be implemented by collaborative efforts on the part of public and private entities: town, private landowners, the public, non-government organizations, and the residents of neighboring communities.

Part 3: Goals, Objectives, and Strategies

Goal I. To retain and protect Falmouth's rural character and natural resources.

Objective A. Add to the inventory of public and private land protected in perpetuity from development.

Strategies

1. Establish a plan for identifying parcels of land for acquisition that link existing protected properties together in such a way as to create continuous tracts of undeveloped land, while meeting one or more of the following criteria:
 - Helps to conserve an unfragmented habitat block of 250 acres or more.
 - Provides wildlife and trail corridors between unfragmented habitat blocks or between properties already protected from development.
 - Contains trails or the potential for trails accessible to the public.
 - Remains accessible to the public for traditional outdoor recreation, such as hunting, snowmobiling, horseback riding, hiking, crosscountry skiing, and similar pursuits.
 - Contains fields in locations that are visible to the public, either because the land can be seen from public roads and facilities or from conservation lands accessible to the public.
 - Contains land with prime farmland soils in tracts large enough to be economical for farming.
2. Adopt an approach to conserving open space that is comprehensive and proactive townwide.
 - Anticipate present and future open space needs of residents in the more developed portions of the community as well as in the remaining rural areas.
 - Acknowledge the vital role that private sector organizations play in conservation. For example, non-governmental organizations are often better equipped to negotiate and purchase open space than town government. On the other hand, Town government can be pivotal in providing the financial and technical resources necessary for other community groups to preserve open space.
 - Analyze both the short and long-term costs of acquiring and managing open space on town government and residents. Key factors to consider are how the costs are distributed within the community, whether the costs are reasonable compared with other functions of town government, and whether present and potential sources of revenue for open space planning, acquisition, and management are adequate.

3. Protect permanently from development those parcels or parts of parcels within the town-owned inventory that have high value for conservation, according to the criteria in Strategy 1. Areas that appear to meet these criteria, but which are not as yet protected from development by conservation easements or similar means, include the following:
 - Hadlock Road Wild Land: R6-53
 - High Meadows: R6-29-15
 - River Point: R5-43-1
 - Woods Road Deeryard: 17 acres on the backside of the Transfer Station property (R1-4)
 - Wilshore Forest PWD Lot: R8-47-A
 - The portion of the Falmouth Nature Preserve (U14-5) that was donated to the Town by Black Bear Development, formerly known as the Fish property.
 - The undeveloped portion of Community Park northeast of the playing fields, including the open space land donated by the developers of Paddock Way Subdivision.

4. Increase the size and usefulness of Town-owned properties that have high conservation value by combining them with existing or new conservation lands. There are at least three ways to accomplish this, depending on circumstances:
 - Acquire additional properties around the perimeter of an existing parcel to enlarge its size and ecological function.
 - Sell or donate property to a conservation organization working on an open space project in the area, with an easement to be held by a qualified third party.
 - Sell or trade Town-owned lands with little or no conservation value to an abutter or to a private developer in exchange for property or easements with higher conservation value elsewhere, so long as the sale or trade results in a net conservation gain for the community.

Objective B. Improve the process used to identify and acquire open space land.

Strategies

1. Develop a process for identifying and acquiring land that involves the active participation of Falmouth's conservation community.
 - Define Falmouth's conservation community as all the stakeholders who have an interest in land development, land conservation, and land management. At a minimum, this would include landowners, private conservation organizations, the public, realtors, developers, and Town government.
 - Ensure that the process of evaluation is objective, consistent, and transparent.

2. Observe the following principles when identifying and acquiring land for conservation:

- Work with willing landowners who have expressed an interest in the sale of their property for permanent protection as open space.
 - Expect to pay for the land at its fair market value.
 - Identify, contact, and negotiate with landowners in a way that preserves their confidentiality, develops mutual trust, and honors the obligations of all parties.
3. Initiate a public discussion with the conservation community concerning the creation of an independent, non-profit, conservation development corporation. The purpose of this organization would be to purchase and maintain property for open space and conservation purposes in a way that observes the confidentiality of landowners as described in Strategy 2, as well as having the following benefits:
- It would be independent of town government, thus ensuring its freedom to negotiate privately with landowners and developers.
 - Its non-profit status would free the organization and its assets from taxation.
 - It could accept public and private money for the purposes of acquiring and managing conservation land for the public benefit.
 - It could buy, sell, and develop land as needed to achieve its objectives.

Objective C. Use creative approaches to the financing of open space purchases.

Strategies

1. Purchase additional conservation land or easements by spending the 1.5 million dollars that the voters approved in the 2001 Land Acquisition Bond Referendum.
 - Funnel Town funds for open space through non-profit organizations, such as the conservation development corporation discussed under Objective B (3) or the Falmouth Conservation Trust, when appropriate, in order to simplify the land acquisition process. The Town's participation in the purchase of the Blackstrap Preserve by the FCT is a good example of this approach.
2. Pay for open space land through a combination of funding sources.
 - Put additional open space bonds on the ballot in the future as old bonds are retired. Paying for purchases partly through bonds spreads the cost of acquiring open space more equitably between present and future generations of residents.
 - Leverage Town funds through purchases involving the participation of other groups and agencies, such as private individuals, private foundations, and the FCT, as well as state and federal sources, such as the Land for Maine's Future Program and the wetlands program of the U.S. Fish and Wildlife Service, among others.
 - Raise funds for the purchase of the property through limited development schemes, such as often used by the Rural Land Foundation in Lincoln, Massachusetts.
 - Explore options for making regular contributions to the land acquisition fund, such as contributions based on a percentage of the annual tax revenue, a fixed dollar amount annually, and so on.

- Raise funds for open space conservation through a density transfer fee program, as implemented by the Town of Berthoud, Colorado. In this technique, developers can purchase the right to build more lots than normally allowed under the zoning for their area. The Town then uses the funds to purchase open space in another part of the community. This technique will result in some parts of the community having higher densities than others.
- Reduce costs by purchasing development rights, conservation easements, and other limited means of protecting properties, instead of purchasing properties outright.
- Purchase land sooner rather than later in order to avoid paying the higher prices caused by the escalating cost of real estate.
- Help to defray the costs of owning and managing open space through timber harvesting and agricultural uses, such as haying, orcharding, beef production, and growing high quality organic produce. These activities might be performed directly by the landowner or through leases.

Objective D. Use incentives to encourage private landowners to keep their land undeveloped.

Strategies

1. Work with the conservation community to develop programs and policies that help landowners defray the cost of keeping their land undeveloped. Typical programs might include the following:
 - Provide education and support to expand the use of current use tax programs, such as Tree Growth and Open Space.
 - Explore the development and use of conservation leasing in instances where landowners cannot or do not wish to participate in current use tax programs.
 - Provide education and support for expanding the use of conservation easements suited to the landowner's needs as well as those of the community.
 - Expand the understanding of Maine's recreational use statutes, which limit a landowner's liability for the public's use of private property for outdoor recreation, as well as supplemental insurance policies that can further reduce landowner liability for the public's use of private property.
 - Provide technical and financial support for trail clubs and other groups trying to build, maintain, and police trails open to the public on private land.
 - Help landowners explore options for forestry and agricultural uses, which may defray the cost of owning and managing undeveloped land.
 - Provide education and support for landowner applications to the USDA and other federal agencies for assistance in managing their land, such as the programs of the Agricultural and Soil Stabilization Service and the Wildlife Habitat Incentive Program.
 - Discuss with landowners the role that conserving open space can play in leaving a legacy from their family to future generations of Falmouth residents.

Objective E. Reduce the impact of traffic speed, volume, and noise on all of Falmouth's roads.

Strategies

1. Undertake a comprehensive study of Falmouth's transportation system to determine how traffic speed, volume, and noise might be reduced or mitigated throughout the community. The study should be conducted in collaboration with the conservation community as well as the public and the Maine Department of Transportation. Some of the issues that should be addressed in the study are:
 - The influence of traffic generated by regional development on collector and arterial streets in Falmouth.
 - The impact of increased road size on traffic volume and speed.
 - Ways to divert through traffic to existing highways or to areas outside of Falmouth, such as the possibility of eliminating tolls on the Turnpike Spur.
 - A regional approach to traffic control in collaboration with other communities in the Portland metropolitan area.
 - Educational and public relations campaigns that might be useful in encouraging motorists to reduce speed.
 - Automated methods of law enforcement, such as video cameras and automatic ticketing of speeding motorists at key locations.
2. Develop a set of principles and design guidelines that support the rural character of all town and private roads based upon the comprehensive transportation study. The guidelines should address road width, drainage, utilities, landscaping, siting in relation to buildings and other structures, pedestrian and bicycle access, and scenic quality. In developing the guidelines, the Public Works Department should work in collaboration with the conservation community as well as the public and the Maine Department of Transportation, to ensure that the recommendations reflect a balance between the needs of the community and state and federal agencies.
3. In developing the design guidelines, consider how the principles described in the 1990 Open Space Plan for the protection of rural road corridors might apply to all of the transportation routes in the remaining rural areas of Falmouth.

Goal II. To protect large tracts of land for wildlife habitat.

Objective A. Acquire and manage large tracts of land for species that require large areas of undeveloped land to survive (area-sensitive species).

Strategies

1. Develop a protection strategy for the two highest rated habitat blocks left in Falmouth, as determined by the Open Space Committee, in collaboration with other stakeholders in the conservation community. These two habitat blocks include the Hadlock Road area in the center of Falmouth and the Poplar Ridge area in the northwest corner of Falmouth. Both areas include parts of either Cumberland or Windham, and so the conservation strategy developed for these areas should include a joint effort with those communities.

- Use the conservation of the Blackstrap Preserve as a model for the protection of large, unfragmented blocks of forested habitat. In this protection strategy, both the public and private sector participated through the incremental acquisition of land and easements over a period of time, starting with the purchase of Wilshire Forest in 1996 and continuing with the donation of private easements and the purchase of the Blackstrap Preserve in 2001.
- Facilitate the conservation of large habitat blocks through the use of tax incentives, such as the Tree Growth and Open Space Tax Program, or through leases where a property does not qualify for these tax reduction programs.
- Provide education concerning the value and function of large habitat blocks, both for the community as a whole and for the landowners whose participation in the program is vitally needed.
- Develop protection strategies for the other large habitat blocks remaining in Falmouth as circumstances permit, according to their conservation value.

Goal III. To insure the availability of outdoor recreation.

Objective A. Keep large tracts of land acquired for conservation purposes available for traditional outdoor recreational pursuits as described in Goal I, Objective A, Strategy 1.

Objective B. Make the conservation of land with existing trails or the potential for new trails a high priority, as described in Goal I, Objective A, Strategy 1.

Objective C. Develop greenways that provide an interconnected system of open space areas throughout the community, as described in Goal IV.

Objective D. Keep conservation land open to hunting, so long as the hunting is conducted in accordance with local ordinances and state law.

Goal IV. To provide connectivity between open space areas.

Objective A. Develop a system of greenways that link existing and new conservation lands.

Strategies

1. Acquire undeveloped land that provides trail and wildlife corridors between existing open space areas, as described in Goal I, Objective A, Strategy 1.
2. Explore options for leasing critical trail and wildlife corridors on private land, for use in those situations where landowners wish to keep the land undeveloped, but do not want to sell the property or grant a conservation easement at the present time.

3. Work with developers, landowners, and the Town to ensure that the open space set aside in new subdivisions is the central design feature around which roads and buildings are organized. The open space should be contiguous with open space on adjacent properties and be permanently protected from development. Measures should be taken to prevent roads and other forms of development from dividing the open space into smaller fragments in the future.

Goal V. To actively manage open space to benefit all citizens of Falmouth.

Objective A. Coordinate the protection and management of public and private conservation land through a collaborative process involving the town, private landowners, the public, community organizations, private non-profits, quasi-public institutions, and other stakeholders in the conservation community.

Strategies

1. Assist the ongoing community decision-making process by taking the following steps:
 - Maintain communication between town boards and committees and with community groups through liaisons.
 - Invite members of the public with diverse skills, knowledge, and interests to participate on task forces or subcommittees, where most of the Town's work is done.
 - Initiate regular contact with members of the Town Council in order to keep the Council informed of board and committee operations and to enlist the Council's advice and guidance on substantive issues of public policy.
 - Operate in an open and transparent manner in all deliberations.
 - Involve the stakeholders in the conservation community and the public in an ongoing process of fact-finding and debate as a way to clarify contentious issues, resolve conflicts, and develop broad agreement on courses of action.
 - Seek adequate funding to carry out the open space program, possibly from a variety of sources that might include annual appropriations in the Town budget, sharing resources with other conservation groups within the community, and grants from private, state and federal agencies.
2. Initiate a public discussion concerning ways to improve communication and coordination within the conservation community. Some of the topics that deserve attention include the following:
 - **Coordination**. The desirability of creating a standing committee, composed of representatives of the major stakeholders in the conservation community, that would meet regularly to coordinate the efforts of the member organizations and set priorities for open space programs.
 - **Professional Oversight**. The desirability of hiring an individual to keep track of open space opportunities, to help the land acquisition process become more methodical, to assist in arranging financing, and to help the conservation community

manage land more effectively. The individual hired to perform these functions would probably work for a community group as a professional staff person or as a contractor, rather than a Town employee.

- **Land Management.** Ways to improve the coordination of Town government, the Falmouth Conservation Trust, private landowners, trail clubs, and the public in the management of existing conservation lands.
- **Financing.** The role of a private, non-profit development corporation in helping to finance land acquisition and management, as described under Goal I, Objective B, Strategy 3, as well as traditional funding sources, such as private donations, the Town's land acquisition fund, the Land for Maine's Future Program, and other private and public sources.

Part 4: Action Plan

Steps Are Shown in Order of Priority

Task 1

The Conservation Commission will lead implementation of the plan, starting with the actions below.

<u>Strategy</u>	<u>Goal, Objective, Strategy</u>	<u>Conservation Partners*</u>											
		TC	CPAC	FCC	RACPAC	PD	PWD	FCP	CCO	CBO	Trail Groups	Landowners	Public
<u>Partner Designations</u> 1 = Primary responsibility for leading implementation 2 = Provides a critical supporting role 3 = Also closely involved in the effort 4 = Provides support as needed													
Support the community decision-making process by adopting new operating principles for open space planning.	Goal V, Objective A, Strategy 1	2	2	1	2	3	3	3	2	2	2	2	3
Initiate a public discussion concerning ways to improve communication and coordination within the conservation community.	Goal V, Objective A, Strategy 2	4	3	1	2	4	4	3	2	2	2	2	4
Adopt an approach to conserving open space that is comprehensive and proactive townwide.	Goal 1, Objective A, Strategy 2	3	3	1	2	4	4	3	2	2	2	2	3
Establish a plan that links existing protected properties together in such a way as to create continuous tracts of undeveloped land.	Goal 1, Objective A, Strategy 1	3	3	1	2	4	4	3	2	2	2	2	3
Permanently protect from development those Town-owned properties that have already been identified as having high conservation value.	Goal 1, Objective A, Strategy 3	2	3	1	2	4	4	3	3	4	3	4	2

* See the end of this section for the meaning of abbreviations for Conservation Partners

Task 2

Refine the skills needed to improve conservation planning, acquisition, and management.

<u>Strategy</u>	<u>Goal, Objective, Strategy</u>	<u>Conservation Partners</u>											
		TC	CPAC	FCC	RACPAC	PD	PWD	FCP	CCO	CBO	Trail Groups	Landowners	Public
<u>Partner Designations</u> 1 = Primary responsibility for leading implementation 2 = Provides a critical supporting role 3 = Also closely involved in the effort 4 = Provides support as needed													
Develop a process for identifying and acquiring land that involves the active participation of the conservation community.	Goal I, Objective B, Strategy 1	2	4	1	3	4	4	3	2	2	2	2	4
Adopt new methods for dealing with landowners during the land acquisition process.	Goal I, Objective B, Strategy 2	1	4	2	4	3	3	3	4	4	4	2	4
Initiate a public discussion concerning the creation of an independent, non-profit, conservation development corporation (If not done under Step 1).	Goal I, Objective B, Strategy 3	2	3	1	3	4	4	4	2	2	2	2	4

Task 3

Acquire additional areas of high conservation value.

<u>Strategy</u>	<u>Goal, Objective, Strategy</u>	<u>Conservation Partners</u>											
		TC	CPAC	FCC	RACPAC	PD	PWD	FCP	CCO	CBO	Trail Groups	Landowners	Public
<u>Partner Designations</u> 1 = Primary responsibility for leading implementation 2 = Provides a critical supporting role 3 = Also closely involved in the effort 4 = Provides support as needed													
Develop a protection strategy for the Haddock Road and Poplar Ridge unfragmented habitat blocks.	Goal II, Objective A, Strategy 1	3	4	1	4	4	4	4	2	2	2	2	3
Acquire undeveloped land that provides trail and wildlife corridors.	Goal IV, Objective A, Strategy 1	3	4	1	3	4	4	3	2	2	2	2	3
Improve the usefulness of town-owned properties with high conservation value by increasing their size.	Goal I, Objective A, Strategy 4	1	4	2	3	4	4	4	2	2	3	2	4
Ensure that open space set aside in new subdivisions is contiguous with undeveloped land and protected open space on adjacent properties.	Goal IV, Objective A, Strategy 3	4	4	2	4	1	4	3	3	2	3	3	4

Task 4

Use creative approaches and diverse funding sources when protecting conservation land.

<u>Strategy</u>	<u>Goal, Objective, Strategy</u>	<u>Conservation Partners</u>											
		TC	CPAC	FCC	RACPAC	PD	PWD	FCP	CCO	CBO	Trail Groups	Landowners	Public
<u>Partner Designations</u> 1 = Primary responsibility for leading implementation 2 = Provides a critical supporting role 3 = Also closely involved in the effort 4 = Provides support as needed													
Raise 1.5 million dollars through the issuing of municipal bonds as approved by the voters in the 2001 Land Acquisition Bond Referendum.	Goal I, Objective C, Strategy 1	1	4	2	2	4	4	3	3	3	3	2	3
Put additional open space bonds on the ballot as old bonds are retired.	Goal I, Objective C, Strategy 2	1	4	2	2	4	4	3	3	3	3	3	3
Leverage town funds through purchases involving the participation of other groups and agencies, using the Blackstrap Preserve as a model.	Goal I, Objective C, Strategy 2	1	4	2	3	4	4	3	2	2	2	2	3
Raise funds through limited development schemes, such as pioneered by the Lincoln Rural Land Foundation.	Goal I, Objective C, Strategy 2	4	4	2	3	4	4	3	1	2	2	2	3
Explore the feasibility of a density transfer fee program, such as used in Berthoud, Colorado.	Goal I, Objective C, Strategy 2	2	3	3	4	1	4	4	4	2	4	2	3
Purchase development rights or conservation easements instead of purchasing land outright in order to reduce costs.	Goal I, Objective C, Strategy 2	1	4	2	3	2	4	3	2	4	4	2	4
Purchase land sooner rather than later in order to avoid higher prices due to escalating real estate costs.	Goal I, Objective C, Strategy 2	1	4	2	3	2	4	3	3	2	4	2	3
Defray the costs of owning and managing conservation land through timber harvesting and agricultural uses.	Goal I, Objective C, Strategy 2	2	4	1	3	4	4	3	4	4	3	4	2

Task 5

Help private landowners keep their land undeveloped.

<u>Strategy</u>	<u>Goal, Objective, Strategy</u>	<u>Conservation Partners</u>											
		TC	CPAC	FCC	RACPAC	PD	PWD	FCP	CCO	CBO	Trail Groups	Landowners	Public
<u>Partner Designations</u> 1 = Primary responsibility for leading implementation 2 = Provides a critical supporting role 3 = Also closely involved in the effort 4 = Provides support as needed													
Continue to support current use taxation programs, such as Tree Growth and Open Space.	Goal I, Objective D, Strategy 1	1	4	2	4	3	4	4	3	3	3	2	4
Explore the use of conservation leases for protecting trail and wildlife corridors.	Goal IV, Objective A, Strategy 2	2	4	1	3	3	4	3	3	4	2	2	4
Provide education concerning the tax advantages of conservation easements.	Goal I, Objective D, Strategy 1	4	4	1	4	4	4	4	2	3	3	2	4
Promote the understanding of Maine’s recreational use statutes, which limit a landowner’s liability for the public’s recreational use of private property.	Goal I, Objective D, Strategy 1	4	4	2	3	3	4	3	2	3	1	2	3
Provide technical and financial support for individuals and groups who build, maintain, and police trails on private land.	Goal I, Objective D, Strategy 1	2	4	2	2	4	4	2	2	3	1	2	3
Help landowners explore options for forestry and agricultural uses of their land in order to defray the cost of keeping their land undeveloped.	Goal I, Objective D, Strategy 1	4	4	1	4	4	4	4	2	3	3	2	4
Provide education about federal programs that help landowners manage or improve their land.	Goal I, Objective D, Strategy 1	4	4	1	4	4	4	4	2	3	3	2	4
Discuss with landowners the legacy value of conserving high value open space for future generations.	Goal I, Objective D, Strategy 1	4	4	1	4	4	4	4	2	3	3	2	4

Task 6

Reduce the negative impacts of increasing traffic speed, volume, and noise on Falmouth’s roads.

<u>Strategy</u>	<u>Goal, Objective, Strategy</u>	<u>Conservation Partners</u>											
		TC	CPAC	FCC	RACPAC	PD	PWD	FCP	CCO	CBO	Trail Groups	Landowners	Public
<u>Partner Designations</u> 1 = Primary responsibility for leading implementation 2 = Provides a critical supporting role 3 = Also closely involved in the effort 4 = Provides support as needed													
Undertake a comprehensive transportation study to determine methods to reduce traffic speed, volume, and noise townwide.	Goal I, Objective E, Strategy 1	2	3	3	4	2	1	3	4	2	4	4	2
Develop design principles and guidelines that support rural character and neighborhood cohesion for use on all town and private roads.	Goal I, Objective E, Strategy 2	2	3	3	4	2	1	3	4	2	4	4	2
Consider how the principles in the 1990 Open Space Plan concerning rural road corridors might be applied to all of the major transportation routes in the remaining rural areas of Falmouth.	Goal I, Objective E, Strategy 3	2	3	3	4	2	1	3	4	2	4	4	2

Abbreviations

TC = Town Council

CPAC = Comprehensive Plan Advisory Committee

FCC = Falmouth Conservation Commission

RACPAC = Recreation and Community Programs Advisory Committee

PD = Planning Department

PWD = Public Works Department

FCP= Parks and Community Programs Department (short name used by the Department: *Falmouth Community Programs*)

CCO = Community Conservation Organizations, such as the Falmouth Conservation Trust, Friends of the Falmouth Nature Preserve, etc.

CBO = Community Business Organizations, such as the Economic Development Commission, developers, realtors, contractors, and builders

Trail Groups = Falmouth Trails Committee and trail clubs, such as Falmouth Sno-Voyagers

Landowners = Those with property in areas identified as having high conservation value

Public = Individuals, groups, and organizations not listed above

Notes

Table 1

Undeveloped Town Land Protected by Easements: Natural areas like forests and fields where development is prohibited because of a conservation easement or other deed restriction. Does not include active recreation land like parks and playing fields.

Undeveloped land with No Deed Restrictions: Same as above except that there is no legal restriction on the future use of the property.

Falmouth Conservation Trust: Land and easements held by the trust, except for easements on Town-owned property.

Development Rights Purchased on Farmland: The active agricultural fields at Wilshore Farm. The Town owns the development rights to the fields, but the landowner retains the right to live on the property and manage it for agriculture, forestry, and related uses.

Undeveloped Land in Subdivisions: Mostly the open space created in subdivisions through the Resource Conservation Overlay District. The properties on which the FCT possesses easements or owns the fee are included under the total for FCT land.

Parks, Athletic Fields, and Golf Courses: Active recreation lands either publicly or privately owned. The acreage on some town-owned lands is divided between this category and other categories, depending on its status. For example, the playing fields (28 acres) at Community Park are included in this category, but the land in the rest of the park (88 acres) is included under *Undeveloped Town-owned land with No Deed Restrictions*.

Tree Farms and Tree Growth: *Tree Farms* are forestlands that are enrolled in the American Tree Farm System, a private organization dedicated to multiple use forest management. *Tree Growth* are properties enrolled in the Tree Growth Tax Program as reported by the Assessor's office.

Major Accomplishments

Point No. 3: The number of acres protected for open space purposes by the Town and the FCT since 1990 is derived from the data in Table 1 and follows the same rules for determining mutually exclusive categories.

Open Space Goals

Goal No. 3: The threshold of 250 acres for defining large tracts of undeveloped land reflects recent research on the minimum acreage needed to support area-sensitive species in Maine. Area-sensitive species indigenous to Maine include many species of birds, mammals, and insects. See *Conserving Wildlife in Maine's Developing Landscape*, by the Maine Audubon Society, Spring 2000. The problem of forest fragmentation is a central concern of the *Beginning with Habitat Program*, sponsored by the Maine Inland Fisheries and Wildlife Department.