

What can be done to stop the current trend toward “Acquisition by Regulation”?

Landowners Initiatives for consideration:

The importance of conserving, preserving and creating more green space is not an issue. **We acknowledge the importance and urgent need to protect our natural resources and wildlife.** But, **we strongly disagree with the way it is being accomplished.** We believe it is time to take an approach that blends the needs and goals of property owners, conservationists, the environment and developers. This approach should distribute the “cost” of these efforts in a more equitable manner and still promote the goals of conservation.

The following is a list of possible initiatives to accomplish this goal. Many of these practices are in effect in other municipalities as part of Comprehensive Development Plans.

1. 1. Establish a schedule for payment by the Town for **“just compensation”** being made to landowners **for the development rights on land restricted by conservation easements.**
2. 2. The Town should create a **green space inventory** that **prioritizes** the environmental value of each parcel and **identifies** its **unique characteristics.**
3. 3. Promote an **“Environmental Bond”** initiative for **public funding** to purchase development rights from landowners.
4. 4. Eliminate the mandatory 50% conservation easement.
5. 5. Establish a maximum combined threshold of 50% of any parcel that can be restricted by local ordinance. The 50% maximum must include any land already restricted by State and Federal agencies. (I.e. wetlands, floodplains, endangered species habitat, etc.)
6. 6. Create a **“Conservation Land Bank”** for developers and landowners. Based on current 50% requirements, developers and landowners would be allowed to develop more than 50% of a parcel in exchange for contributions to a land bank. **Proceeds** could be used to **purchase the development rights** to the most environmentally sensitive parcels in the town, build hiking trails, establish parks, etc.
7. 7. Exempt previously developed parcels from conservation easement requirements.
8. 8. Allow developers to purchase development rights directly from landowners. Landowners would continue to own and use their property as farm, recreation, hunting, etc. They could still sell the property and the new owners could continue to use it within the limitations of any conservation easements. This allows for the **private compensation of landowners for development rights**, preserves green space and maintains the existing tax base.
9. 9. Establish **Environmental Credits** for developers who **create or enhance wetlands, forests, wildlife areas** and other desirable ecological areas within or outside their development. These credits could be used to increase the

number of units in a subdivision, reduce lot size or offset current 50% green space requirements in another development.

10. 10. In the present **absence of government or private compensation** for development rights and based on the current 50% green space requirements in effect for future development in Victor. It would be reasonable to ask that the **assessed value of all vacant land and other land subject to conservation easements** should be **reduced immediately** to reflect the loss of future development rights incurred by the landowners.

These proposals would provide a more flexible and creative framework for preserving green space and controlling development in the town. These proposals would also address the current lack of compensation to landowners for their development rights.

Conclusion

The current general development restriction of 50% on remaining undeveloped parcels in the Town of Victor does not provide a scientific blueprint for preserving our green space. It simply mandates the preservation of 50% of whatever green space currently remains. These proposals would provide the town and developers with viable options to simultaneously promote development and finance conservation efforts. The conservation board could identify the most sensitive environmental areas it wanted to preserve, landowners would know the environmental status of their property and the developers would know what parcels were available for development and which ones were available for purchasing development rights. The most desirable and ecologically sensitive areas could be weighted in value compared to less desirable areas. Landowners could declare their preference for the development or conservation of their land to the town and negotiate a settlement with the Town for development rights.

I believe it would make more sense to develop an entire parcel that is suited for development and save an entire parcel that isn't? This would be more cost effective for the developer, save the greatest amount of sensitive green space and reduce the overall taxpayer costs of conserving these areas by promoting the private purchase of development rights from landowners by developers.