

Town of Shelburne Land Evaluation Workbook

Introduction: This document was developed by the Shelburne Open Space Committee to help objectively evaluate land parcels for possible protection as opportunities arise. For example, potential protection opportunities may include APR applications, Chapter 61 "right of first refusal" options, and acquisition of parcels, restrictions or easements. The **workbook** provides a means for the Open Space Committee to record facts about the parcel, describe its attributes, think about pros and cons of protection measures and make an informed recommendation to the Select Board regarding protection of the parcel. In evaluating a parcel, Town officials will communicate with the property owner or representative, and work cooperatively to fill out this workbook in a manner that is sensitive to the needs of the landowner, and expedites the process. As necessary, Town officials will draw on professional resources to assist in the evaluation.

The **cover sheet** summarizes information about the site and will include recommendations based on the evaluation.

Most of the **attributes** listed in the workbook under "Primary Values" or "Supporting Values" help identify, describe and quantify features of a site that may make it desirable for the preservation of one or more of the following resources.

- **Primary values**, which can be determined in an objective way, include lands good for agriculture, forestry, wildlife habitat, and water protection capabilities.
- **Supporting values**, which tend to be more subjective, may not be important enough to warrant the protection of land on their own, but are important when combined with the primary values. These include scenic qualities, historic resources and recreational opportunities. All of these values were expressed as important to Town of Shelburne residents in two public surveys, conducted before the two planning projects referred to in the next paragraph.

Other elements of the workbook can assist with evaluating the appropriateness of potential protection measures and possible consequences of change if the parcel is not protected.

Footnotes in each category refer to specific maps and text from the "Town of Shelburne Community Development Plan: June 2004" (CDP), the "Buckland-Shelburne Master Plan: May 1999" (MP) or other resources. Refer to "References" at the end of the workbook for more details.

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## *Primary Values*

### **Working Farms and Forests**

- 1. Parcel is actively farmed or in active forestry production. <sup>2</sup>
- 2. Parcel contains Farmland designated as: "Prime, Unique or of Statewide Significance" <sup>1,2</sup>
- 3. Parcel abuts permanently protected agricultural/forestry land. <sup>3</sup>
- 4. Parcel is enrolled in program to implement special agricultural or conservation practices to protect surface water, groundwater resources, or other natural resources. Describe. \_\_\_\_\_  
\_\_\_\_\_
- 5. Parcel is not actively farmed but does not require substantial stewardship to be restored to active agriculture.
- 6. Parcel is not actively farmed but the labor and funds are available to bring it into active agriculture.
- 7. Parcel is in an area of Town containing permanently protected agricultural/forestry land. <sup>3</sup>
- 8. Parcel is suitable and productive for agricultural/forestry use based on soil classification<sup>1, 4</sup>, physical features, and location.
- 9. Parcel meets the current eligibility requirements for the Agricultural Preservation Restriction (APR) Program. <sup>5</sup>

<sup>1</sup> MP "Agricultural and Forestry Lands Map" p. 1-14

<sup>2</sup> CDP "Five Year Action Plan Map" p. 9-9

Note: CDP's "Prime Farmland Soils" are a combination of "Farmland: Prime, Unique and of Statewide Importance" as seen in the MP

<sup>3</sup> CDP Protected and Recreational Open Space Map, p. 5-9

<sup>4</sup> Soil Survey Franklin County Massachusetts

<sup>5</sup> APR website

### **Public Water Supply**

- 1. Parcel contains a public water supply. <sup>1</sup>
- 2. Parcel contains a Surface Water Supply Protection area (Zone A, B, C) <sup>1</sup>
- 3. Parcel contains an "Outstanding Water Resource Area" <sup>5</sup>
- 4. Parcel contains a Zone I or II of a public water supply well <sup>2(Map); 1 (Text pg. 4-14)</sup>
- 5. Parcel contains an Interim Wellhead Protection Area. <sup>2,4</sup>
- 6. The area underneath the parcel has been identified a potential aquifer. <sup>1,3</sup> (Describe yield<sup>2</sup>)

<sup>1</sup> CDP "Natural Resources Inventory Map" p. 4-27, and Text in Section 4C.4: "Potential Aquifers and Recharge Areas" (pp. 4-13 through 4-14)

<sup>2</sup> CDP "Land Use Suitability Map" in "Housing" section (p. 2-35) and Text in Section 4C.4: "Potential Aquifers and Recharge Areas"

<sup>3</sup>MP "Water Resources and Wildlife Habitat Map" p. 1-12, and Text pp. 1-4 through 1-5

<sup>4</sup>Source Water Assessment and Protection (SWAP) Reports for Public Water Systems in Shelburne.

<sup>5</sup>Priority Resources Map by EOE

## Water Resources

- 1. Parcel contains rivers or streams draining over 1000 acres.
- 2. Parcel contains ponds, wetlands over 3 acres in extent or part of riparian corridor.<sup>1</sup>
- 3. Parcel contains the headwaters of a stream.
- 4. Parcel contains rivers or streams draining over 100 acres.
- 5. Parcel contains isolated small wetlands or potential vernal pools.<sup>1,2</sup>
- 6. Parcel contains 200 ft. Streams and Rivers Buffer or 100 foot Ponds and Wetlands Buffer (Wetlands Protection Act locally enforced by the Conservation Commission)<sup>1</sup>
- 7. Parcel contains attributes that might impact water resources.

<sup>1</sup>CDP "Natural Resources Inventory Map" p. 4-27, and text in Section 4C: "Water Resources" pp.4-6 through 4-14

<sup>2</sup>MP "Water Resources and Wildlife Habitat Map" p. 1-12, and text pp. 1-4 through 1-5

## Wildlife, Biodiversity

- 1. Parcel is identified as priority wildlife habitat through UMass Extension's CAPS project.<sup>1</sup>
- 2. Parcel contains a pristine natural community
- 3. Labor and funds are available for stewardship activities to restore a natural community.
- 4. Parcel is in an area of town containing other land permanently protected for natural resources.<sup>2</sup>
- 5. Parcel contains a native vegetation community not represented in permanently protected land in the vicinity.

<sup>1</sup>CAPS Map and website information

<sup>2</sup>CDP Protected and Recreational Open Space Map, p. 5-9

## Endangered Species

- 1. Parcel contains a vernal pool certified by MA Natural Heritage Program.<sup>1</sup>
- 2. Parcel contains habitat for rare species.(Under jurisdiction of the Conservation Commission.)<sup>1</sup>  
Describe. \_\_\_\_\_  
\_\_\_\_\_
- 3. Parcel is identified as a critical site for protecting biodiversity (Core Habitat) under the Massachusetts BioMap or Living Waters projects.<sup>3</sup> Describe. \_\_\_\_\_  
\_\_\_\_\_
- 4. Parcel is identified by the BioMap or Living Waters programs as second priority for biodiversity conservation once Core habitats are protected (Supporting Natural Landscape, Critical Supporting Watershed, and Riparian Areas for Living Waters Core Habitats).<sup>3</sup> Describe. \_\_\_\_\_  
\_\_\_\_\_

<sup>1</sup> Shelburne Priority Habitats and Estimated Habitats Map

<sup>2</sup>MP "Water Resources and Wildlife Habitat Map" p. 1-12, and text pp. 1-6 through 1-7.

<sup>3</sup> BioMap and Living Waters Map

## Connectivity

- 1. Parcel provides a connection with protected open space in the region
- 2. Parcel is part of a designated open space focus area for the region.
- 3. Parcel provides a connection with large areas of protected open space in the town or is part of the "Potential Wildlife Habitat Corridor".<sup>1,2</sup>
- 4. Parcel abuts other permanently protected land for natural resource preservation.<sup>2</sup>
- 5. Parcel is important link in a planned open space corridor.
- 6. Parcel is adjacent to publicly-owned lands.

<sup>1</sup>CDP Protected and Recreational Open Space Map, p. 5-9

<sup>2</sup>MP Composite Environmental Assessment Map, 1-17 and text pp. 1-8 through 1-10

## Supporting Values

### Recreation

- 1. Parcel has or could provide more opportunities for Shelburne residents to partake in favored recreational opportunities (e.g. hiking, sports, picnicking, birdwatching, cross country skiing, boating, canoeing, stargazing, kite-flying, etc.)

Describe: \_\_\_\_\_

- 2. Parcel could provide a link in an established public trail system.
- 3. Parcel is easily accessible by foot from a higher density population such as Shelburne Falls.
- 4. Parcel provides existing or potential public access to the Deerfield River.
- 5. Parcel has been identified as an important fishing, hunting or trapping site.

### Scenic Landscapes, Historic, Cultural, Community Character

- 1. Parcel greatly contributes to the rural or small-town character and development would likely cause loss of that character. Qualify. \_\_\_\_\_  
\_\_\_\_\_
- 2. Parcel contains important scenic views, vistas, ridges or vantage points as identified in Town-approved documents or a scenic landscape as identified under the Massachusetts Landscape Inventory.<sup>1</sup>
- 3. Parcel falls within a "Potential Ridge Protection Area"<sup>4</sup>

- 4. Parcel contains historic site or structure identified by the Shelburne Historic Society or Massachusetts Historical Commission.<sup>1, 2, 3</sup>
- 5. Parcel is part of a Heritage or Historic Landscape<sup>1, 3</sup> or designated as a "Massachusetts Century Farm" by the MA Dept. of Agricultural Resources.
- 6. Parcel abuts a state-designated scenic highway, or a town-designated scenic road.<sup>1</sup>
- 7. Parcel contains a "Special Place" (as identified in a town-approved document) that would likely be lost through development.<sup>1</sup>
- 8. Parcel contains extraordinary scenic features such as unusually large trees, waterfalls, cascades, striking bedrock outcroppings, or other significant geological formations or features.
- 9. Parcel includes additional cultural or historical features.

<sup>1</sup>CDP Cultural Inventory Map, p. 4-28. Also see text on pp. 4-23 through 4-25 (note: Special Places, Scenic Vistas and Views were derived from Shelburne residents' input at public workshops.)

<sup>2</sup>State Register of Historic Places (see updated version)

<sup>3</sup>MP Historic Resources Map, p. 2-33, and text pp. 2-7 through 2-32

<sup>4</sup>MP Composite Environmental Assessment Map, p. 1-17, and text p. 1-9 (Potential Ridge Protection Area.)

## Questions that will further assess the parcel's preservation potential

**Assessing the Consequences of Change (if parcel would not be protected)** Consider the following questions to help assess development vs. protection of the site:

1. How likely is the development of the parcel? <sup>1, 2</sup> \_\_\_\_\_  
 \_\_\_\_\_
  - a) Is it in a desirable location for housing or other development?  
 \_\_\_\_\_
  - b) Are there constraints such as limited access, wetlands, bedrock, and steep slopes?  
 \_\_\_\_\_
  - c) With these constraints in mind, is a subdivision road physically possible on this site? (Even though a subdivision road is expensive and entails much regulation, if the resulting lots would be in a highly desirable location, a developer may be willing to incur this cost.)  
 \_\_\_\_\_
  - d) Is there substantial frontage on an existing road with few or without constraints? (If so, development can be quite easy through the state "ANR – Approval Not Required" policy.)  
 \_\_\_\_\_

2. Do federal, state or local regulations or designations already provide some level of protection? <sup>1,2</sup> (If so, there may be more constraints to development in these areas, but these lands may especially important to place under permanent protection. (e.g. Overlay Districts, wellhead protection area, land under jurisdictions of the MA, Wetlands Protection Act, Massachusetts Endangered Species Act, Scenic Road designation, etc.)

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3. How severe would the disruption be and what resources would be lost if the parcel is developed?
- a) Consider impacts to all types of resources described such as agricultural, forestry, scenic, historical, natural [wildlife, water, vegetation], recreational, character of the area, etc.
  - b) Would development disrupt other qualities that Shelburne residents consider important, such as Quiet, Air Quality and Water Quality.
  - c) Consider potential impacts of a subdivision road.
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4. Are there benefits to allowing development and NOT protecting the parcel? \_\_\_\_\_

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<sup>1</sup>CDP Land Use Suitability Map

<sup>2</sup>CDP Map 2: Developable Soils and Development Constraints

**Other Site Attributes for Consideration**

Size:

- 1. How large is the parcel? \_\_\_\_\_.
  - 2. Why is size important or not important in this instance?  
*(Parcels over 100 acres are especially important, but in some cases smaller parcels may be equally as important.)*
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Location or Relationship to Other Important Features:

This can sometimes boost a parcel's importance. If this is the case with this parcel, describe here.

(e.g. the parcel may benefit a large number of people due to its visibility from a town center or Rt. 2 or another well-traveled road.)

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**Appropriateness of Proposed Protection**

*If a parcel is being considered for preservation, these questions may help with the evaluation process:*

1. Would the proposed protection measures adequately protect the important resources onsite?

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2. Would the proposed protection measures provide a more **permanent** protection for the resource?

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3. If the site is currently used by people or would have future uses by people, are those uses compatible with the resources being protected? (For example, if people historically have been allowed to hike or ride ATV's or hunt onsite, may they continue to do so? These uses could conflict with the protection of sensitive habitats or other important resources, depending on where the activity is allowed.) *Note: There may be differences of opinion on these points depending on the goals for the land and the policies of the new owner, but these questions are worth consideration.*

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4. If human activities are compatible with the resource being protected, does the proposed protection measure take this into consideration?

5. If human activities are not compatible with the resource being protected, does the proposed protection measure take this into consideration? How?

6. If the land is to be preserved for agriculture, is there a farmer ready and willing to farm it?

**Financial assessment:**

1. Is the parcel priced for the current market? \_\_\_\_\_

2. How much tax revenue does it currently provide the Town? \_\_\_\_\_

3. Will the property remain on the tax rolls? \_\_\_\_\_

**Additional Considerations:**

*These may come from Board members, from the public at public hearings, from researchers familiar with parcel, etc.*

1. \_\_\_\_\_

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2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_

Check here if additional considerations are included on separate sheet(s).

### References

1. Agricultural Preservation Restriction Program (APR) website: <http://www.mass.gov/agr/landuse/APR/>
2. BioMap and Living Waters: Guiding Land Conservation for Biodiversity in Massachusetts. Natural Heritage and Endangered Species Program, Massachusetts Division of Fisheries and Wildlife. See map on display at Town Hall.  
Main website: <http://www.mass.gov/dfwele/dfw/nhesp/nhbiomap.htm>  
Interactive Map: (web-generated maps, by town).  
[http://www.mass.gov/dfwele/dfw/nhesp/land\\_protection/interactive\\_map.htm](http://www.mass.gov/dfwele/dfw/nhesp/land_protection/interactive_map.htm)  
Report: Core Habitats of Shelburne  
[http://www.mass.gov/dfwele/dfw/nhesp/land\\_protection/interactive\\_map.htm](http://www.mass.gov/dfwele/dfw/nhesp/land_protection/interactive_map.htm)
3. Buckland-Shelburne Master Plan. May 1999. Buckland-Shelburne Master Planning Committee and Franklin Regional Council of Governments Planning Department. (See Appendix 1 for public survey.)
4. Connecting People and Partners: A Town's Guide to Land Conservation. 2007. University of Massachusetts Extension and Highland Communities Initiative.
5. Conservation Assessment and Prioritization System (CAPS), University of Massachusetts  
See map on display at Town Hall  
Website: <http://www.umass.edu/landeco/research/caps/caps.html>  
Access to town maps online: <http://www.umass.edu/landeco/research/caps/data/iei/iei.html>
6. Conservation Scorecard: A Tool for Prioritizing Land Conservation. Manomet Center for Conservation Sciences.
7. Priority Resources Map. MA Dept. of Environmental Protection and MassGIS
8. Setting Priorities for Open Space Acquisition in Ashfield, MA
9. Shelburne Priority Habitats and Estimated Habitats Map, MA Natural Heritage and Endangered Species Program
10. Town of Shelburne Community Development Plan. June 2004. Shelburne Community Development Planning Committee and Franklin Regional Council of Governments Planning Department. (See Appendix A for public survey.)
11. Source Water Assessment and Protection (SWAP) Reports for Public Water Systems in Shelburne.  
<http://www.mass.gov/dep/water/drinking/weroreps.htm#s>
12. Soil Survey Franklin County Massachusetts, USDA Soil Conservation Service. 1967.



**Town of Shelburne  
Open Space Committee  
Land Evaluation Workbook**

**Applicant Contact Information**

Landowner Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Town, State, Zip \_\_\_\_\_

Phone Number \_\_\_\_\_ E-mail \_\_\_\_\_

**Property Information**

Location (if different from address) \_\_\_\_\_

Last recorded Registry of Deeds info: Book # \_\_\_\_\_ Page # \_\_\_\_\_

Parcel number (if known) \_\_\_\_\_ Tax number \_\_\_\_\_

Currently under Chapter 61/A/B? \_\_\_\_\_

Zoning designation(s) \_\_\_\_\_ Size in Acres \_\_\_\_\_

Sale Price \_\_\_\_\_ Appraised Value \_\_\_\_\_

Taxes owed? No \_\_\_\_\_ Yes \_\_\_\_\_ If Yes, amount owed \_\_\_\_\_

Potential Buyer and use (if known) \_\_\_\_\_

Purchase & Sale Agreement received? No \_\_\_\_\_ Yes \_\_\_\_\_ Date of receipt \_\_\_\_\_

Seller's Attorney \_\_\_\_\_

**Open Space Committee Process Information**

Date of Application \_\_\_\_\_ Target Date for OSC  
Process Completion \_\_\_\_\_

Reason for Review: \_\_\_\_\_ APR; \_\_\_\_\_ Conservation Restriction; \_\_\_\_\_ Land Donation  
\_\_\_\_\_ Unencumbered Property; \_\_\_\_\_ Other \_\_\_\_\_

Expiration date of Right of First Refusal  
(120 days from date of application) \_\_\_\_\_

OSC Contact Person/Info \_\_\_\_\_

**See Over for Committee Recommendations**

**Committee Recommendations**

**Potential Partners and Resources**

Potential Grant Programs

Potential Conservation Partner(s), including local contact information

Other Potential Local Partners (boards, clubs, individuals)