

# Open Space Handbook

A Guide to Community Conservation in Massachusetts





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# 1 Introduction .....2

# 2 Understanding the Land Conservation Landscape ..... 4

# 3 Planning Your Community's Open Space ..... 8

# 4 Land Protection Tools 101.....14

# 5 Funding.....20

# 6 Stewardship of Conserved Land .....30



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Look for these icons throughout the handbook for ideas on building strong partnerships and increasing community participation.



#### Partnerships

Opportunities to collaborate with your town's or city's municipal boards, local land trusts, or other partners



#### Community Conservation

Ideas for building strong community connections through gathering public input and ensuring that open space serves community needs

Terms that will be important as you move forward in your work appear throughout the text.

#### KEY TERMS

## 5 Local Conservation Boards

## 6 Partners

## 6 Learning Opportunities



## 8 Gathering Community Input

## 10 Mapping

## 12 The Open Space and Recreation Plan

### 12 Resources for Writing an OSRP

## 13 CASE STUDY

Writing an Open Space and Recreation Plan



## 14 Land Protection Tools

### 16 Article 97

### 16 Chapter 61 Current Use Tax Programs

### 17 Right of First Refusal

### 18 Landowner Relationships

### 18 Identifying Interested Landowners

### 18 Outreach

## 19 CASE STUDY

20 Years of Protecting Open Space in Holliston



## 21 Funding Sources

### 21 State Grants

### 27 A Note on Reimbursements and Matching Funds

### 27 Municipal Vulnerability Preparedness Program

### 27 Community Preservation Act Funds

### 27 Fundraising

### 27 Federal Grants

### 29 Conclusion

## 26 CASE STUDY

Acquiring open space with MVP funds



## 30 Understand the Land's Landscape Context

### 31 Invasive Plant and Insect Species

### 31 Wildlife

### 32 Climate Change

### 32 Hiking Trails

### 33 Conclusion

## 32 CASE STUDY

Local Trail Work with CPA Funding



“Relegating conservation to government is like relegating virtue to the Sabbath. Turns over to professionals what should be the daily work of amateurs.”

Aldo Leopold, 1935



# Introduction

Aldo Leopold knew that conservation success lies in the hands of volunteers. Whether you are a member of a municipal board such as an Open Space Committee or a Conservation Commission, a member of a small land trust, or an interested citizen, you are in a very important position to help increase the pace and scale of land conservation in your community. Your role as a local community opinion leader is both unique and essential.

Although land conservation has had a primary focus on wildlife and biodiversity over the last couple of decades, there is growing recognition of the essential role that permanently protected and well-stewarded land can play in healthy communities, including everything from enhancing human physical and mental health to managing fiscal health to helping address issues of climate resilience and diversity, equity, and environmental justice. You can contribute to these essential functions by gaining a better understanding of the critical role you play in increasing land conservation and stewardship opportunities.

It is our hope that this guide will help increase your confidence to move land conservation efforts forward in your community. To do this, we've included information about relevant programs. However, we urge you to not get overly focused on these programs as the prime goal of your efforts. Community land conservation doesn't live within these programs. As Aldo Leopold reminds us, these are only tools and techniques to reach community goals. True conservation is about people and relationships. It's woven into a community by bringing people together to meet the community's needs, helping to shape it into the place it hopes to be. While these programs can be an important part of land conservation, your efforts to create strong, trusting relationships with landowners, community members, municipal leaders, and conservation organizations are most critical.

Importantly, this guide is not meant to be one size fits all. Every community has its own unique ecological landscapes, financial characteristics, and cultural identities. It is our hope that this guide will help you find ways in which conservation can help meet the needs of your specific community. Throughout the guide you will find case studies of Open Space Committees that have helped achieve their community's goals.

Although there are land trusts and public conservation agencies that conserve and steward land, you play a unique and crucial role that is complementary to these efforts. No one knows your community like you do! Your local knowledge and relationships combined with the expertise of conservation organizations make for a winning combination.

Never forget that it's the daily work of amateurs that will have the greatest impact on conservation in your community.

**Connect with us via [masswoods.org/osc](https://masswoods.org/osc) to find resources and to share stories and insights from your experiences with open space.**



# Understanding the Land Conservation Landscape

Land protection is a key component of conservation. Protected land includes land that is owned outright for conservation by entities such as land trusts, state agencies (e.g., Massachusetts Department of Conservation and Recreation or MassWildlife), and municipalities. Privately owned land can be conserved as well, most often through a tool called a **conservation restriction** (known as a conservation easement outside Massachusetts).

When land is conserved, it cannot be further parceled or developed. Public access and permitted uses vary across the conserved properties, depending on what natural resources are present on the land, the goals and management practices of the owner, and the terms of the conservation restriction (if applicable). If you are interested in seeing more protected land in your community, you can play an important role as a driver of local conservation, particularly when it comes to talking with your friends, neighbors, and fellow community members.

CONSERVED LAND IN MASSACHUSETTS  
(AS OF JUNE 2021)\*

**325,904**

acres in conservation restriction

**1,375,352**

acres owned outright (fee simple)

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**1,701,256**

**total acres** (25% OF MASSACHUSETTS'S LAND BASE)

Most of the remaining unprotected forestland in Massachusetts is privately owned, meaning that people who own land now are in a position to influence how our shared landscape will look in the future. Land is a unique asset that people hold for many reasons. For some, it's a financial tool, but for many it represents a combination of sentimental, personal, and emotional value. A recent survey of landowners in the Northeast found that about half wanted their land to stay entirely or mostly undeveloped and about two-thirds didn't want to see their land parceled. Helping landowners realize their

personal goals of keeping their land undeveloped and unparceled will ensure the continued provision of the many public benefits of their land.

However, landowners often need information or advice before they can put a plan in place to meet their goals. If and when landowners are considering their options, they are far more likely to turn to a trusted friend, neighbor, or family member for advice than to respond solely to any correspondence from a conservation organization or municipal committee. The stronger a community's relationships or social capital, the greater the likelihood that someone in need of information will have someone in their social network who can help. When that friend, neighbor, or family member is in a position to mention land protection, make a referral to a **land trust**, or point them in the direction of a trusted forester, it can make all the difference.

If you're reading this, there's a good chance you're already engaged in these conversations—or want to be. This guide was written to help you embrace and navigate your role as a trusted ambassador for conservation and stewardship.

## Local Conservation Boards

There are a variety of ways to be such an ambassador. If you're interested in advancing conservation in your community as a whole, you may find satisfaction out of participating in an Open Space Committee.

An **Open Space Committee (OSC)** can play a critical role in community conservation. This committee, which may take a slightly different name and form in each community, is often first tasked with creating an **Open Space and Recreation Plan (OSRP)**. The OSRP can be an important tool for gaining public input; setting community-wide priorities; and starting conversations with other commissions, boards, and decision-making groups within a municipality, but it does not have to be the sole driving force of the OSC. Because Open Space Committees aren't tasked with regulatory or enforcement functions, they can enjoy a level of flexibility and creativity that other municipal boards cannot.

Open Space Committees can't own land or hold conservation restrictions, but they can and do play the critical roles of laying the groundwork necessary to support local landowners who are exploring conservation options, building capacity among Conservation and Agricultural Commissions to seek grants and hold interests in land, gaining support from other municipal boards, and fostering a culture of support for land conservation among community members. Open Space Committees build trails, organize volunteers to pick up litter, stand up at town meetings to support warrant articles that save open space, talk to their friends and neighbors, set up **wood banks**, organize walks and talks and webinars, create informal book clubs, and engage in any other activity they have the passion and time to support.

The work and the role of an OSC are what's important, not the name or whether it's a formal part of municipal government. In

some towns and cities, it's a subcommittee of the **Conservation Commission** or Community Preservation Committee that fills this niche. In other places, it's an informal group of neighbors or friends who choose to spend their time working on these types of projects. Regardless of the name or the structure, the work of an OSC is often a labor of love.



**Conservation Commissions** are tasked with enforcing the Wetlands Protection Act. The original charter that established Conservation Commissions emphasized land conservation, but in many communities, the enforcement portion of the work can regularly overwhelm public meeting agendas. Conservation Commissions are a standard body in communities throughout Massachusetts.

**Community Preservation Committees** are established to administer the Community Preservation Act (CPA) once it's been passed in a town or city. These committees create a community preservation plan and are responsible for reviewing and making recommendations on proposed CPA projects. The CPA is often a core source of funding for Open Space Committees.

**Agricultural Commissions** don't have a regulatory function, but they often support farmers markets, pass Right-to-Farm bylaws, connect farmers with resources, and promote awareness and support for farmers and local agriculture. Not every community has an Agricultural Commission.

### KEY TERMS

#### CONSERVATION RESTRICTION (CR)

An agreement in which a landowner restricts certain uses of a piece of land—such as development—but retains ownership. Conservation restrictions must be held and monitored by a qualified organization, such as a land trust or a Conservation Commission.

**LAND TRUST** A nonprofit organization focused on acquiring and stewarding land.

**OPEN SPACE COMMITTEE (OSC)** A town committee dedicated to helping achieve community goals for open space.

**OPEN SPACE AND RECREATION PLAN (OSRP)** A seven-year plan for a town's open space. Requires community input and approval by the state; makes the town eligible for several state grants.

**WOOD BANK** A program that supplies wood for heat to community members at low or no cost.

#### CONSERVATION COMMISSION

**(CON COM)** The municipal committee tasked with enforcing the Wetlands Protection Act. Can hold a conservation restriction.

Conservation Commissions and Agricultural Commissions are similar in one other important way: each is legally able to hold an interest in land. This means they can own land directly, as well as hold conservation restrictions on privately owned property.

## Partners

Open Space Committees aren't alone in this work. Massachusetts is home to 147 land trusts that together serve most communities in the Commonwealth, including the first land trust in America, The Trustees. Land trusts are nonprofit organizations that focus on conserving and stewarding land. Each organization will have its own take on what that means, which will be reflected in its mission statement. For example, one land trust may prioritize protecting farms, another may be keenly focused on incorporating environmental education into its conservation work, and yet another may stay busy protecting land near rivers and streams. More often than not, a land trust will engage in a diversity of projects.



Land trusts in Massachusetts operate on three primary scales: statewide, regional, and local. Statewide land trusts—including Mass Audubon and The Trustees—are staffed organizations. Regional land trusts work in multiple towns, cities, and counties and are also typically staffed with full-time employees. Local land trusts operate largely in a specific municipality and are often dependent on volunteer labor. The national Land Trust Alliance ([landtrustalliance.org](http://landtrustalliance.org)) maintains standards and practices for the land trust community. Land trusts that opt to demonstrate a commitment to these rigorous standards and practices and have the resources to complete the necessary application can become accredited by the Land Trust Alliance.

Land trusts often partner with municipalities, other land trusts, and state agencies on projects. Collaboration is an essential part of conservation in Massachusetts, with many land protection projects involving partnerships.

Massachusetts is also home to several **Regional Conservation Partnerships (RCPs)** ([wildlandsandwoodlands.org/rcpnetwork](http://wildlandsandwoodlands.org/rcpnetwork)). These are informal regional networks of land trusts, landowners, state agencies, municipal entities, academic institutions, resource professionals, and other groups or individuals involved in land conservation and stewardship. Participating in an RCP can put you in contact with others who may share your conservation goals within a common geography.

When it comes to land conservation, you may be more effective as a trusted local source of information than a professional would be. A day spent exploring the town forest with residents, or a cup of coffee shared with a neighbor who owns the land you'd like to see protected, can ultimately be more impactful than equivalent time spent at a workshop learning how conservation restrictions work.



Focus on your role as a community ambassador and relationship builder. Technical assistance can always be sought from your local land trust or conservation partner, but only you have expertise in your town or city. You likely already know what your community needs.

## Learning Opportunities


There are a number of conservation-themed conferences held in Massachusetts each year, including those organized by the Massachusetts Open Space Network ([massopenspaceconference.wordpress.com](http://massopenspaceconference.wordpress.com)), the Massachusetts Association of Conservation Commissions ([maccweb.org](http://maccweb.org)), the Massachusetts Land Trust Coalition ([massland.org](http://massland.org)), and the Regional Conservation Partnership Network ([rcpnetwork.org](http://rcpnetwork.org)).

Attending these conferences is not a prerequisite for doing good and important work in your community. These gatherings can be incredibly useful for sharing stories and meeting others who are engaged in the work you're doing or want to do, but OSC members don't need to become "experts" to be effective ambassadors for conservation.

### KEY TERM

**REGIONAL CONSERVATION PARTNERSHIP (RCP)** A regional network of land trusts, landowners, state agencies, municipal entities, academic institutions, resource professionals, and other groups or individuals involved in land conservation and stewardship within a certain geography, often with shared open space goals.





Most of the remaining  
unprotected forestland  
in Massachusetts is

**privately  
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Massachusetts is home to

**147**  
**land trusts**

that together serve most  
communities in the  
Commonwealth.

**Land protection**  
is a key component of  
**community  
conservation.**



# Planning Your Community's Open Space

Your OSC is working with limited time, energy, and resources. It is crucial to understand your town's or city's values and translate those into actionable priorities.

This section will provide suggestions on gathering feedback from members of your community on what they value in open space. It will then review two routes for transforming that input into action: first, by mapping values onto open space (achievable even in a short period of time), and second, through the full OSRP process.

## Gathering Community Input

What benefits does your municipality most need from its open space? The answer to this question will largely depend on the people who live in your city or town and is likely to change over time. This means that you will need input from your community on an ongoing basis. This feedback will help you determine where there's a need and what open space questions are of most concern to the local community.



Community input will also help you identify other things in your community that open space can help with. Can open space help address diversity and equity or environmental justice issues? Can

it provide opportunities for sustainable agriculture, adaptation to climate change, educational opportunities, or residents' physical and mental health? Think beyond the benefits to wildlife and consider the broader community impact of open space conservation.

Community input can be a formal, structured process. For example, it is a required part of the OSRP process and is likely to involve sending surveys to residents and holding multiple public forums. However, input can—and should—be gathered in other ways as well. Actively invite participation in your OSC meetings. Ask people for their thoughts and opinions when they attend your events. Seek out input from partners in the community.

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**Remember that the open space priorities you set will reflect who shows up for the discussion. If communities are left out of the open space planning process, their values and priorities will also be excluded.**



**Work to ensure that you are reaching a wide range of people and that all voices are heard.**

*Photo challenge: To encourage people getting outside during the COVID-19 pandemic, the Tewksbury Open Space and Recreation Plan Committee ran a photo contest, encouraging hikers to snap a selfie when hiking local trails. The entries were then assembled into this collage.*

Remember that the open space priorities you set will reflect who shows up for the discussion. If communities are left out of the open space planning process, their values and priorities will also be excluded. For example, if you have non-English-speaking residents in your community, are you providing outreach materials and translators in their native language? Are young people as well as old represented in discussions about open space? Does the timing of your public forums allow attendance by people with different work schedules than yours or by families with young children? Are you receiving input not only from hikers and mountain bikers but from hunters, snowmobilers, and ATV users?

Work to ensure that you are reaching a wide range of people and that all voices are heard. A great way to do this is by collaborating with community partners: request that they share information about open space and ask for input on what your committee should be doing.

**You can also expand your outreach by routes such as these:**

- Recruiting volunteers from high schools, colleges and universities, YMCAs, religious groups, or scouting troops
- Placing ads for community forums and OSC meetings in newspapers that serve specific ethnic groups (these frequently run ads in both English and the language of the target audience)
- Posting requests for new committee members or stewardship volunteer days on websites such as Volunteer Match ([volunteermatch.org](https://volunteermatch.org)) or Idealist ([idealist.org/en](https://idealist.org/en))
- Sharing events and requesting input at housing authorities, farmers markets, and social services organizations
- Collaborating with a broad range of community organizations and outdoor clubs



## Mapping

Once you understand your community's priorities for open space, you'll translate those values into actions by establishing what open space needs to be conserved and for what purpose. In addition, land conservation can be both proactive (reaching out to landowners) and reactive (responding to a land conservation opportunity when it arises). Being prepared for both approaches by understanding which parcels are a priority increases your likelihood of success.

An easy way to do this, even with limited time and resources, is through mapping. Using free mapping tools, you can easily inventory what open space exists in your community and identify parcels and landscapes to prioritize going forward. For example, if your town or city highly values working woodlands and wants more hiking trails, you can map local forests to see which are already protected, which might be under threat of development, and which already-existing routes could be connected with a new trail.

Mapping can identify potential conservation partners. Mapping those groups that have already conserved land locally will give you a sense of who is working in the region and their conservation priorities. This will let you identify potential collaborators for future projects as well as see how your work ties in with larger conservation initiatives, such as Wildlands and Woodlands ([wildlandsandwoodlands.org](http://wildlandsandwoodlands.org)) and the Massachusetts Resilient Lands Initiative.



You don't need specialized training or software to help determine your community's priorities. Some committees collaborate with the municipal agencies that regularly use GIS mapping or contract out mapping work to the regional planning commission.

**If you choose to do mapping work yourself, the next section describes several tools that can easily provide you with information about the ecological value of land in your town or city.**

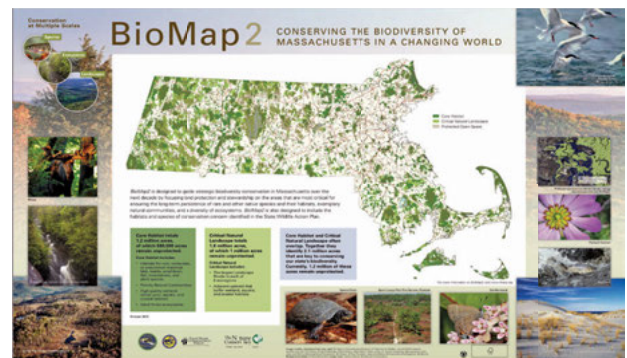
## BIOMAP2

The Commonwealth of Massachusetts has an established biodiversity conservation plan, BioMap2. This framework identifies core habitats and critical natural landscapes across the state categorized as high priority for permanent protection. BioMap2 analyses are a key reference when applying for state funding, as parcels and landscapes with high BioMap2 rankings score better on grant applications.

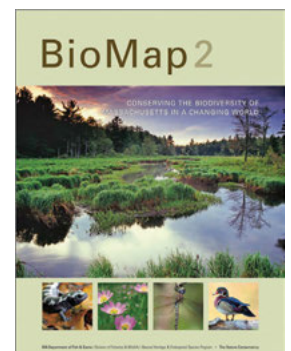
BioMap2 Core Habitat includes forests, aquatic regions, native Massachusetts species of concern, wetlands, and vernal pools. Critical Natural Landscape includes larger landscapes that remain intact or that can serve as buffers to crucial habitat. These analyses can be visualized through other mapping tools and can factor into your decisions about what land to focus on locally for conservation.

### Access BioMap2 at

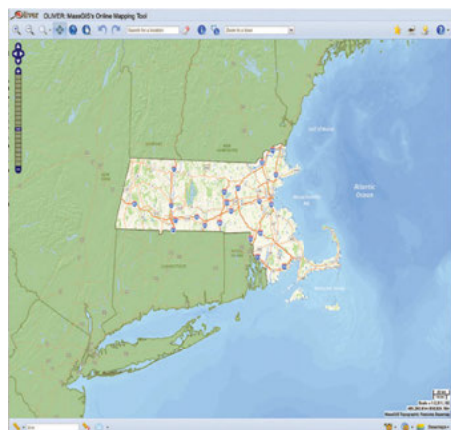
[mass.gov/service-details/biomap2-conserving-the-biodiversity-of-massachusetts-in-a-changing-world](http://mass.gov/service-details/biomap2-conserving-the-biodiversity-of-massachusetts-in-a-changing-world).



Download a copy of BioMap2 Core Habitat, or explore the interactive map, at [mass.gov/service-details/biomap2-conserving-the-biodiversity-of-massachusetts-in-a-changing-world](http://mass.gov/service-details/biomap2-conserving-the-biodiversity-of-massachusetts-in-a-changing-world).



**Two mapping tools that include BioMap2 analyses and that are particularly well scaled to the needs of Open Space Committees are OLIVER and MAPPR.**



## OLIVER

OLIVER is a mapping tool that aggregates and visualizes a wide variety of Massachusetts-specific data sets. Users can create their own maps made up of base layers of the most interest to them. This tool is particularly well suited to Open Space Committees: it is free, is user friendly, and does not require any software.

**Data layers that may be of particular interest to your OSC include the following:**

- Environmental justice populations
- Parcels
- Open space, including which parcels are protected and by whom, agricultural preservation restrictions, and scenic landscapes
- Trails and other recreational resources
- Wetland and water resources
- Physical resources, including aquifers, watersheds, and public water supplies; prime forest land; and soils and bedrock
- Massachusetts Historical Commission inventories
- Coastal and marine features

A new mapping tool is expected to replace OLIVER in late 2021. While the user interface will change, the underlying functionality will be largely similar and will remain an excellent tool for OSCs.

**Access OLIVER at**

*[maps.massgis.state.ma.us/map\\_ol/oliver.php](https://maps.massgis.state.ma.us/map_ol/oliver.php)*

## MAPPR

The MAPPR program, produced by Mass Audubon, visualizes which parcels are highest priority for conservation as defined by the BioMap2 program and accesses landowner information. Additionally, MAPPR allows users to weight parcels by which open space priorities are most important to them.

**Access MAPPR at**

*[massaudubon.org/our-conservation-work/advocacy/shaping-the-future-of-your-community/current-projects/mappr-project/mappr-tool](https://massaudubon.org/our-conservation-work/advocacy/shaping-the-future-of-your-community/current-projects/mappr-project/mappr-tool)*



### ADDITIONAL MAPPING TOOLS

Your conservation partners may use additional mapping tools, such as CAPS ([umasscaps.org](https://umasscaps.org)) and MISER. These programs contain significant additional complexity. It is likely you can meet your committee's mapping needs with the previously described tools. If additional resources are needed, collaborate with a partner who already uses those programs, such as staff in certain municipal departments or a local land trust.

Assessors' maps are likely to be useful to your OSC. These maps sometimes have information that has not yet been updated on more recent digital platforms. District registries may show you conservation restrictions that have been recorded but are not shown on assessors' maps.

Mapping your local open space can be a good first step for your OSC. For example, a priority map of the community or even a landscape within your town or city can be a bridge to planning an outreach effort that reaches landowners who own critical properties.

**You can access all the mapping tools discussed here at <https://ag.umass.edu/resources/land-conservation-tools>.**



You can share your mapped priorities with the land trusts and state areas working in your community. This will highlight areas of common interest and open the door to forming relationships with new partners.

Projects often arise suddenly. If one unexpectedly emerges in a priority area, previous outreach to partners can be an excellent foundation to build upon.

## The Open Space and Recreation Plan

The Open Space and Recreation Plan (OSRP) is a common tool for planning your town's or city's open space. The OSRP is a vision for your conservation and recreation goals that describes the historical and ecological context of the community, inventories current open space, gathers public input to understand the community's priorities, and lays out a high-level road map for achieving those objectives.

Having an approved OSRP opens a significant potential source of funding by making the town or city eligible to apply for several state-level open space grant programs. It also offers a way to educate residents about local conservation and recreation issues, both through community forums and input required by the planning process, and by explicitly identifying these issues within the plan itself. The OSRP integrates potentially disparate data sources to create a comprehensive picture of the community's natural resources, identifies actions that can protect and manage those resources, and reflects the conservation priorities of the community. It should not be a planning document that sits on a shelf but rather an active tool that serves a multitude of purposes.

End-to-end, writing an OSRP typically requires one to two years. Comprehensive in scope, it includes background about your town or city and its open space, an inventory of local environmental conditions, an inventory of open space of interest, the community's vision and needs, and goals and objectives for the open space. As noted, community input is a required component of the plan. The final plan must be reviewed and approved by the state; once approved, it is valid for seven years.



Remember that all information should be written and presented in a way that clearly communicates the implications for your community's open space. What does a growing or shrinking population mean for open space protection? You've identified that invasive

species are a concern; what actions will you take?

Even if your OSC contracts with a third party to shepherd creation of your OSRP, it will consume a large portion of your committee's capacity; in fact, some OSCs are formed solely to write the OSRP and then disband upon completion. Writing an OSRP can be a valuable process for your town or city, but if you aren't sure about your committee's ability to take it on (or to actively use the plan once it's created), there's plenty of other open space work to do. As previously discussed, community priorities can be understood through other routes, like mapping. Your committee may wish to focus its energies more on landowner outreach, building relationships with landowners and local land protection specialists, stewarding current open space, or other projects. Consider the big picture. Where does it make the most sense for your committee to spend its limited time and resources?



### RESOURCES FOR WRITING AN OSRP

**When writing an OSRP, particularly as an all-volunteer committee, ensure that you do the following:**

- Review completed OSRPs, particularly those of neighboring municipalities. Most are available on the town's or city's website.
- Stay in close contact with the state, which has a dedicated staff person who can help review plans and provide suggestions when you get stuck.
- Approach writing an OSRP as you would any other long-term project. Create a project plan at the beginning, assign pieces of work, and set deadlines.
- If you don't have the money to hire a third party to write the entire OSRP, consider outsourcing individual pieces (such as the inventory of open space) and writing the rest of the plan with your committee.

**A full review of the OSRP process can be found in the *Open Space and Recreation Planner's Workbook*, available at [mass.gov/doc/open-space-and-recreation-plan-workbook/download](https://mass.gov/doc/open-space-and-recreation-plan-workbook/download).**





## EXAMPLES OF OPEN SPACE PRIORITIES

Each town or city will have its own wants and priorities. Here are some examples of goals towns and cities have set for local open space in their OSRPs:

- Protect the local water supply and fresh and marine surface waters (Barnstable)
- Preserve local historic sites and provide fields for children's recreation (Scituate)
- Minimize net loss of forests and develop greenway connections with neighboring towns (Shrewsbury)
- Maintain the town's rural character and support the development of community art and festivals (Orange)
- Retain wetlands and floodplains as diverse habitat (New Marlborough)
- Support programs that encourage landowners to retain managed forests (Winchendon)

## CASE STUDY

### Writing an Open Space and Recreation Plan

Many towns and cities are concerned about their ability to write an OSRP as an all-volunteer committee. While it's true that many towns and cities rely on staff or contract a third party to develop their OSRP, it's entirely possible to develop your plan with an all-volunteer committee. In fact, many OSCs have viewed this as an advantage: when the process is driven by local community members, the OSRP benefits from volunteers' local knowledge, resulting in a document tailored to their town or city. For example, Upton's 2020 OSRP was written entirely by volunteer committee members, who divided up sections of the report that best aligned to their personal open space interests. Southwick's OSC had previous negative experiences with contracting out the OSRP process, finding that it produced a generic plan out of tune with their community. Thus, for its 2019 OSRP renewal, the committee found a small amount of funding to learn how to create GIS maps—a skill set the OSC had lacked—and wrote the plan themselves. While writing an OSRP takes a significant amount of time and effort, it is achievable by all-volunteer committees and can enrich the planning process.



# Land Protection Tools 101

Your region's open space offers significant community benefits. The forests, wetlands, trails, gardens, parks, historic sites, and other open spaces permanently conserved for public access will provide ecological, recreational, and health benefits to your local community for decades to come.

However, land ownership in Massachusetts is undergoing significant changes. Almost one-third of landowners in the Northeast report that they will be making decisions about their land's future ownership and use within the next five years. This means that the decisions made by those landowners will be a significant driver of open space in your community. Additionally, rising property values across the state are driving redevelopment of properties, which may open up new opportunities to create or restore open space, or establish new trail connections.

**You don't need to be an expert in these tools—your conservation partners will have extensive experience with each. Instead, focus on communicating their existence to landowners in order to show them that they have options when it comes to meeting their needs.**

Your OSC has priorities for your town's or city's open space. Land protection tools are what allow you to achieve those priorities. This segment of the handbook will review some of the tools you can use to conserve open space. You don't need to be an expert in these tools—your conservation partners will have extensive experience with each. Instead, focus on communicating their existence to landowners in order to show them that they have options when it comes to meeting their needs.

## Land Protection Tools

Land protection involves a wide variety of tools, often in combination with one another. While land trusts and your town's or city's Conservation Commission can provide the technical skills necessary to complete a conservation project, it is helpful to be familiar with the basics of the land protection tools available in order to understand which options may fit your scenario. The tools of **conservation-based estate planning** should be thought of as an à la carte menu from which the municipality and landowners choose the combination that will best meet their needs.

### KEY TERM

#### CONSERVATION-BASED ESTATE PLANNING

Elements of estate planning that deal directly with the goal of keeping some or all of a person's land in its natural, undeveloped state.

## Options for keeping some or all land in its natural state

TOOL	DESCRIPTION	DURATION
<b>Conservation Restriction</b>	An agreement in which a landowner restricts certain uses of a piece of land—such as development—but retains ownership. These are highly customizable to the needs of the landowner. Conservation restrictions must be held and monitored by a qualified organization, such as a land trust or a Conservation Commission. OSCs cannot hold conservation restrictions.	Permanent
<b>Fee Simple</b>	A form of ownership in which a property is owned outright.	Dependent on purchase agreement terms
<b>Chapter 61</b>	A program that reduces property taxes for landowners who enroll their lands in forestry, agricultural, or recreation programs. This does not permanently protect the property, but municipalities have a Right of First Refusal on properties that are enrolled in Chapter 61 when the landowner proposes sale for another use. Notably, municipalities can assign this Right of First Refusal to a land trust.	Temporary; in effect until the landowner withdraws from the program or does something to disqualify the land
<b>Limited Development</b>	A situation in which a landowner carves off a portion of the property for sale or development but conserves the rest. Sometimes mandated by zoning restrictions. Redevelopment of previously developed properties may also provide opportunities for conserving a portion of the property.	Permanent
<b>Bequest</b>	Donation of land or a conservation restriction through a will. This is a good approach if a landowner needs to keep the financial value of the property in reserve in case of unexpected medical bills or other needs but wants to be sure the land will be conserved if not sold within their lifetime.	Permanent
<b>Life Estate</b>	Transfers real estate while maintaining a landowner's right to use the property for the rest of their life. Control of the property automatically transfers to the city/town or conservation organization upon the death of the landowner.	Permanent





**Land ownership in Massachusetts is undergoing significant changes. Almost one-third of landowners in the Northeast report that they will be making decisions about their land's future ownership and use within the next five years.**

## ARTICLE 97

Article 97 land is subject to the protection of Article 97 of the Massachusetts State Constitution. Under Article 97, land held by a municipality or its Conservation Commission (whether under a fee simple purchase or a conservation restriction) for conservation purposes is not intended to be diverted for general municipal purposes and should thus be set aside as permanently conserved. However, simply voting to protect the property doesn't mean the work is done. It's important to check the deed language of existing commission-owned land and work closely with the town counsel or other authorized municipal legal support to ensure that deeds and other conveyances are drafted correctly to reflect Article 97 status.



Municipally owned land currently held for general municipal purposes can be transferred to a Conservation Commission or an Agricultural Commission to convey the protections of Article 97 for conservation purposes. In some cases, cities or towns

have used this for lands acquired decades earlier for failure to pay local property taxes and now represent a conservation opportunity. An important step in municipal open space planning is to inventory the conservation status of lands already held by the municipality in case there are opportunities to ensure their protection through reclassification of how they are held.

## CHAPTER 61 CURRENT USE TAX PROGRAMS

Massachusetts Chapter 61 programs give landowners an opportunity to reduce their property taxes in exchange for providing important public benefits like clean water, wildlife habitat, wood products, food, and outdoor recreation. They do this by offering a property tax break for landowners willing to commit to keeping some or all of their land undeveloped for a specific period of time. In exchange, the property's value is assessed for its forestry use (Chapter 61), agricultural use (Chapter 61A), or open space and recreation use (Chapter 61B), rather than its developmental value.

Although Chapter 61 programs are not permanent conservation programs, they are important to your OSC and can help keep large parcels undeveloped. Landowners enrolled in a Chapter 61 program may be strong candidates for future permanent conservation options. Chapter 61 helps maintain the affordability of open space in a community. If local landowners are interested in preserving their forested or agricultural land, but doing so poses a financial burden, you may be able to help them meet their needs through a Chapter 61 program.

**Access information about Chapter 61 programs, including the Chapter 61 tax calculator, at**

*[masswoods.org/landowner-programs/chapter-61-current-use-tax-programs](https://masswoods.org/landowner-programs/chapter-61-current-use-tax-programs).*

## RIGHT OF FIRST REFUSAL

Occasionally, a landowner may choose to withdraw their land from Chapter 61 and convert it to another use. This triggers the **Right of First Refusal (ROFR)**, under which the municipality has the option to match a bona fide offer to purchase the property. If the owner is not selling the property but is converting it to a non-Chapter 61 use, the municipality has an option to purchase the property at full market value as determined by an independent appraiser.



A city or town is given 120 days to exert ROFR or assign it to a qualified nonprofit, such as a land trust. This makes it important to consider and plan for these scenarios ahead of time. Make sure that your municipality's Chapter 61 properties are inventoried (perhaps as part of the open space inventory required by the OSRP) and that you understand which would be the highest priorities to conserve. Stay in touch with landowners enrolled in Chapter 61 so that you have some warning as to when this might happen—it is always easier to work with landowners *before* notice of intent to convert. Build strong connections with other town boards so that you know when properties are being converted to a noncompatible use. It may make sense to have a policy in place stating which boards will be notified and given the opportunity to weigh in when an ROFR option emerges.

The municipality has the right to assign its option to a land trust, another nonprofit conservation organization, or the Commonwealth

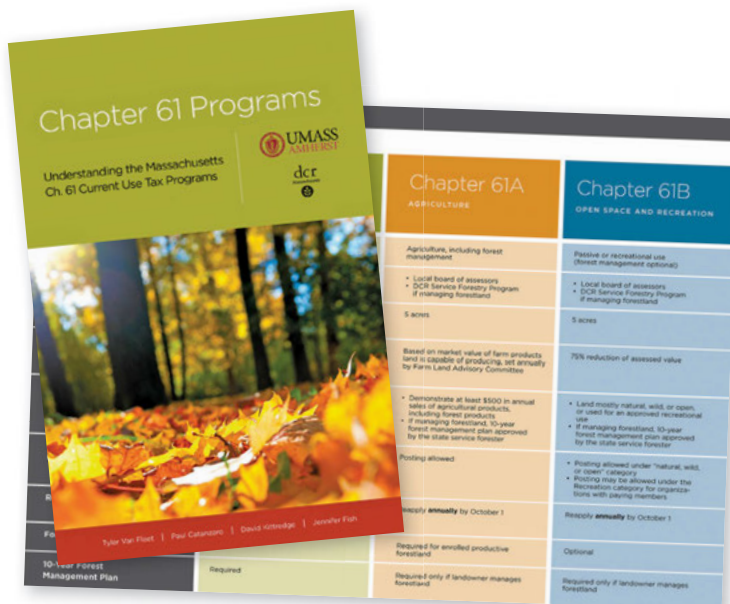
itself. This can be a promising path when the town or city is unable to acquire the parcel but a land trust has a strong interest in the property. Transferring the option also resets the 120-day window to act. This is another reason to keep the lines of communication open with your local land trust: it will help you understand the local land trust's priorities and when it may be interested in receiving the ROFR option.

**For additional information on municipalities, Chapter 61, and Right of First Refusal, refer to *Conservation and Land Use Planning under Massachusetts' Chapter 61 Laws* at [mountgrace.org/fileadmin/files/Publications/MGLCT\\_Chapter\\_61\\_Handbook.pdf](http://mountgrace.org/fileadmin/files/Publications/MGLCT_Chapter_61_Handbook.pdf).**

## Shelburne Chapter 61 Right of First Refusal Policy

The town of Shelburne's Select Board established a Chapter 61 Right of First Refusal Policy that specifies the process of review and decision-making for any ROFR. This saves significant time when a new option emerges, increasing the likelihood of success when attempting to acquire a property at risk of conversion. The policy encourages local landowner enrollment in Chapter 61, specifies which boards and committees will receive the relevant information, requires a public hearing to be scheduled and public comment solicited, and outlines the procedure for exercising its option or transferring it to a qualified nonprofit organization.

**Access the full policy at**  
[masswoods.org/sites/masswoods.net/files/pdf-doc-ppt/shelburne\\_rofr\\_policy.pdf](http://masswoods.org/sites/masswoods.net/files/pdf-doc-ppt/shelburne_rofr_policy.pdf).



To read more about Chapter 61, visit  
[masswoods.org/sites/masswoods.org/files/pdf-doc-ppt/Ch61-Programs-Revised-2018\\_o.pdf](http://masswoods.org/sites/masswoods.org/files/pdf-doc-ppt/Ch61-Programs-Revised-2018_o.pdf)

### KEY TERM

#### RIGHT OF FIRST REFUSAL

A municipality's legal option to purchase a property that is being converted from a Chapter 61 use to a non-Chapter 61 use.

## LANDOWNER RELATIONSHIPS



Perhaps the most important role you can play to encourage land conservation in your community is simply that of a good neighbor. Land conservation relies on landowners willing to conserve their property. Landowners often turn to peers—respected friends, neighbors, and community leaders—to provide information on conservation options and to help them think everything through. These conversations are critical in helping landowners digest technical information and gain an understanding of how each option may meet their needs. As a leader in your community, you are a key resource landowners can turn to. Cultivating relationships with landowners is a crucial role you can play as part of an OSC.

### IDENTIFYING INTERESTED LANDOWNERS

The time between a landowner first inquiring about conservation options and the actual protection of a property can amount to years. Landowners are busy living their lives, and any decisions they make are often intertwined with their entire estate planning process. Be patient! Something will arise at some point that will trigger their decision. When that happens, it would be ideal if the landowner had a trusting relationship with local people who can help provide options.

### Some common triggers for decisions about land and estates include the following:

- Age
- Health issues (landowners, family members, or friends)
- Change in financial circumstances
- Life events, such as births, death, marriages, and divorces
- Family dynamics
- Seeing another family struggle with the decision of what to do with the land
- Nearby development



*A group of landowners attends a community workshop to learn about options for local land conservation.*

### OUTREACH

While helping landowners learn more about the community significance of their land and their conservation-based estate planning tools is vital, equally important are the relationships created through outreach.

As a municipal board member, you may be interested in providing resources to landowners through mailings or an outreach event. Events that focus on issues relevant to land ownership—such as wildlife, recreation, land management, and natural history—can be natural entry points into these discussions and may already be things you host in your community to promote local open spaces. Wherever possible, seek introductions to landowners from mutual acquaintances. Landowners who do not respond to a mailing or attend events may be receptive to outreach from a connection.


Understanding your long-term land conservation priorities will help you cultivate a list of high-priority landowners to reach out to. An inventory of properties currently enrolled in Chapter 61 programs may also be helpful in identifying interested landowners.

Remember, this process can take a long time—often many years. Keep cultivating your relationships! Don't be discouraged if a landowner doesn't respond right away. Like all of us, landowners are busy people, and any decision they are going to make about the future of their land will likely happen only once.

Success protecting open space doesn't often happen in just a year or two. Take a long-term view of protecting the land. Look ahead to what your future priorities are and consistently cultivate relationships and opportunities over time. Remember: there are important community goals beyond permanently protecting additional properties, such as ensuring strong stewardship of the open space that is already protected.

Your committee is working with limited time, energy, and resources. Focus your efforts on protecting those parcels that will be most important to you and your community for generations to come.





### **Community concern:** **“Protecting more open space will reduce the tax base of our community.”**

A common objection to open space protection is a reduction in revenue due to a decreased tax base. However, the cost of providing municipal services on developed land frequently outstrips any fiscal benefit from new property taxes. A 2019 study of four Massachusetts communities found a higher expense-to-revenue ratio for residential land than for open space.<sup>1</sup> In all four towns, residential land expenses outstripped revenue, but revenue from open space outstripped expenses. Parks and open space also generate economic activity. One study by The Trust for Public Land found \$4 of economic benefit returned for every \$1 invested in Massachusetts land conservation.<sup>2</sup> In some circumstances, open space may increase the tax base by adding value to properties adjacent to protected areas.<sup>3</sup> Finally, open space provides a range of natural benefits to a city or town, such as protection for drinking water, flood and stormwater management, and healthy outdoor recreation opportunities. Make sure these values are communicated to the community.

### **MATCHING CONSERVATION ORGANIZATIONS WITH LANDOWNERS**

Just as landowners have a range of goals for their land, conservation organizations have diverse priorities as to which parcels they want to conserve. A national or statewide land trust may want large parcels containing certain types of wildlife habitat; a local or regional land trust may focus on lands of historical importance to the community; the community may wish to have fee simple properties that protect the municipal water supply. By having a preexisting relationship with land trusts operating in your community, you can make an introduction between an interested landowner and the land trust; the land trust can then help match the landowner with an organization with similar priorities. If you aren't sure where to direct a landowner interested in conservation, simply ask a land protection specialist at your local land trust or look up a professional at [masswoods.org/professionals](https://masswoods.org/professionals).

### **CASE STUDY**

#### **20 Years of Protecting Open Space in Holliston**

In 2000, Holliston set a goal to permanently protect 25% of the town as open space; since then, its Open Space Committee has successfully conserved 410 acres. For OSCs looking to complete similar projects, the Holliston OSC recommends doing the following:

- Cultivate community support by communicating the benefits of open space.
- Keep lines of communication open with town boards, such as the Conservation Commission and Select Board.
- Start building relationships with landowners *before* properties come up for sale. Share information on conservation options and request introductions from mutual acquaintances.

1. Helena Murray and Paul Catanzaro, *Fiscal Impacts of Land Use in Massachusetts: Up-to-Date Cost of Community Services Analyses for 4 Massachusetts Communities* (Amherst, MA: University of Massachusetts at Amherst, 2019).

2. The Trust for Public Land, *The Return on Investment in Parks and Open Space in Massachusetts*, September 2013, [www.tpl.org/sites/default/files/cloud.tpl.org/pubs/benefits-ma-roi-report.pdf](https://www.tpl.org/sites/default/files/cloud.tpl.org/pubs/benefits-ma-roi-report.pdf).

3. Tyler Reeves, Bin Mei, Pete Bettinger, and Jacek Siry, “Review of the Effects of Conservation Easements on Surrounding Property Values,” *Journal of Forestry* 116, no. 6 (2018): 555–62, <https://doi.org/10.1093/jofore/ivy046>.



# Funding

You no doubt have a long list of local properties to conserve, trails to build, and community outreach events to host. But how do these projects get funded? Finding the money to achieve your OSC's goals and priorities can be a daunting task, particularly in communities with heavy development pressures where land prices continue to rise. Fortunately, OSCs across the state have conserved open space and completed all manner of recreational projects while using a wide variety of funding sources.

## KEY TERM

### COMMUNITY PRESERVATION ACT

**(CPA)** A surcharge on local property taxes to fund open space, historic preservation, housing, recreation, and other projects. Must be passed through town referendum. The state provides matching funds.



A key first step in funding open space is understanding your community's priorities. Does your town or city need more hiking trails or more playgrounds? Housing for seniors or for young families? Knowing what you need will save you valuable research time when grant applications emerge or other sources of funding appear. If a community has expressed support for conserving a certain piece of land and that support is written into the OSRP, it will already be a documented priority when that parcel comes on the market and more likely to generate community enthusiasm.

When evaluating how to best fund an open space project, consider the unique characteristics of the land itself. Is it a large parcel that abuts a state forest? The Commonwealth of Massachusetts may be a good funding partner. Is it a piece of land of high ecological value that abuts already conserved land or creates a corridor between significant natural resources? Perhaps a local land trust is interested in seeing it conserved. Is it a property already well known and loved in the community? Getting **Community Preservation Act** funds approved or holding a fundraiser might be the fastest option. Evaluating how the project's goals and ecological characteristics align with potential funding sources will illustrate the best path forward.



The Finance Committee, treasurer, and others in municipal government can be extremely helpful partners in creating a conservation finance strategy that makes sense for your community's fiscal situation. Taking the time to work with the right decision-makers to craft a workable funding strategy early on will set you up to make as strong a case as possible during town meetings if a vote is required on a warrant article. Your local land trust or Regional Conservation Partnership may be able to provide logistical or financial support for the application, help you brainstorm possibilities, and put you in touch with people from other communities who successfully completed similar projects.



Finally, reach out to your peers on other Open Space Committees. Many all-volunteer OSCs across the state have successfully funded open space projects and can serve as valuable sources of advice.

## Funding Sources

Some major sources of funding are described in the following pages. However, these should only be used as a starting point. Different cities and towns will have their own unique funding streams (in Holliston, the revenue from cell towers on top of water towers is dedicated to open space), and local partnerships may open new opportunities. Explore local grants, see if there's room in your town's or city's budget, and keep your options open.

## STATE GRANTS

The Commonwealth of Massachusetts awards open space funds through several state-level grant programs. While a range of projects—from groundwater protection to recreational trail development—may qualify, the grant process is competitive. Most require the town or city to have an up-to-date Open Space and Recreation Plan.

**Full grant information, including deadlines and detailed application requirements, can be found on the Commonwealth of Massachusetts's website at [mass.gov](https://www.mass.gov).**

**Turn the page to find a partial list of state grant programs.**



## State Grant Programs

STATE GRANT	PURPOSE	ALLOWABLE USES OF FUNDS
<b>Agricultural Preservation Restriction Program</b> <a href="https://mass.gov/agricultural-preservation-restriction-apr-program">mass.gov/agricultural-preservation-restriction-apr-program</a>	Conserving agricultural land	Purchase of an agricultural preservation restriction
<b>Conservation Assistance for Small Communities Grant Program</b> <a href="https://mass.gov/how-to/apply-to-the-conservation-assistance-for-small-communities-grant-program">mass.gov/how-to/apply-to-the-conservation-assistance-for-small-communities-grant-program</a>	Assist small communities in conservation planning	Conduct appraisals, develop or update an OSRP, develop planning documents
<b>Conservation Partnership Grant Program</b> <a href="https://mass.gov/service-details/conservation-partnership-grant-program">mass.gov/service-details/conservation-partnership-grant-program</a>	Acquisition of conservation land by nonprofit entities	Acquisition or costs associated with acquisition (e.g., title search, survey, legal fees, and baseline documentation report)
<b>Drinking Water Supply Protection Grant Program</b> <a href="https://mass.gov/service-details/drinking-water-supply-protection-grant-program">mass.gov/service-details/drinking-water-supply-protection-grant-program</a>	Land acquisition that protects the public drinking water supply and its quality	Purchase of land in fee simple, or purchase of a conservation restriction or a watershed preservation restriction in existing wells/intakes, in planned wells/intakes, or for groundwater recharge
<b>Gateway City Parks Program</b> <a href="https://mass.gov/service-details/gateway-city-parks-program">mass.gov/service-details/gateway-city-parks-program</a>	Creation and restoration of parks and recreational facilities in underserved urban neighborhoods	Brownfields assessment and cleanup, park planning, recreational needs assessments (including OSRP development), design, construction, and other park expenditures
<b>LAND Grant Program (Local Acquisitions for Natural Diversity Grant Program)</b> <a href="https://mass.gov/service-details/local-acquisitions-for-natural-diversity-land-grant-program">mass.gov/service-details/local-acquisitions-for-natural-diversity-land-grant-program</a>	Land acquisition for conservation and recreation	Purchase of land in fee simple or purchase of a conservation restriction; land may be forest, field, wetland, wildlife habitat, or a unique natural, cultural, or historic resource; some farmland also qualifies



GRANT AMOUNT	REQUIREMENTS	FUNDING STRUCTURE	ELIGIBILITY
Up to \$10,000 per acre	Farms must be at least 5 acres in size, have been devoted to agriculture for the two immediately preceding tax years, and produce at least \$500 in sales for the first 5 acres and \$5 for each additional acre	Direct payment	20% of the funding must come from partners, such as a land trust, municipality, or landowner donation
<ul style="list-style-type: none"> <li>• Appraisals: up to \$3,000</li> <li>• OSRP development: up to \$12,500</li> <li>• Other project documents: up to \$5,000</li> <li>• Grants may fund up to 80% of total project costs</li> </ul>	Town must be completing the appraisal or planning process in order to subsequently apply to the LAND, PARC, Drinking Water Supply Protection, or Landscape Partnership Grant programs	Reimbursement	Town has a population of 6,000 or less
<ul style="list-style-type: none"> <li>• Acquisition: up to \$85,000; grants may fund up to 50% of total project costs</li> <li>• Due diligence for gifts: up to \$10,000</li> </ul>	Projects must include conveyance of a conservation restriction to a municipality, a federal or state agency, or a nonprofit corporation	Reimbursement	The community's OSRP must demonstrate support for the specific project
Up to \$350,000; grants may fund up to 50% of total project costs	Land must allow public access for passive recreation and be currently unprotected; the Massachusetts Department of Environmental Protection must approve of the acquisition for water supply purposes	Reimbursement	All municipalities
Grants average \$500,000	Funding is prioritized for projects that support broader urban revitalization; are ineligible for other funding sources; demonstrate strong support from city leaders; engage local businesses and neighbors in financing, programming, and stewardship; and/or are accessible to environmental justice populations	Reimbursement	Gateway cities (see state website for full list)
Up to \$400,000; grants must fund between 52% and 70% of total project costs	Public access to the land	Reimbursement	Community must have an up-to-date OSRP

continued on page 24

## State Grant Programs (cont.)

STATE GRANT	PURPOSE	ALLOWABLE USES OF FUNDS
<b>Landscape Partnership Grant Program</b> <a href="https://mass.gov/service-details/landscape-partnership-grant-program">mass.gov/service-details/landscape-partnership-grant-program</a>	Purchase large, unique, unfragmented conservation and working landscapes to sustain the integrity and resilience of ecosystems and the viability of local farm and forest economies	Purchase of land in fee simple for conservation, forestry, agriculture, or water supply; purchase of a conservation, agricultural preservation, or watershed preservation restriction; towns with a population below 6,000 may use funds to develop a park or playground
<b>Massachusetts Land and Water Conservation Fund Grant Program</b> <a href="https://mass.gov/service-details/massachusetts-land-and-water-conservation-fund-grant-program">mass.gov/service-details/massachusetts-land-and-water-conservation-fund-grant-program</a>	Acquisition, development, and renovation of parks, trails, and conservation areas	<ul style="list-style-type: none"> <li>• Acquisition: acquisition cost of land</li> <li>• Renovation/development: engineering, design, construction, construction supervision</li> <li>• Trails: development and marking of trails</li> </ul>
<b>MassTrails Grants</b> <a href="https://mass.gov/guides/masstrails-grants">mass.gov/guides/masstrails-grants</a>	Recreational trails and shared-use pathways	Trail and shared-use pathway development, design, engineering, permitting, construction, and maintenance, including amenities that support trails
<b>PARC Grant Program</b> (Parkland Acquisitions and Renovations for Communities Grant Program) <a href="https://mass.gov/service-details/parkland-acquisitions-and-renovations-for-communities-parc-grant-program">mass.gov/service-details/parkland-acquisitions-and-renovations-for-communities-parc-grant-program</a>	Acquire and develop land for parks and outdoor recreation	Acquire parkland, build a new park, or renovate existing parks
<b>Urban and Community Forestry Challenge Grants</b> <a href="https://mass.gov/guides/urban-and-community-forestry-challenge-grants">mass.gov/guides/urban-and-community-forestry-challenge-grants</a>	Improve and protect urban forests	Projects that result in sustained improvement in capacity for urban and community forestry, including but not limited to community organization development, tree inventories, tree plantings, and forestry master planning



GRANT AMOUNT	REQUIREMENTS	FUNDING STRUCTURE	ELIGIBILITY
Up to \$1,250,000; grants may fund up to 50% of total project costs	Project must protect at least 500 acres of land; at least 500 acres of the parcels must be contiguous or linked to other permanently protected lands	Reimbursement	Applications must be submitted jointly by two or more of the following: municipality; non-municipal public water supplier; nonprofit 501(c)(3) organization; government agency
Up to \$1,000,000 if project will have an impact on climate resiliency, up to \$750,000 for all other projects; minimum award is \$50,000; grants may fund up to 50% of total project costs	Public access allowed; for recreation projects, acquired/renovated land must be dedicated as parkland	Reimbursement	Municipalities that have an OSRP that is under review or approved; federally recognized tribes
Between \$5,000 and \$100,000, with up to \$300,000 for projects demonstrating critical regional connections	20% match by grantees required, with higher matched percentages given priority	Reimbursement	Demonstrated community support and landowner permission for trail construction
Up to \$400,000; grants must fund between 52% and 70% of total project costs	Public access to the land; projects must be suited to outdoor recreation	Reimbursement	Year-round population of at least 35,000 residents OR a town of any size that has an authorized park/recreation commission (see <a href="https://www.mass.gov">mass.gov</a> for additional qualification opportunities for smaller towns) Community has an up-to-date OSRP
<ul style="list-style-type: none"> <li>Up to \$30,000</li> <li>50/50 match rate for all projects; 75/25 match for projects in environmental justice neighborhoods</li> </ul>	Submit an intent to apply notice by October 1; full proposals due November 1	Reimbursement	All communities eligible for funding under \$7,000; projects over \$7,000 must be in a community designated Tree City USA

**Full grant information, including deadlines and detailed application requirements, can be found on the State of Massachusetts website at [mass.gov](https://www.mass.gov).**



## CASE STUDY

### Acquiring open space with MVP funds

In 2019, Mattapoisett received an MVP Action Grant to acquire the 120-acre Pine Island Pond watershed conservation parcel, an area vulnerable to climate change and under significant development pressure.

The town of Mattapoisett purchased a conservation restriction on the parcel, which enabled the Mattapoisett Land Trust (MLT) to buy the land itself. Abutting conservation land resulted in a contiguous 400 protected acres consisting of freshwater wetlands and salt marshes, which contain species recognized by **MassWildlife's Natural Heritage and Endangered Species Program**. The purchase provides public access for hiking and waterfront recreation, protected shoreline, local water quality, shell-fishing resources, and a historic site important to the local community.

The MVP Action Grant awarded \$960,000 for the project. The town of Mattapoisett contributed \$250,000 from the town's Community Preservation Act and general funds. The MLT raised an additional \$250,000 through foundations and individual donors, for a total project cost of \$1,460,000.<sup>4</sup>

#### KEY TERM

##### **MASSWILDLIFE'S NATURAL HERITAGE AND ENDANGERED SPECIES PROGRAM**

A state program to protect vulnerable native plant and animal species.

##### **BARGAIN SALE**

The sale of land or a conservation restriction for a price below its fair market value.



## A NOTE ON REIMBURSEMENTS AND MATCHING FUNDS

If you're applying to a state grant that functions as a reimbursement, the bid document posted for the grant will describe the process the municipality needs to follow to apply for the grant and to subsequently authorize spending and reimbursement under the grant if a contract is awarded. The bid document will also clearly describe the level of reimbursement and the eligible sources of match funding. Public grants will almost always require some level of cash match; for every dollar of public funding awarded in a contract, the state will require matching funds from other sources. The ratio of grant dollars to match dollars varies across grants. Community fundraising, Community Preservation Act funding, and grants from private foundations can generally be used as matching funds. If a landowner is willing to sell a property for less than its appraised fair market value, the value of that discount may also count toward the match.

## MUNICIPAL VULNERABILITY PREPAREDNESS PROGRAM

The Municipal Vulnerability Preparedness (MVP) program is a state-funded grant for awards of up to \$2 million to build resistance to climate change impacts. Because the program prioritizes nature-based solutions that achieve multiple community benefits, it is well aligned to many town and city community-identified open space and recreation priorities and is particularly suited to collaborations.

Previous funds have been awarded for a range of purposes, such as acquiring land for conservation, green infrastructure solutions for flood control, writing an OSRP, and community education and outreach.

**More information on the MVP program, including grant deadlines and contact information for MVP regional coordinators, can be found at**  
<https://resilientma.org>.

## COMMUNITY PRESERVATION ACT FUNDS

The Community Preservation Act (CPA) allows Massachusetts towns and cities to add a surcharge of up to 3% on local property taxes, funds that can then be used for affordable housing, outdoor recreation, historic preservation, and open space protection projects.

A CPA trust fund, administered by the Commonwealth, provides matching funds to participating communities. In 2020, an additional \$55.6 million was distributed to communities that had passed the CPA. These additional state-provided funds are what make the CPA program so valuable. To fund larger projects, towns and cities can also issue bonds against future revenues.

Each town must approve the CPA via referendum. As of May 2021, 187 cities and towns across Massachusetts have passed the CPA, raising over \$2.5 billion. These funds have been used to protect over 31,861 acres of open space, build more than 2,700 outdoor recreation projects (such as trails and parks), create more than 7,700 units of affordable housing, and restore over 5,800 historic sites.<sup>5</sup>



CPA funds are often the largest municipal source of revenue for preserving open space. Over time, the CPA can provide hundreds of thousands of dollars in funding for a municipality on a consistent basis.

A highly flexible program, it can pay for projects of varying sizes and focus, responding to the community's current open space priorities. Grant programs and partnerships with other organizations, such as land trusts, frequently require an OSC to contribute at least partial funding to projects, and the CPA provides a way to do so. Since the CPA is a reliable source of funds, it makes committing to multiyear conservation projects possible.

If your community has not yet passed the CPA, raising the public support necessary to pass a CPA referendum is likely a wise time investment, as it will lay the financial groundwork for decades of open space protection.

## FUNDRAISING

Fundraising campaigns can serve a dual purpose of raising money and increasing public awareness and support of open spaces. Fundraising can be simple—for example, the West Bridgewater OSC raffles off items donated by local businesses to pay for an annual community Riverwalk. It can also be a complex, multiyear endeavor—for example, the West Newbury OSC assisted Greenbelt, Essex County's land trust, in raising over \$200,000 to purchase a local farm.

Fundraising is rarely sufficient to cover everything needed for open space acquisition projects. However, it can pair well with state grants and CPA funds. Additionally, some landowners may be willing to consider a **bargain sale** or even an outright donation. Such generosity from the landowner can be a selling point when seeking subsequent public funding or private contributions.

When considering a fundraising campaign, evaluate the capacity and skill sets of your OSC. Fundraising can be a multiyear commitment and requires significant follow-through from those participating. Consider what will happen with raised funds if you begin a campaign but are unable to raise the full required amount. Collaborating with other local partners will greatly strengthen long-term fundraising work.

Finally, always maintain a high degree of transparency with the local community. Be clear what the fundraiser will cover, where any other required funds will be coming from, and what the financial impact on residents will be.

## FEDERAL GRANTS

Federal grants offer some of the largest funding amounts but are also the most competitive. They are best suited for OSCs that have long-term relationships with both state agencies and land trusts and should not be considered the first stop for funding open space projects.

**Turn the page to find a partial list of federal grant programs.**

4. "Pine Island Pond Watershed Lands," Town of Mattapoisett. Accessed at [mass.gov/doc/project-summary-slides/download](https://mass.gov/doc/project-summary-slides/download).  
5. "CPA: An Overview," Community Preservation Coalition, accessed May 2021, [www.communitypreservation.org/about](https://www.communitypreservation.org/about).

# Federal Grant Programs

FEDERAL GRANT	PURPOSE	ALLOWABLE USES OF FUNDS
<b>Agricultural Conservation Easement Program—Agricultural Land Easements and Wetland Reserve Easements<sup>6</sup></b> <a href="https://nrcs.usda.gov/wps/portal/nrcs/main/national/programs/easements">nrcs.usda.gov/wps/portal/nrcs/main/national/programs/easements</a>	Conservation and restoration of wetlands in areas previously used for agriculture	Easement value (including recording costs) and restoration costs
<b>Forest Legacy Program</b> <a href="https://fs.usda.gov/managing-land/private-land/forest-legacy">fs.usda.gov/managing-land/private-land/forest-legacy</a>	Protect environmentally important forestland from conversion to non-forest uses	Forestland acquisition (either fee simple or conservation restriction), appraisal, title, survey, and other associated costs
<b>North American Wetlands Conservation Act Grants</b> <a href="https://fws.gov/birds/grants/north-american-wetland-conservation-act.php">fws.gov/birds/grants/north-american-wetland-conservation-act.php</a>	Conserve wetlands and wetland-dependent fish and wildlife	Direct and indirect costs for conservation and restoration work
<b>Outdoor Recreation Legacy Partnership Grant Program</b> <a href="https://mass.gov/service-details/outdoor-recreation-legacy-partnership-grant-program-orlpp">mass.gov/service-details/outdoor-recreation-legacy-partnership-grant-program-orlpp</a>	Connect residents of urban areas to playgrounds, particularly in areas without recreational resources	Buying parkland, renovating existing parks, and building new parks
<b>USFS Community Forest Program</b> <a href="https://fs.usda.gov/managing-land/private-land/community-forest">fs.usda.gov/managing-land/private-land/community-forest</a>	Establish community forests	Land acquisition and technical assistance

6. See the Agricultural Conservation Easement Program fact sheet at [nrcs.usda.gov/wps/PA\\_NRCSCconsumption/download/?cid=nrcseprd1300336&ext=pdf](https://nrcs.usda.gov/wps/PA_NRCSCconsumption/download/?cid=nrcseprd1300336&ext=pdf).



GRANT AMOUNT	ELIGIBILITY	STATE CONTACT
<ul style="list-style-type: none"> <li>• Up to 100% of all costs for permanent easements</li> <li>• Up to 75% of costs for 30-year easements</li> </ul>	Easements should restore, protect, and enhance wetlands.	USDA state office
Up to \$7,000,000; grants may fund up to 75% of project costs	Project must be in an identified Forest Legacy Area. Projects of 2,000 acres or more are most competitive.	Department of Conservation and Recreation
<ul style="list-style-type: none"> <li>• Small grants: up to \$100,000</li> <li>• Standard grants: up to \$1,000,000</li> </ul> <p>All funding must be matched 1-to-1 by the applicant</p>	Project must demonstrate long-term wetland benefits that can be completed within two years and that show a clear connection between money spent and long-term outcomes.	Atlantic Coast Joint Venture
Between \$300,000 and \$1,000,000	Each state can submit up to four applications to the National Park Service for funding consideration. Applications submitted to the state will then be considered for submission nationally. Project must be located in an “urbanized area” as defined by the Census Bureau (see <a href="https://www.mass.gov/media/1286/download">mass.gov/media/1286/download</a> ). The municipality must have an active OSRP.	Division of Conservation Services
<ul style="list-style-type: none"> <li>• Up to \$600,000</li> <li>• Applicant must provide a 50% match of project costs from a non-federal source</li> </ul>	Requires full fee title acquisition. Must allow public access and be managed under a community forest plan to provide community benefits. Project must be at least 75% forested.	Department of Conservation and Recreation

## CONCLUSION

Don't let the idea that your OSC lacks funding stop you from attempting to achieve your town's or city's open space priorities. A little can go a long way. The Tewksbury Open Space and Recreation Plan Committee was able to plant seven pollinator gardens with a one-time \$2,000 grant from its local Massachusetts Cultural Council, while the Dracut OSC received a one-time town budget allotment to purchase a trailer for transporting trail stewardship tools.

**Building appreciation of open space in your community can increase subsequent support for local funding. Accomplish what you can with what you have, and be sure to keep your plans at hand should future funding sources emerge.**

# Stewardship of Conserved Land

“Why do we need more land?  
We don’t do anything with the  
land we already have!”

As a member of your community’s OSC, you may be responsible for the stewardship of conservation land owned by your community. Forests dominate the landscapes of Massachusetts, covering almost two-thirds of the land area. It is likely that the upland conservation lands that you are responsible for stewarding are dominated by forests or will progress to forest if not actively managed as fields. The goal of this section is to help you better understand some of the most common considerations and goals of forested conservation land and provide resources to help inform your stewardship decisions.

Forested land is often conserved because it holds a unique value, such as wildlife habitat, the protection of a public water supply, or recreational opportunities. Maintaining these values sometimes necessitates stewardship interventions. For example, controlling invasive plants might be necessary to protect native vegetation. If left as is, the unique conservation value of the land could be lost. Active stewardship approaches provide an opportunity to enhance and diversify the types of benefits that the land provides.



Beyond the ecological benefits, land stewardship is an ideal way to engage with your community, demonstrate the value of conservation land to community members, and encourage the protection of additional land.

Information on common topics that can help you consider the best approach(es) to the stewardship of your community’s conservation land follows.

## Understand the Land’s Landscape Context

Providing ecosystem services often requires a scale more extensive than your community’s conservation land. Most wildlife species depend on habitat larger than one piece of land for survival. Your community’s conservation land likely represents only a portion of a watershed. Even recreational trails are more fun when they are part of a larger network of trails in the area. In maximizing the benefits of your community’s land, it is important to see its role within the surrounding properties and the landscape context. Each parcel of land is unique, possessing a combination of ecological and cultural resources all its own, and each has a distinctive set of challenges and opportunities. In addition, each parcel lies within a particular landscape context. This means that you should evaluate each parcel of land individually, as well as its stewardship options.

Like a puzzle piece, land fits among the surrounding landscape—whether currently protected as open space or not. What role does it play at this landscape scale? What types of habitats and recreational opportunities does it provide? Are there stewardship activities you can implement that will enhance the landscape value? Considering how a property interacts with the landscape is an important step in determining your options for the stewardship of conservation land. A forester or other natural resource professional can help define your landscape context and help you better understand the unique role your land plays. To find a forester working in your region, visit [masswoods.org/professionals](http://masswoods.org/professionals).



## INVASIVE PLANT AND INSECT SPECIES

One way to actively engage with your community forest, wetlands, and fields and increase their resilience is to control invasive plants. Many invasive plants are non-native. Their presence and ability to take over an area can cause ecological harm, as they outcompete native plants and provide inferior food and habitat for native wildlife species. Learn to identify the most common invasive plants in your region and then walk conservation land to determine if you have any on your town's or city's properties. Being vigilant and identifying small infestations makes control far more manageable and cost-effective. For some species, manual control—like pulling, cutting, and removing individual stems—will be sufficient. For others, removal might require the use of chemical herbicides. Many community members are wary of the environmental effects of using chemicals on their land, yet there are relatively safe options and application methods. For more information about invasive plants and their control, visit the Massachusetts Invasive Plant Advisory Group website: [massnrc.org/mipag/index.htm](http://massnrc.org/mipag/index.htm).

Increases in global trade have led to the movement of insects and diseases around the world. Some of these invasive insects (the emerald ash borer, the Asian long-horned beetle, the hemlock woolly adelgid) have resulted in significant tree mortality. Although dead logs and snags are a healthy part of all forests, insects without natural predators result in tree mortality out of balance with natural forest development. Keeping up to date on what species are of concern in your area will allow you to keep an eye out for early signs. If you find invasive pests or diseases on your property, contact your state's natural resource department.

For more information about invasive insects, visit the Massachusetts Introduced Pests Outreach Project website: [massnrc.org/pests/factsheets.htm](http://massnrc.org/pests/factsheets.htm).



## WILDLIFE

Many communities want their conservation lands to benefit wildlife. All forests provide wildlife habitat in some way. Wildlife responds primarily to forest structure, so the kind of habitat your forest provides depends mostly on its age. Any change in your forest structure, whether through a passive or an active approach, will benefit some wildlife species and discourage others. Wildlife species require certain habitat types to live, breed, or assist in migration and movement. Many of our current forests are approximately 100 years old due to historical

land use and are already providing habitat for one set of species. This means that the habitats that are often lacking in a landscape are very young forests (0–15 years old), known as early successional habitats, and very old forests (>200 years old), known as late successional forests.

If your community owns land that includes fields and you are interested in focusing on wildlife such as grassland birds or pollinators, those areas can be maintained as open space with a mowing schedule. If the fields are in hay production, a delayed mowing schedule can accommodate wildlife species and allow for a productive haying season. Protected shrublands and meadows provide necessary habitat and food sources for grazers, birds, insects, and other small wildlife, but they are a dwindling biome type in Massachusetts.

There are additional programs that help landowners with field management; to learn more, contact your state's Natural Resources Conservation Service office.

Another excellent resource is the Massachusetts State Wildlife Action Plan ([mass.gov/service-details/state-wildlife-action-plan-swap](http://mass.gov/service-details/state-wildlife-action-plan-swap)), which identifies the species of greatest conservation need, the 24 types of habitat supporting those species, and the actions you can take to help conserve those ecosystems.

## Stewardship Resources

### FORESTRY

- **Forest Stewardship Program**  
[masswoodlands.org/programs/forest-stewardship](http://masswoodlands.org/programs/forest-stewardship)

### INVASIVE INSECTS

- **Massachusetts Introduced Pests Outreach Project**  
[massnrc.org/pests/factsheets.htm](http://massnrc.org/pests/factsheets.htm)

### WILDLIFE

- **MassWildlife Habitat Management Technical and Financial Assistance for Landowners**  
[mass.gov/service-details/masswildlife-habitat-management-technical-and-financial-assistance-for-landowners](http://mass.gov/service-details/masswildlife-habitat-management-technical-and-financial-assistance-for-landowners)

### CLIMATE CHANGE/CARBON

- **Forest Carbon: An Essential Natural Solution to Climate Change**  
[masswoods.org/carbon](http://masswoods.org/carbon)

### CLIMATE CHANGE/HIKING TRAILS

- **Increasing Forest Resiliency for an Uncertain Future**  
[masswoods.org/resiliency](http://masswoods.org/resiliency)
- **MassTrails Grants**  
[mass.gov/guides/masstrails-grants](http://mass.gov/guides/masstrails-grants)

## CLIMATE CHANGE

Natural land—particularly fields, wetlands, and forests—are an essential natural solution for mitigating climate change. Another reason your work on your OSC is so important is that you can help keep these ecosystems from being converted to other uses. Plants remove carbon from the atmosphere (carbon sequestration) and store it in their wood, roots, leaves, and soil (carbon storage). Preserving wetlands and forests enables longer-term carbon storage and cycling through the forest ecosystem.

The stage of forest succession determines the rate of sequestration and the total amount of carbon stored. Younger, fast-growing sapling forests will have higher rates of sequestration than will older or more mature forests. Mature forests can store a greater amount of carbon, but their rate of sequestration is lower. In addition, stewarding your community's conservation land to produce wood products is complementary to climate change mitigation. Wood products can store carbon and often have a lower carbon impact than do other building materials.

It is predicted that climate change will result in more frequent and more intense disturbances, such as wind events, droughts, and ice storms. In addition, we face an increasing number of invasive insects and diseases. Active management can be used as a tool to help shift forest species to those predicted to do well in the future and increase structural diversity within forests to make them more resilient to these challenges.

Ultimately, we need both passive and active stewardship strategies out on the landscape. Evaluate each parcel and its landscape context individually to help determine the strategy that makes the most sense.

If the conservation land in your community includes active or abandoned fields, the OSC may choose to keep them as shrubland or meadowland for wildlife habitat or allow them to grow back into forests. This is an excellent opportunity to increase carbon sequestration and storage on the land. Returning fields back to forest is the one action a landowner can take that will have the greatest gain in carbon benefit, and it is currently gaining momentum among landowners across the country. If you choose this route, make sure to balance this strategy with the community's other goals, such as wildlife habitat and agriculture. It is common to have to make trade-offs between these goals.

## HIKING TRAILS

Hiking trails are an excellent way to encourage community members to use conservation land and, by doing so, increase their appreciation of it. Making the trails easy to find and access will increase their use. Using the trails for interpretive programs will help people learn the conservation value of the land as well as help build their confidence in using the trails themselves. Recruiting stewards to help maintain the trails is another way to engage community members in conservation.



### CASE STUDY

## Local Trail Work with CPA Funding

Faced with an unsafe stream crossing along their Twelve Mile Brook Trail, Wilbraham residents used the Community Preservation Act to fund a new pedestrian bridge. As a result, \$39,000 in CPA funds paid for bridge design, materials, and labor to construct it on-site. The new bridge is four feet wide, forty-five feet in length, and already incredibly popular with local hikers!





## CONCLUSION



While this handbook has introduced a wide range of conservation topics that we hope are useful in your work with open space, remember that advocating for open space in your town or city doesn't require you to be an expert in land conservation. It demands only that you contribute your own skills, relationships, and dedication to your community. Leverage your creativity, stay in constant conversation with your community, and don't hesitate to try new things!



If you find yourself struggling, reach out to your peers on other Open Space Committees. Talk to your partners at local land trusts, on municipal boards, and in community groups. Remember your role as a trusted local adviser. If you're overwhelmed by potential options of what to do next, start small; you can always expand as you build capacity.

Open Space Committees and volunteers across Massachusetts have built hiking trails, established community forests, helped create playgrounds and other recreation areas, stewarded town conservation areas, and so much more. Without these efforts, communities would lack much of the open space they do today.

**These successes are due to you, and the time, effort, and care you put into protecting open space.**





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