

Open Space Network Plan

Introduction

This Chapter focuses on the importance of creating an interconnected open space green infrastructure network within the Township and to adjacent communities. Along with Chapter 12, this Chapter updates and replaces the joint 1993 Kennett Township and Kennett Square Borough Parks, Recreation, and Open Space Plan and the 2004 Township Comprehensive Plan supplements to that Plan.

Protection of open space has been a long-term priority of Kennett Township. As a primary vision, the Township desires to retain its remaining rural character. The protection of open lands in the form of open space as well as parks, recreation, and trails highly contributes towards that objective. Previous Township plans have echoed this objective and provided strategies to increase the amount of open lands that are protected from future development. PA Act 247, the Municipalities Planning Code (PA MPC) addresses the need for local open space planning, and, in August 2000, was amended to include a greater emphasis on open space protection.

Open space planning is a valuable tool for managing the long-term development of a community, and for establishing a local planning strategy necessary in acquiring open space protection funding.

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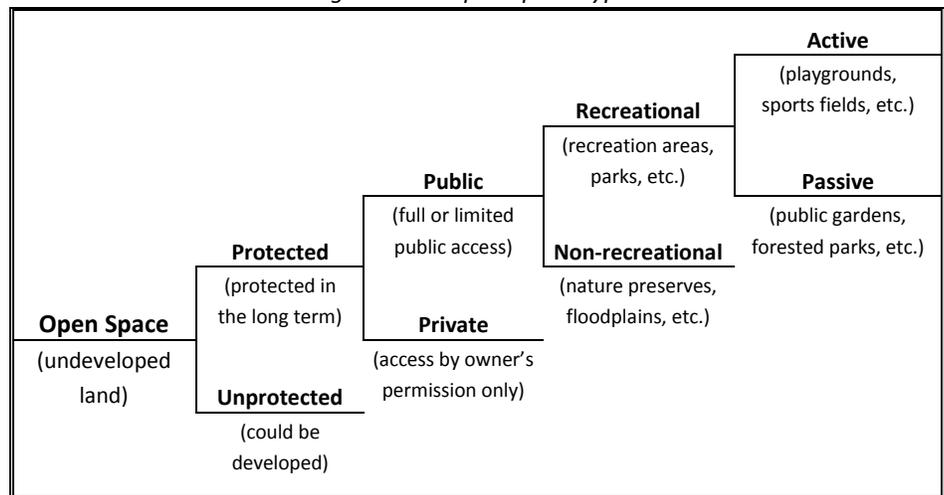
What is 'Open Space'?

In everyday speech ‘open space’ could be used to refer to a range of items - e.g. residential yards, municipal parks, arboretums, nature preserves - or in the broadest sense as any land not covered by structures or paving. For this reason, it is important to have an applied Township meaning for open space.

For Township planning purposes, open space can be described as - lands and waters having little or no development used for retaining and preserving beneficial resources (cultural, historic, natural, ecological, habitat, agricultural, scenic, recreational), and that are protected permanently or on a long term basis. This meaning focuses on the extent to which lands are protected from future development. Long-term protection is usually in the form of a conservation easement and held by a non-profit conservation organization (e.g. a land trust) or a governmental entity.

For lands to be considered ‘protected’, there must be a formal written agreement stating that lands will remain permanently protected (e.g. through a conservation or agricultural easement, deed restriction, protective covenant, subdivision/ land development plan notations, or other legal mechanism). Most of the protected open space in the Township is through conservation easement, which is a type of deed restriction involving a third party that ensures the land will not be developed by the current owner or seller (the first party) or future purchaser (the second party.)

Figure 11-1: Open Space Types



Source: Linking Landscapes: A Plan for the Protected Open Space Network in Chester County, PA, Chester County Planning Commission, February 2002.

Lands may also have ‘limited protection’ whereby they are not formally protected from development, however, are unlikely to be developed in the foreseeable future due to their current use and ownership (e.g. non-recreational municipal lands or school district lands). If neither case exists, lands are considered to be ‘unprotected’. For the purposes of this Plan, ‘open space’ is not a land use or land use category (see Chapter 7), but rather it is an identification of the level of protection of open lands – including undeveloped, vacant, and minimally developed lands. Land preservation funding, whether for open space, farmland, or the like, usually uses a point rating system to determine lands best suited for protection. It typically takes into account size of the potential tract, resources present, proposed use, and proximity to other protected lands.

In southeastern PA, discussion about open space has often been focused on finding the means to protect larger-scale areas containing woodlands, farmlands/ productive agricultural soils, natural resources, and/or unique landscapes from future development. From a regional conservation organization perspective, ‘larger-scale areas’ often mean 50 acres or more. Regional conservation organizations mostly look for these larger land areas for their protection efforts; this is due to reasons of economy of scale, both from a cost/ funding and an ecological/ environmental resources protection prospective.

As fewer larger sized tracts remain regionally, protection efforts have been shifting towards smaller tracts of 10 acres+/- as well. Smaller tracts can be protected as sensitive natural areas or as local linkages to/ between other open spaces and regional networks. They can be more attainable for local land trusts for reasons of staffing, monitoring, and cost. Similarly, for municipalities, smaller scale tracts of open space

are generally more feasible in terms of permanent municipal holding/ protection. In general, successful protection of larger tracts occurs through 1) cooperative efforts with private land owners and developers who choose to donate, deed restrict, ease, etc their properties from future development or 2) through local regulations – e.g. open space or conservation design development - whereby open space protection with certain criteria is required as part of developing lands.

Benefits of Open Space

Kennett Township recognizes the benefits of open space in three key areas:

Health and Welfare

Open space improves overall quality of life including providing areas to recreate and enjoy nature. Open space with trails or active recreation facilities promotes physical health by giving opportunities for physical activity. It also promotes mental health as open landscapes provide visual stimulation, serenity, and quiet, and a lower stress environment. Public open spaces, such as parks and sports fields, add to overall quality of life and provide the community with places for human interaction where neighbors can meet and socialize in person.

Ecology

Open space improves the overall quality of the environment. It contributes to a quality environment by providing native ecology for plant and wildlife habitat; reducing erosion of steep slopes/ stream banks and sedimentation into streams; protecting woodlands, locally important vegetation, and PNDI areas; and allowing natural filtering and groundwater recharge. As well, significant historic, scenic, and cultural resources and landscapes can be protected and their context preserved through open space protection.

Economic

Open space provides tangible economic benefits. Open space uses often result in lower financial impacts for municipalities¹. For example, tax revenue generated from residential uses, which account for the majority of new land development in southeastern PA, rarely, covers expenditures needed to provide facilities and services to residents. In contrast, tax revenues from undeveloped land uses, e.g. agriculture, help offset expenditures as proportionally these uses do not require as many day-to-day services.

In addition, protecting and maintaining open land supports continued economic viability of agricultural industries (including orchards, croplands, pasturelands, and equine operations) as economic forces in the Township. Undeveloped lands and open spaces are more compatible with agricultural uses than are other uses, e.g., single-family detached home or townhouse developments, as they do not provide potential inherently conflicting purposes and activities, e.g., a farm tractor needing to use a road that is also used by commuter traffic. Economic benefits of open space also include retention of property values and ability to attract employers/ employees to areas that retain a high quality of life. As well, recreation and tourism (e.g. scenic drives, visiting historic sites, bicycling) are other parts of a local economy that depend on open space uses.



¹ Return on Environment: The Economic Value of Protected Open Space in Southeastern Pennsylvania (2011) is one example of such a study

Existing Open Space and Township Protection Efforts

Existing Conditions

There are many protected open space tracts, limited protection lands, and open lands located throughout the Township (Map 11-1), with three areas having a more consolidated pattern of protected open space clusters. These are along the 1) western Township border, 2) southern DE ‘arc’, and 3) northern Bayard/McFarlan corridor. In addition, there is a notable amount of protected open space, though fragmented, in the northeastern portion of the Township.

The majority of open space in the Township is protected via conservation easement held by a land trust. Homeowner’s association (HOA) open space, protected via the subdivision and land development process, provides the next largest category of protected open space. This is followed by open space protected through municipal parks and Township purchase of development rights, which occurs during the land development process.

Protected open spaces in the Township contain and protect many natural resources and features including water resources (streams, floodplains, alluvial soils, and habitat waters) and land and biotic resources (prime agricultural soils, wetlands, woodlands, interior forested areas, steep slopes along stream banks, and PNDI areas). Open space areas have been used to implement portions of the Township’s 2005 Woodlands and Riparian Corridors Plan. As well, limited protection lands have contributed to protecting resources, e.g. the Borough-owned open land to the west of the Borough protects the west branch Red Clay Creek stream corridor and surrounding lands buffer.

Limited protection lands comprise institutional uses with areas of open space, e.g. School District lands, and Kennett Square Borough owned lands in the Township. The largest property in this category is Longwood Gardens. While these lands are owned by generally long-standing community institutions, there is the potential that uses on these properties could change in the future and the open areas could be developed, as they are not permanently protected; hence they are considered to have limited protection.

A large swathe of mostly unprotected open lands, in the form of agricultural tracts and homestead plots, stretches more or less diagonally across the Township from the southwestern corner towards the northeast. As of 2014, 74 tracts totaling around 1542 acres are in Agriculture Security Areas. Many properties are also in PA Act 319 (‘Clean and Green’ tax incentive program for retaining agricultural lands) and/or in PA Act 515 (Limited Protective Covenant program for preserving farmlands and open spaces for 10 years). No lands in the Township are protected through agricultural conservation easements.

Approximately 2,269 acres or 17 percent of lands in the Township are either protected or in limited protection out the 9,921 total acres (including lands, water bodies, and rights-of-way) in the Township.

Table 11-1: Protected Open Space, Limited Protection Lands, and Unprotected Open Lands in Kennett Township as of 2014

LEVEL OF PROTECTION	~ ACRES	TYPE OF OPEN SPACE
PROTECTED OPEN SPACE	1,792	Land Trust Owned or Eased (46 tracts); HOA (38 tracts); Public parks (7 tracts); Municipal purchased dev. rights (2 tracts);
LIMITED PROTECTION LANDS	477	Public schools; Utilities; Places of worship; Cemeteries; Municipal (other than parks); Nonprofit recreation; Longwood Gardens; Public facilities/ services
UNPROTECTED LANDS (≥ 10AC)	2,720	Agricultural tracts; Homesteads/Estates; Open lands

Township Protection Efforts

Kennett Township has been progressive in the planning and protection of open space, including supportive policy in past comprehensive planning, making incredible strides at the local level. Based on a recommendation of the 1992 Comprehensive Plan, in 1995, the Township established Kennett Township Land Trust (that has since evolved into The Land Conservancy for Southern Chester County) to acquire easements and fee-simple ownership of open space. In 2005, the Township adopted an open space protection tax of 0.25% on earned income via voter referendum. In 2010, the Township adopted an ordinance authorizing creation of another land conservation entity, the Kennett Land Conservancy. The Township also has worked with numerous other organizations, e.g. Brandywine Conservancy and Natural Lands Trust, to plan for land protection. The Township, in addition, has in place the Land Conservation Advisory Committee (LCAC), to help address various specialized facets of open space. Further, protection of open space required through ordinance measures has been a successful strategy that has achieved significant protected open space lands in the Township.

Open Space Planning Initiatives

Township Open Space Planning Entities

The, LCAC, is the primary advisory entity to address open space planning for the Township and Board of Supervisors (BoS).

→ **LCAC** was formed in 2009 as an advisory committee to evaluate and provide advice to the BoS on proposed easements and/or land purchases as related to open space planning and protection, using the Township Open Space Resource Plan criteria.

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Township Resource Prioritization Report

This report, completed in 2005, documented and classified certain natural resources including woodlands and watersheds. It serves as an initial guide for open space protection criteria based on a resources valuation analysis and related resources analysis, e.g. the extent of protected woodland linkages. It also provides a guide in looking at the potential for conservation of open lands.

Township Open Space Resource Plan/ Criteria

The BoS initiated a Resources Coordinator position in 2009 to assist with land conservation considerations as related to open space protection planning. Specifically, the Coordinator's role was to identify restricted, developed, and residual (open/undeveloped but not restricted) lands, the result of which is shown as the Report's Designated and Open Land Map. The Coordinator's role was also to evaluate lands for their potential conservation value by analyzing residual lands and their natural resources, scenic qualities, possible public access, and links to existing protected open space. The result of that analysis is the Report's Conservation Valuation Map. Importantly, all these maps are computer based and thus updatable as new data on land conservation evolves. Overall, tracts of open lands that are located in areas with 'high value resources' are more desirable candidates for Township conservation planning purposes.

The evaluations and mapping undertaken by the Coordinator went into the creation of the Township Open Space Resource Plan, which is a general guide highlighting baseline open space considerations. It was developed under PA Act 153 and is based on recommendations/as implementation of the 2004 Comprehensive Plan. It states the purposes for land conservation in the Township. These are: a) Preservation of areas for recreation and education for residents; b) Protection of natural habitats of fish, wildlife, plants, and similar ecosystems; c) Preservation of open space including woodlands, watersheds and farmland, for scenic value and as defined by/to implement Township conservation policy; d) Preservation of historically important lands and historic resources.

Township Open Space Funding Application

This application provides the required procedure and administrative process for a landowner or land conservation organization in applying for Township funding of open space conservation easements on a parcel within the Township. Requirements include an initial meeting with the Township/BoS to discuss the potential proposal, a site visit and filling out the Land Preservation Criteria Form by the LCAC, a conservation easement land appraisal, and BoS discussion/review of the application at a public meeting. The BoS may use the Township land preservation and resources assessment rating system, which serves to guide in evaluating the easement proposal and provides a qualitative assessment of the land using resource criteria. The rating system is also a requirement for open space initiatives under Act 153 and it takes into account historical values from previous open space financial actions.

Open Space Earned Income Tax Fund

This tax fund is designated for open space protection initiatives. Township general funds may also be used at the discretion of the BoS to supplement the tax fund for open space activities. Other funding is encouraged to be sought to complement and extend Township funding, e.g. through Chester County funding programs (below and in Chapter 12).

Township Open Space Protection Ordinance Provisions

Zoning Ordinance (ZO) of 2006, as codified 7-2012 (Township Code Ch. 240)

§ 240-201 Terms Establishes definitions for common open space (residential development open space); Open space management plan (to provide long term monitoring/maintenance of open space); and Restricted open space (lands limited from further subdivision or land development other than for open space purposes).

§ 240-401 R-1 District, § 240-501 R-2 District, § 240-601 R-3 District Allows Open Space Design Development by Conditional Use and requires a minimum of 70% in R-1, 55% in R-2, 50% in R-3 of gross tract area in restricted open space.

§ 240-702 R-4 District Allows multi-family development with 35 percent minimum common open space to be designed, configured, and managed per Article XVII and **§ 240-1928**. Allows flexible development option for single-family detached development and requires any residuals lands be designated restricted open space per 240-1705C(2) and (4), 1706, 1707, 1708.

§ 240-802 V-1 Hamorton District Allows multi-family development with 30 percent minimum common open space to be designed configured, and managed as per Article XVII and **§ 240-1928**.

§ 240-1101 SA Specialized Agricultural District Allows Open Space Design Development by Conditional Use and requires a minimum of 50% of gross tract area in restricted open space.

§ 240-1400 Planned Residential Development Permits agricultural and resource conservation uses, including historic buildings, within the common open space of a PRD. Dwelling units/ lots shall be clustered to reduce the amount of roads required to serve the development and to provide for an adequate open space design. Requires 30% minimum of total tract area in common open space and includes open space design, configuration, ownership, and maintenance standards.

§ 240-1700 Open Space Design Development Option's purpose is to retain and protect open space areas within residential development. A minimum of 5 dwelling units/ lots is required. Permitted number of dwelling units/ lots is based on net tract size - whereby road and utility rights-of-way and 50% of extreme land constraints (floodplains, wetlands, very steep slopes over 25%) are subtracted from gross tract area to yield net tract size – and a density multiplier of 0.3 in R-1, 0.52 in R-2, and 0.7 in R-3 and SA. Includes design, configuration, ownership, and maintenance standards, e.g. limit natural and cultural resources disturbance, preserve scenic views, be interconnected/ provide a continuous network. Permits agriculture, natural resources conservation, recreation, spray irrigation, water supply, stormwater mgt, and underground utility rights-of-way uses in the open space.

§ 240-1800 Natural Resources Protection Requires municipal-wide natural resources (floodplains, steep slopes, wetlands, streams/ buffers, woodlands, etc.) protection standards and that certain resources are managed in accord with the open space mgt plan.

§ 240-1935 Retirement community Requires a minimum of 40% of total tract area in common open space to be designed, configured, and managed as per Article XVII and to be used solely for recreation or remain in its natural state. **§ 240-1935-A Retirement community-2** Requires a minimum of 35% of gross tract area in common open space to be designed, configured, and managed as per Article XVII.

§ 240-2017 Design of Formal Open Space Requires certain design standards for greens, commons, squares, parks in R-4 and V-4 for multi-family development.

§ 240-2202 Mobile Homes Requires a minimum of 30% of total tract area is in common open space including at least 25% of the open space is not in a floodprone area and is useable for active recreation and is designed per SLDO Article VIII.

§ 240-2509 Conditional Use Process evaluates whether the proposed conditional use is compatible with the logical extension of public services/ utilities e.g. open space, recreation, etc. and takes into account requirements of Article XVII.

Subdivision and Land Development Ordinance (SLDO) of 2008, as codified 7-2012 (Township Code Ch. 206)

§ 206-204 Terms Establishes definitions for Open space (undeveloped private or public land, with or without public access, largely free of structures or paving, may include natural resources, common open space (same as ZO), open space management plan (same as ZO), and restricted open space (same as ZO).

§ 206-402 Sketch Plans Provides the sketch plan process including taking into account open space conservation and including any proposed open space on the sketch plan.

§ 206-403 Preliminary Plans Requires open space to be identified on site/layout plan; Requires delineation of any individual off-lot sewerage in open space; and Requires open space management plans be included with submissions.

§ 206-404 Final Plans Requires a copy of executed easements or other approved mechanism to permanently preserve open associated with the proposal; Require a copy of restrictive covenants, deed restrictions, HOA documents, trusteeships, or other like mechanisms governing reservation/ maintenance of undedicated open space and their period of effect. **§ 206-307** Requires submittal of a land development improvements agreement indicated open space and restricted areas are undertaken per the approved final plan. **§ 206-603** Requires construction occur as per the final plan.

§ 206-513 Community Facilities and Easements Requires plan proposals include terms, arrangement, and standards for open space ownership; Require any lands deed restricted in perpetuity name the Township as a third party; Require any proposal that includes permanent open space also include a long range management and maintenance plan; Require preliminary and final plans contain a separate sheet depicting and describing lands for use as open space and contain specific wording related to land designated as open space of ‘Open space land may not be separately sold, nor shall such land be further develop of subdivided’.

§ 206-801 Mobile Homes Includes common open space standards e.g. to be located near residential areas, preserve natural resources, have active recreation and lands left in their natural state.

§ 206-902 Stormwater management provisions Establishes that any required maintenance or plantings related to stormwater management in open space be included in the open space management plan; Establish stormwater management facilities on private property or common open space have permanent easements dedicated to the Township and reflected on property deeds, and their maintenance is the responsibility of individual lot owners or the HOA; and Establish stormwater run-off calculation criteria for any open space disturbed during land development.

Official Map (OM)

Township Code Chapter 153 provides for recreation and open space needs of the community, among other planning items.

Open Space Network/Connectivity

Importance of Linking Open Space

Isolation of open spaces is a planning concern in the Kennett Region. When open spaces are surrounded by developed lands and are cut-off from one another they are not able to function properly as an ecologically and environmentally beneficial ‘green infrastructure’ network. For example, a wildlife and ecological preserve that incrementally becomes surrounded by development will eventually be separated from needed migratory and food-rich lands. Wildlife unable to migrate leads to beneficial plant ecology being consumed, inbreeding, overpopulation due to lack of natural predators, and vulnerability to on-site natural disaster or disease. Isolation of open space tracts also contributes to undesired and possibly destructive or hazardous wildlife behavior, such as deer, skunks, or coyotes crossing roadways and through residential areas due to lack of undisturbed natural connections. Such connections also aid plant ecology by permitting seed dispersion. For these reasons, open spaces should be linked. Without such links open spaces cannot function for their designated purposes.



Open spaces used for active or passive human recreation are also negatively impacted by isolation. Isolated parks, playgrounds, or trails are more difficult to reach, less likely to be used, and potentially subject to more issues such as vandalism or criminal activity. For example, playgrounds only reachable by automobile are less likely to be used during the workday when adults are unavailable to drive children to these facilities; whereas playgrounds reachable on foot or bicycle are more likely to attract kids, seniors, teens, and others without cars who can visit these facilities at any time during the day. Recreational open spaces used throughout the day are a more efficient use of public funds. Linking recreational open spaces with pedestrian and bike trails, sidewalks, or paths can improve the safety, quality, and cost effectiveness of public parks and open spaces.

The key to reducing this isolation is to link open spaces in an integrated network. An open space network can include interconnected lands and resources such as wildlife habitats, woodlands, or historic resources, as well as properties not intended for recreational use or open to the public at large. Improvements made to one property in the open space network add to the functioning of the network as a whole. In an open space network, protected open space, e.g. nature preserves, floodplains, or woodlands, can be linked by wooded wildlife corridors along ridges, streams, or undeveloped open lands. Parks and playgrounds can be linked together by passive recreational trails that connect to residential areas, shopping, school, museum, church, or work locations among other destinations. Trails designed for human daytime recreational use also provide a means for wildlife to migrate at night when many species are most active.

Open Space as 'Green' Public Infrastructure

‘Public Infrastructure’ is not a term often associated with protecting open spaces, but it is appropriate. This Plan considers an open space network to be a key element of public infrastructure in the Township, similar to the traditional manmade ‘grey’ infrastructure networks formed by transportation, electric, phone, sewer, and water facilities. Unlike more typical ‘grey’ infrastructure types, protected open space infrastructure is instead composed of meadows, woodlands, parklands, trails, and protected lands. The Township recognizes the



public benefits that open space offers to residents. The public infrastructure of a protected open space network is a connected series of natural areas that provide and protect ecology, naturalized stormwater and flood management, groundwater recharge, surface waters filtration, and places for recreational (including physical and mental exercise) opportunities.

Like other infrastructure networks, an open space network as a type of infrastructure is formed incrementally over time; however, unlike other forms of infrastructure, an interconnected open space network is shaped by various independent groups all working toward a shared goal. Larger portions of the network, e.g. regional parks or wildlife preserves, may be best established by federal, state, or County governments or through land conservation organizations. Municipalities typically establish local recreational community parks, walkways, or non-recreational natural resource areas. Schools, local conservation groups, Boy or Girl Scouts, or neighborhood associations can implement smaller projects, e.g. construction or improvements of walking path links, and as appropriate, making them available to the public. As well, businesses and individuals can become involved by managing trails or wildlife corridors in office or industrial parks or on private property that link into other nearby facilities or open space areas.



Township Open Space Network Potential

There are many open space tracts located throughout the Township, with three areas having a pattern of more consolidated clusters of open space. They are along the western Township border, southern DE ‘arc’, and northern Bayard/McFarlan roads corridor. There is also a good amount of open space, though fragmented, in the northeastern area of the Township. In addition, a large swathe of largely unprotected agricultural lands and homestead tracts stretches more or less diagonally across the Township from the southwestern corner towards the northeast. Moreover, 71 properties with ~1,531 acres are in agriculture security areas (though no lands in the Township are protected through agricultural easements), and many properties are in PA Act 319 ‘Clean and Green’ tax incentive program for retaining agricultural lands and/or in PA Act 515 Limited Protective Covenant program for preserving farm lands and open spaces for 10 years.

Protected open space, together with nearby limited protection lands and unprotected lands, effectively form a linear greenway within the Township. This is of interest for open space planning and increasing open space protection and connectivity as related to growing a linked Township open space network. This ‘linear greenway’, given its keystone location, has the potential to connect open space in northern DE with the population center of Kennett Square Borough, as well as link west to New Garden Township (through which open space in Maryland can be reached), northeast to the Longwood Gardens/ Hamorton area, and east into Pennsbury Township. Several utilities have easements on lands traversing the Township, which depending on the utility and location may provide an opportunity for linkages between open space areas. Parks (Chapter 12) are another form of open space that can contribute to the linear greenway concept.

Protecting currently unprotected lands to the extent of creating greenway corridors and assessing how to undertake links in places with already developed lots are primary items to consider and address in undertaking a connected linear greenway.

Using the ‘linear greenway’ concept can further serve to help protect natural and cultural (historic and scenic) resources, as well as agricultural resources/ lands that form an important industry in the Township.

Regional Open Space Connectivity Potential

Kennett Square Borough Greenway Concept

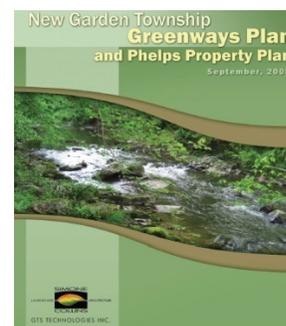
Kennett Square Borough’s recent Comprehensive Plan (2013) update included a greenway concept linking the Borough and Township. Kennett Township had expressed interest in the concept at that time and is

also adopting the concept as part of this Township Comprehensive Plan update. The cooperative focus of this greenway would address protecting lands for uses as passive recreation open spaces with trails, primitive walking paths, limited recreational facilities (such as fitness loops), and natural areas.

- **Western Township Border Greenway/southwest of Ridge Avenue** - Two largely undeveloped residential properties – each over 25 acres in size - from a physical and location standpoint would be suited for use for open space passive recreation and as a link continuing the connection of the western Township Border greenway area towards the Borough.
- **Western Township Border Greenway/due west of Ridge Avenue** - Ridge Avenue ends at a 6-acre mushroom operation property that includes approximately 2 acres of vacant land adjacent to the roadway. From a physical and location standpoint, this site would be suited for use as a passive recreation walking path or trail linkage connecting the western Township Border greenway area to the southwestern part of the Borough.
- **Pennock Park/West Cypress Street** – Lands between these areas include approximately 25 acres that from a physical and location standpoint could be suited for use as parkland and/or a continued linkage to the HOA lands to the north around Penns Manor Drive. These lands are partially naturally constrained containing a stream corridor (west branch Red Clay Creek) and floodplain, and could have potential for reforestation as a riparian buffer.
- **East Branch Red Clay Creek/KASD Legacy Fields** – A large swath of open lands as well as protected open space runs just to the west of the Legacy Fields, with one parcel of developed land in between. If, at a minimum, portions of the swathe were protected, a linkage could begin that could eventually connect to the Borough’s southeastern tip via the School District’s Legacy Fields.

New Garden Township Greenway Planning

In 2008, neighboring New Garden Township completed a Township Greenways Plan and Phelps Property Master Plan. The Greenway Plan’s purpose is to identify natural areas, ‘green corridors’, protected lands, potential links and destinations in the Township and to adjacent municipalities, and other greenway enhancement opportunities. Plan purposes also include reviewing Township ordinances for compatibility with Chester County planning, and to ensure greenway areas are appropriately protected as important natural areas for the benefit of the public. For example, some opportunities identified in the plan are that 1) new roadway construction projects resulting from increased development and the related necessity to handle higher traffic volumes offer the best opportunity for developing on-road bike routes; and 2) residential and/or commercial land developments offer the most significant opportunity for off-road greenway/trail development. The plan map indicates there is protected open space, limited protection lands, and undeveloped lots adjacent to Kennett’s Township western border greenway. As well, it shows several on-road bike routes connecting into Kennett Township and one hiking trail connection from New Garden to the planned west branch Red Clay Creek trail in Kennett Township. Another plan map, Preliminary Trail Alternatives, shows an additional hiking trail and multi-use trail connection potential opportunities. Kennett Township could coordinate with New Garden Township as to how to better link existing and proposed hiking and multi-use trails between the two townships and how to coordinate and expand upon Kennett Township west border greenway conceptual area.



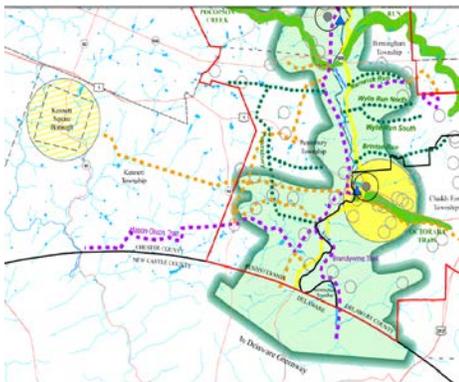
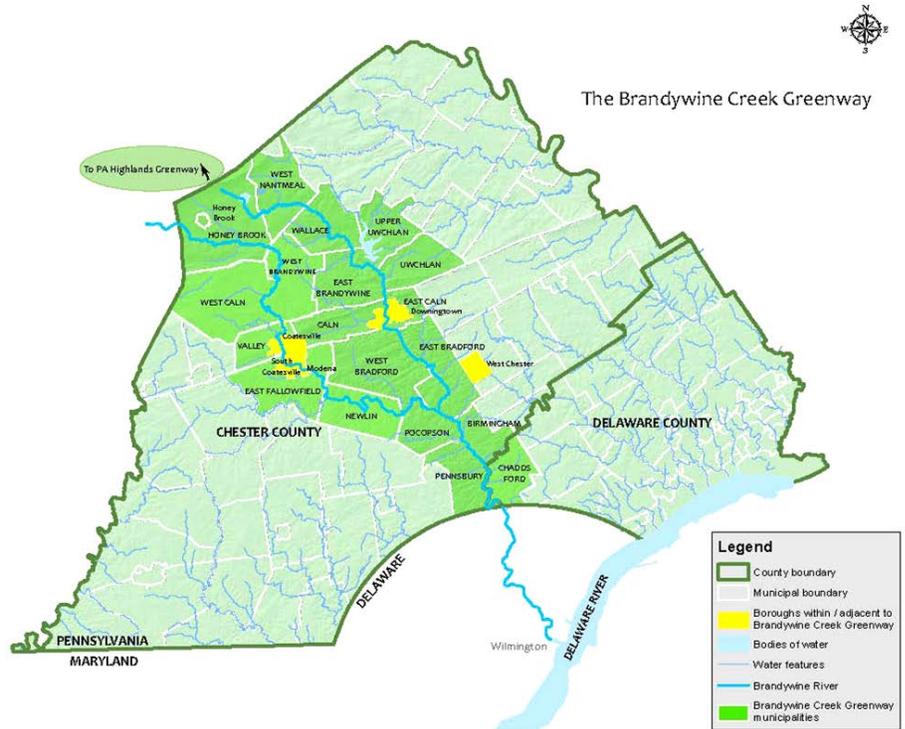
Red Clay Creek Greenway

This concept, originated by TLC as a Livable and Walkable Communities Project, proposes a greenway with passive recreation trails connecting TLC conserved lands with existing and proposed trail networks, scenic roads, access points, and community assets along the east and west branches of the Red Clay Creek in the Township and Borough. This Greenway promotes multi-municipal planning and providing access between an urban area (the Borough), a large natural resource, passive, and active recreation area (Anson B. Nixon Park), and more rural areas and proposed trails (Kennett Township). This Greenway concept could be

applied in coordination with the southern DE ‘arc’ to connect protected land in the Township with that in DE. This regional approach lends itself to better chances for funding opportunities. (Chapter 12)

Brandywine Creek Greenway

In 2012, Brandywine Conservancy, Chester and Delaware counties, 24 partnering municipalities, and other stakeholders undertook a concept plan for a Brandywine Creek Greenway. The Greenway is envisioned to be a 30-mile green corridor of varying width, stretching from the DE state line north to the state-designated PA Highlands Mega-Greenway. It is to include an interconnected system of formal trails, informal paths, parks, river access points, and riparian buffers. It consists of public and private lands and provides linkages between the Creek and adjacent communities. Its primary purposes are to conserve and restore natural resources; help people better connect with, understand and improve the Creek; and build healthier, more sustainable communities.



Although the Township is not directly within the limits of the project, the Township is linked to the overall project via 1) a conceptual land link through the center of the Township that connects to Kennett Square (designated as a ‘Satellite Hub’) and 2) the Mason-Dixon Trail. This concept coordinates well with the potential greenway network in the Township particularly in the northeastern part of the Township, which could link Brandywine Creek Greenway’s conceptual central land link, the Longwood Gardens and Hamorton areas, and Brandywine Creek Greenway’s ‘green corridor’ to the north in Pennsbury.

The Land Conservancy for Southern Chester County

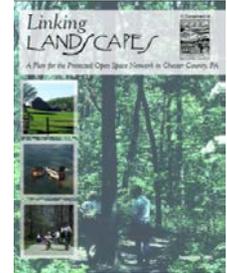
The Land Conservancy for Southern Chester County’s (TLC) mission is the preservation, conservation, and stewardship of natural resources, historic sites and open spaces, including important agriculturally productive lands and natural areas. Its day-to-day work focuses on establishing conservation corridors, protecting historic sites, providing walkable communities via trail linkages, and offering ecological education and outreach programs. TLC was formed in 1995 by a group of Township residents as a non-profit, tax-exempt entity. The Township Board of Supervisors, acting on recommendations of the 1992 Township Comprehensive Plan, adopted an ordinance that supported the formation of TLC and authorized cooperative planning in achieving TLCs objectives. While TLC supports the Township’s preservation efforts, it has the ability to work with landowners in a private forum that enables full consideration of options that are of mutual interest to the landowner and TLC.

Concepts that landowners can explore with TLC include conservation easements, sale of land, limited development options, donations, or combinations thereof, as well as other techniques. Once an easement has been completed and accepted, it is then TLC’s responsibility to uphold the terms and



conditions on a perpetual basis; such responsibilities include regular inspection of the property, administration of easement documents and records, and legal defense of the easement provisions. An endowment is usually required with any easement to offset personnel time and expenses required to meet such responsibilities. Costs associated with easing land are based on the size of the property, complexity of the easement, and number and types of rights reserved by the landowner.

Countywide Greenway Network Concept



Because of most municipalities relatively small size, generally no single forest or natural area is located entirely within a municipality; thus, local open space planning efforts should consider how open space can be linked across municipal borders and to regional networks. *Linking Landscapes*¹ provides a vision for multi-municipal open space planning on a countywide basis. It presents a series of ‘Wildlife Biodiversity Corridors’ within Chester County as shown in Figure 11-2. These corridors represent a countywide greenway network (at the time *Linking Landscapes* was developed the term ‘wildlife biodiversity corridors’ was used as ‘greenways’ was not a common term).

Figure 11-2: Potential Countywide Greenway Corridors Network

The corridors pass through undeveloped or sparsely developed land, allowing plant seeds and wildlife to travel from one open habitat area to another. Factors such as at-risk habitats, larger woodlands, water features, flyways, and separation from human activity were considered in determining general corridor locations. The purpose of these biodiversity corridors is distinctly different than regional recreation corridors (Chapter 12). While biodiversity corridors may sometimes be appropriate for limited passive recreation (e.g. walking or hiking), their primary purpose is for wildlife habitat and migration and natural plant ecologies. In locations where they coincide with recreational corridors, only passive uses, e.g. primitive hiking paths, should be considered.

Linking Landscapes identifies a wildlife biodiversity corridor traversing east-west through the Township. This corridor generally follows the pattern of the central southern ‘arc’ of protected open space and the swath of unprotected open lands as discussed above, though the corridor delineation is offset to the north of those lands. The wildlife biodiversity corridors in *Linking Landscapes* were delineated as a concept on a countywide level and municipalities should refine these corridors at the local level.



Chester County Open Space Initiatives

Linking Landscapes, produced by Chester County Planning Commission and adopted in 2002 by the County Commissioners as an element of the Chester County Comprehensive Policy Plan *Landscapes/Landscapes2*, provides planning policy and recommendations for a Protected Open Space Network in Chester County.

¹ *Linking Landscapes: A Plan for the Protected Open Space Network in Chester County, PA*, Chester County Planning Commission, February 2002.

Open Space Planning: A Guide for Municipalities is a Chester County Planning Commission publication that presents guidance on planning for open space at the local level as well as related planning for natural and cultural resources.



Preservation Partnership Program (PPP) provides funding assistance for fee-simple land acquisition or conservation easements to nonprofit conservation organizations and land trusts. Created by the County Commissioners in 1993, PPP is administered by the Department of Open Space Preservation. To be eligible for funding, organizations must be IRS approved private nonprofits, incorporated for at least five years, and have land preservation as a primary part of their mission.

Agricultural Preservation Programs seek to permanently preserve the County’s agricultural industrial base through purchase of easements. The County Commissioners authorized the County’s Agricultural Land Preservation Board (ALPB) to implement two specific programs - PA Agricultural Conservation Easement Purchase Program and Chester County Challenge Grant Program. Both programs use a USDA based land evaluation/site assessment ranking system and both are structured to work in cooperation with the state, municipalities, landowners, and private funding source conservation partners. Being in an Agricultural Security Area is also required.

Statewide Open Space Initiatives

Pennsylvania Greenways: An Action Plan for Creating Connections (2001) was published by the PA Greenways Partnership Commission, chaired by PA DCNR and PennDOT. That *Action Plan* defined ‘greenways’ used for recreational or environmental protection, and called for establishing a network of greenways on public and private properties that connect open space, natural landscape features, scenic, cultural, historic and recreation features, and urban and rural communities. It recommended counties develop and adopt Greenway Plans by 2007. Currently, nearly all counties in PA have either completed a plan or are in process. *Linking Landscapes* serves as Chester County’s Greenway Plan.

PA Greenways Program was launched in 2001 by PA DCNR, with the goals to establish a statewide network of hubs (destinations) and connecting linear greenway corridors and implement Pennsylvania Greenways: An Action Plan for Creating Connections. In 2004, the PA Greenways Program completed their identification and mapping of ‘major’ greenway corridors. Ultimately, with the cooperation of counties and local municipalities, these major greenway corridors can be linked through existing corridors and the creation of new ones. In total, 29 major greenway land trail and 18 water trail corridors have been identified throughout the state, the closest of which is the Mason-Dixon Greenway land trail corridor.

Open Space Management and Access

Maintaining the Quality of Open Spaces

Monitoring and maintenance are ongoing management considerations related to land protection. Monitoring involves conducting regular field views by the agreed upon party (which is usually the conservation organization or governmental entity that holds the easement) to ensure the agreed upon uses of land and limits on development are being adhered to. Open space and farmland that is protected through state or County funding/ easement programs are formally monitored/ managed in this manner. Open space in the form of parks or municipal open lands are often monitored in a more informal manner by maintenance crews who may note inappropriate uses, e.g. a neighboring property owner’s shed extending into park lands.

Maintenance involves the physical upkeep of the land, from removing garbage to addressing stormwater runoff. It also involves assuring that properties are patrolled and do not pose public health or liability concerns. Another issue is providing staff and funding for maintenance, which unlike capital improvements, must be budgeted in perpetuity.

Open space that is forested or floodplain is managed to ensure it does not become overgrown with invasive and/or exotic species, e.g. multi-flora rose, vines, or bamboo. Open space in the form of a natural area or nature preserve is managed to not become places for illegal dumping of car parts, appliances, and yard waste. Using a best practices approach, open space management procedures, obligations, and liability are outlined in a management plan developed for the open space area in question.

Ongoing maintenance and associated costs are necessary to factor into the overall equation in order to manage the overall health and ultimately the purpose of having open space as well as to help ensure they are safe thus reducing potential liability concerns. Chester County’s Open Space Planning Guide (discussed later in this Chapter) is a source of further information about maintenance and management planning.

Assessing the Level of Access

Access is another consideration for balanced open space management. The level of public access should be considered in relation to the primary purpose of preserving a particular open space tract, with an eye toward maximizing public and especially emergency access to the extent possible when public funds are employed. Recreational open spaces, e.g. playing fields, picnic areas, and walking trails, may require parking and other amenities related to public access, as well as passages for emergency vehicle access, which would need to be taken into consideration in management planning.

Natural area open spaces, e.g. woodlands with primitive hiking trails or natural preserves, may intentionally place some limitations on public access so their intended purpose of preserving sensitive resources in their natural state can be followed (vs overrun/ damaged by over or inappropriate use). Due to their inherent naturalistic and possibly remote setting, emergency access planning can pose a challenge. For these areas, it may be appropriate to have limited/ unpaved parking to encourage controlled use/ public access and restrict access to erosion-prone trails to allow time for their regeneration. Certain highly-sensitive, naturally-constrained open space properties, including those that are publicly funded, may need to be ‘off-limits’ to general public access to meet their goals in providing environmental/ ecological health benefits to the overall ecosystem and for public safety reasons, e.g. public access directly through wetlands, marshes, or active farms pose health and safety issues for citizens and livestock respectively. Alternatively, lower intensity walking and hiking trails in some cases could be placed around these types of areas so the public can enjoy and benefit from their viewing but not be physically treading on resources. Nearby Sandy Hollow Municipal Park in Birmingham Township has employed such a tactic to preserve hallowed active combat ground of the Battle of Brandywine while still allowing the public to remember and benefit from this valuable preserved land.

Planning Implications

There is a notable amount of land in the Township as currently protected open space. Continuing support of these open space lands, and additions to the open space network as opportunities arise, are important to retaining the rural character of the Township.

→ **Open Space Network / Greenway Planning Opportunities** - There are opportunities to substantially expand the network of protected open space in the Township via greenway planning. The Township can focus its efforts on linking existing open spaces into a network of greenways, with the Township working with adjacent communities, the Kennett Region, and New Castle County to establish regional links in appropriate areas. The existing natural resources, PNDI areas, and scenic, cultural, and historic resources in the Township further support planning for a greenway network. A greenway approach would also be consistent with the Township goal to create a connected pedestrian network, which can also be a form of linear open space. There might be an opportunity for the Township to pursue historic landscape preservation, including that for the Brandywine Battlefield, as part of a greenway. There is an opportunity for the Township to create a master plan for its open space and greenway network, to supplement and further the Township Open Space Plan guidelines. The Township contains several

committees that address various aspects related to open space planning and should review their purposes/duties to ensure there is no overlap.

- **Continuing and Growing Open Space Partnerships** - There are opportunities for the Township to form additional open space preservation partnerships with adjacent communities, conservation organizations, landowners of large tracts (e.g. Longwood Gardens), and landowners with smaller parcels that could serve as key links in an open space and greenway network. While it may not be realistic for larger properties to be wholly eased in all cases, parts of these properties might be well suited for protection because of their proximity to other protected lands, natural and historic resources, or their use and open space linkages. Conservation groups generally desire to protect parcels that would overall enlarge and create linkages between existing open space areas. There are also smaller tracts that are largely undeveloped that could be protected as open space and for linkages for future trails, paths, and greenways. Due to their size, they are generally better suited to be protected through the efforts of the Township and local land trusts.
- **Maintaining the Quality of Open Spaces** - The Township has many opportunities for creating a functional open space and greenway network. However, due to the Township's relatively large size and potential for a significant open space network, a key ongoing consideration is maintenance of open spaces to continue their quality and useful purpose. For example, having extensive invasive plants overtake an open space area and overwhelm needed and beneficial native species and habitats would not meet the intended purpose of having quality open space. Any restoration work that needs to be done to improve open space quality, e.g. removing invasive plants and restoring woodlands and riparian buffers, could possibly be coordinated with creating future trails or paths. Considerations include acquisition or easement of trail or path rights-of-way, access, types of use (e.g. passive recreation), or land management agreements.

Recommendations

Potential Open Space

11-1 **Develop a strategic plan to identify and evaluate key open lands for protection.**

The Township completed an Open Space Resource Plan, which evaluated key resources and lands and served as a general guide for open space protection. Not all open spaces will serve the same purpose or function – for example, active recreational uses, e.g. playgrounds and tennis courts, should not be located next to a sanctuary for migratory birds.

A strategic plan effort could be undertaken through the guidance of a taskforce made up of the LCAC, and BoS representatives, as well as other groups as applicable. Revised criteria developed as a result of the planning process would help to prioritize the lands within the Township so that funding for open space may be targeted to provide the greatest overall benefit. The strategies can also provide guidance to the Township in evaluating lands that may be proposed for development where the Township may be interested in purchasing all or a portion of the property. To create a strategic plan for open space that considers various ramifications and potential methods of preservation, the Township could hire a consultant who has experience in recreation, natural resource conservation, and trail planning.

The strategic plan should examine potential open space parcels within the network and recommend how they could best be preserved and whether they should be publicly accessible, used for active or passive recreation, or set aside for wildlife preservation with little or no public access permitted. At a minimum, before protecting a parcel of land as open space, the Township or other preservation organization should be able to answer the following key questions:

- For what purpose will the open space be used?
- Will its use be compatible with that of adjacent open spaces?
- What kinds of activities will be permitted, limited, or forbidden on the open space?
- How will it link to other open spaces?
- How much open space is desired by residents?
- What type of funding is available for the purchase of the open space?
- How will the open space be managed in perpetuity, and how will that management be funded?

Open space acquisition strategies should consider this Comprehensive Plan as the overall adopted policy for the Township, Township Resource Prioritization Report, Chester County’s Open Space Planning Guide, *Linking Landscapes*, and the cost of the development against the cost of purchasing the land for protection. Cross-referencing maps from those studies and plans, and other EAC and LCAC maps, should also be considered in evaluating the priority of available parcels.

11-2 Continue to promote the creation of large, contiguous areas of homeowners association (HOA) open space.

11-3 Continue to support open space efforts and communicate with owners of large land tracts to keep them informed about open space opportunities to protect their land.

11-4 Support public and private agricultural preservation initiatives in the Township.

Encourage owners of agricultural uses to consider easing their land. Coordinate with agricultural landowners and other stakeholders to investigate options to protect agricultural interests. The Township can have land use regulations in place that provide options for agricultural preservation. Open Space Design Option in current zoning and considering Transfer of Development Rights (Action 11-16) are options. ‘Effective agricultural zoning’ may also be considered – this entails development controls that promote continuation of agricultural uses of land, large lots of 10 to 20 acres or more, and limits on the number of houses that can be developed. This type of zoning is appropriate in areas where agriculture uses are relatively contiguous, there are agricultural security areas, and the local agricultural economy is healthy.

11-5 Continue to support land trusts and coordinate efforts in procuring protected lands in conjunction with the priorities of the Township.

11-6 Examine Township open space-related entities, documents, and funding application process.

The Township’s primary advisory entity LCAC should address open space planning for the Township and Board of Supervisors). The Township should examine roles of commission/committee involved in various aspects related to open space to ensure their duties are clear and not overlapping.

The Township has Resource Prioritization Report and an Open Space Resource Plan/ Criteria documents. The Township should review these documents to determine if they still apply or need to be updated. In 2009, the Township initiated a Resources Coordinator position to assist with land conservation considerations as related to open space protection planning and the Township should examine if the duties of that former position should be fulfilled by the advisory entities.

The Township open space application provides the required procedure and administrative process for a landowner or land conservation organization to apply for Township funding of open space conservation easements on a parcel within the Township. The Township should periodically examine this application and process to determine if it is working and adequate.

Open Space Network, Greenways, and Green Infrastructure

11-7 Develop a Greenway Plan to establish a greenway network that links existing protected open space in the Township to Kennett Square Borough, New Castle County, the Red Clay Creek area, Longwood Gardens, Hamorton, and to New Garden and Pennsbury Townships.

This Chapter in broad terms recommends several potential candidate greenways within the Township and connecting to adjacent areas, however a specific plan should be completed to further evaluate and define this potential. Greenways would include concentrated areas of open space and corridors that could link open space areas. In some cases, linkages might be wildlife corridors, where minimal or no human disturbance is desirable and, in other cases, links might be part of a trail network geared for passive human recreation uses.

The woodland and stream corridors identified through the Resource Prioritization efforts represent a significant step towards identifying a potential open space network in the Township, particularly from an environmental and habitat protection viewpoint. The historic, scenic, and cultural landscape, including mills, mill races, trolleys, and train routes, provide another mechanism for tying together an open space network. A comprehensive strategy could be developed for protecting these corridors from future development. Preservation of these areas cannot happen through a single method, but would need to be accomplished through a coordinated array of various protection strategies.

In addition to the outright purchase of open space, the Township’s resource protection standards will also help to preserve the open space network. The floodplain and riparian buffer protection standards will help to preserve the land immediately along the streams. Other protection standards, including wetlands and woodlands, will create additional protected open space. The Township may want to encourage developers to donate this land to the Township to further the creation of the protected open space network. In other cases, land preserved through the open space design option or a TDR program, if created, can add more land to the open space network. For key pieces of land, the Township may decide it is worthwhile to purchase the land. Parcels targeted for eventual Township acquisition can be included on the Township Official Map.

11-8 Consider developing a multi-municipal master plan for a Red Clay Creek Greenway with Kennett Square Borough and East Marlborough Township, or with the entire Kennett Region.

This master plan should address the greenway, recreation based businesses, access limitations, resource conservation, reforestation, and available grant funding. The process might also involve formalizing a name for the greenway appropriate for use in grant applications (such as ‘The Red Clay Creek Greenway’). Regional efforts should be considered in conjunction with KARPC.

11-9 Consider how to coordinate with and implement the Brandywine Creek Greenway Concept Plan, as applicable.

Such implementation could include creating a regional master plan for a Mason-Dixon Greenway and incorporating the Harriet Tubman Trail of Freedom concept.

11-10 Take into account utility easements and corridors, as applicable, for potential open space and greenway connectors.

11-11 Continue to use *Linking Landscapes* and Chester County’s Open Space Planning Guide for information about protection of open spaces and greenways.

The Township should review the materials in *Linking Landscapes* and the County Open Space Planning Guide and fully utilize the information for the identification and planning of open spaces and greenways. Large documents such as *Linking Landscapes* can be overwhelming and seem irrelevant to individual municipalities and local planning purposes, however, *Linking Landscapes* contains a great variety of information, maps, references, and tasks for both the County and the Township, some of which are important for securing grants. The , LCAC, and BoS should all make efforts to be familiar with these documents.

Linking Landscapes identifies a wildlife biodiversity corridor traversing east-west through the Township, and recommends municipalities refine these corridors at the local level. As such, the Township should consider shifting the delineated greenway slightly to the south to match the ‘arc’ and swath. As well, the Township should consider delineating new links, including along the western Township border open space areas, along the McFarland/Bayard Road corridor, and stretching up to the Longwood and Hamorton area. Presently, only a few portions of *Linking Landscapes* identified corridor contains protected open space and limited protection lands.

Resource Protection Mechanisms and Standards

11-12 Continue to develop and modify zoning and subdivision and land development ordinance regulations that protect natural resources.

The Township has in place a wide variety of regulations protecting resources, which is an important aspect of protecting open space. The existence of key resources can contribute to a tract’s potential and eligibility for open space protection. The continuing existence of those key resources may be due to their protection via ordinances. An example of this resources protection progression is an existing protected riparian buffer that was initially protected because of zoning requirements may be further and permanently protected via a conservation easement.

11-13 Consider requirements for a fee-in-lieu of open space in the SLDO.

If a municipality has an adopted open space/recreation plan in place, the PA MPC allows a municipality to adopt standards that permit a developer to provide a fee instead of providing open space during a land development process. The Township SLDO currently includes these standards for recreation, but does not specifically address open space. This is a good option for municipalities to have in place as not all parcels lend themselves to having potential for open space protection. For example, a small tract being developed might not have room for a portion to be preserved as open space, or open space/resource preservation might be a greater priority in another area of the Township where the land development is not taking place. Thus, monies secured through the fee-in-lieu process, under specific criteria, can be used to acquire open space and/or recreational lands.

11-14 Support efforts to uphold existing easements and other open space protection mechanisms from major modifications that are counter to the mechanism’s objectives.

11-15 Consider amending the Township Official Map to include a Greenway ‘Green’ Infrastructure Network.

As permitted under the PA MPC, the Township has adopted an Official Map, which is a planning tool to lay out where future Township amenities are desired. These amenities could include desired future roadway location and layout, parks, or the location of a proposed ‘green’ infrastructure greenway. Development of a greenway plan as discussed in recommendation 11-7

should occur before changes are made to the Official Map. As well, the Official Map can define the Township’s concept for where pedestrian connections are desired and should be located.

11-16 Determine if a Transfer of Development Rights (TDR) program is a viable option.

A TDR program would provide another option for preserving important natural resources and wildlife habitat in the Township. Rather than focusing the TDR option in one area of the Township, a TDR ordinance could be applied on a Township-wide basis. Under this scenario, development rights would be transferred from areas targeted for preservation to growth areas, as discussed in the Land Use Plan. Development rights could also be purchased and permanently retired rather than transferring them to other areas of the Township. TDR can be designed to be one option for landowners. The Township would need to take steps to make landowners aware of this type of option, how it works, and its potential benefits for both sellers and buyers of development rights.

Another option to consider is a regional TDR program. This option could be pursued through KARPC or in conjunction with any municipality adjacent to the Township. This would allow development rights to be transferred outside the Township, assuming that other municipalities are willing to be a receiving area for development rights.

TDR can also help preserve scenic features including vista, natural areas, and historic resources. Where an intrusion into a scenic landscape or vista is proposed, landowners could be encouraged to sell their development rights via a TDR program. Identified scenic features could be ‘sending areas’ permanently protected via the sale of land development rights. While other lands determined appropriate for development could be designated ‘receiving areas’ and allotted development rights from sending area lands as well as any base zoning development allowances. TDR programs can be established for one or more resources simultaneously. The Township should determine if and how scenic resources could be included in a TDR program and how resources should be prioritized.

Open Space Management and Access

11-17 Evaluate public access and other restrictions on open space in development plans and regulations and ensure public and semi-public open spaces are appropriately planned to meet their intended purpose.

The Township should ensure that open spaces are well planned and result in meaningful open space be it for trail links, natural resources preserves, or wildlife migratory corridors. Common open space resulting from open space design developments should be designed to accomplish a purpose, e.g. to provide large areas for passive recreation, an adequate buffer including mature vegetation against adjacent uses, or to protect natural and historic features. Open spaces within developments should be of sufficient size or location to provide a sufficient buffer or be large enough to be useful to that community’s residents. Encourage land development plans, open space studies, and regulations that clearly state whether or not public access should be permitted on a single open space property or cluster of properties. Consider developing guidelines, as needed, which clearly state the types of protected open spaces that allow public access, allow limited public access, or do not allow public access. Such guidelines should be based on ecological, liability, and other practical considerations to determine what level of public access is appropriate for open space properties that do permit access.

11-18 Work towards open space resources being properly maintained using best management practices.

The Township, along with the neighboring municipalities and the school district as applicable, should regularly inspect existing parks and open spaces, including open space in residential developments. A formal checklist so that the inspections and records are consistent could cover the following:

- Need for grounds work (regrading, clearing of overgrown vegetation, trash pickup)
- Structural repairs
- Condition of recreation facilities
- Grounds/repair work that will be needed in the near future
- Other safety and security concerns

In the case of HOA property, it is to the Township's benefit to inspect these areas periodically due to the provision that the Township could undertake management of such should the HOA have organizational issues. Encourage developers and HOAs to properly manage existing and newly constructed HOA open space according to a management plan that takes into account issues such as, but not limited to, funding for in-perpetuity maintenance, ecological sustainability, public access, recreational uses, access, permitted users of the open space, and if needed, reforestation, invasive plant removal, or stream bank restoration.

11-19 Continue to encourage appropriate maintenance of open space and evaluate ordinance standards related to the methods for maintenance and inspection of open space within residential and nonresidential land developments.

Zoning and SLDO includes standards for how open space within developments is permitted, maintained, and inspected. The Township should periodically evaluate how well current standards are working and determine if they need to be changed or tweaked for better functionality. For example, the Township should examine the process and results of inspections to determine how well the inspection process is working. It may be necessary to modify provisions to be more specific about maintenance requirements or give the Township additional flexibility to inspect and enforce the maintenance of these open spaces.