

OPEN SPACE

The term open space is sometimes treated as synonymous with Motherhood or Apple pie. Yes, open space is a marvelous concept which appeals to the American love affair with the new frontier. Solid, rational thinking, however, is required to put a good footing on the issue.

The value of open space to most adults is the vistas seen on the way to work and during chores. Formal recreation opportunities such as ball fields and tennis courts are the one exception. And, yes, there are a few who ride and walk on woods trails and explore open space “in the wild”.

Mostly, we derive only indirect enjoyment of most acreage preserved off the “beaten path”. Academically most of us understand that preserved wetlands and natural habitat ensure clean water and the relatively stable natural environment we all depend upon, but these issues are seldom in the forefront of daily thinking.

There are studies which suggest that buildable acreage purchased on the open market as open space actually pays for itself over the long run in avoided costs of servicing populations which would have lived there. This does presume that all taxpayers are “in it” for the “long haul” and have a reasonable expectation of being able to pay for it.

Children are a different story. They enjoy something of a universal passport when using vacant lots and privately owned woodlands, within limits. They also have the time and energy to actively

use much of the acreage officially open for public enjoyment.

Children also derive a sense of open space from all their surroundings as increased age, ability and maturity allows them the independence to bicycle to visit friends and to go to games and the candy store. They need safe bicycle access to make all of Rochester their open space. For many young families, that sense of open space is a substantial part of why they live in Rochester.

The Rochester Conservation Commission has sponsored a formal *Open Space & Recreation Plan* through a properly appointed Open Space Committee. This group conducted an extensive program of meetings, public forums and questionnaires. The result is a formal plan for adoption by the town and submittal to Mass DEP for acceptance. This Master Plan chapter has utilized research and findings of the new *Open Space & Recreation Plan* and it serves as a further resource for the interested reader.

In summary, everyone depends on open space in some way. It is aesthetic, it protects our very health and welfare, it offers recreational opportunities, both formal and individual, and it can be a long-term tax saving technique.

MEANS OF PROTECTION FOR OPEN SPACE

TEMPORARY TAX REDUCTION PROGRAMS

Approximately 6700 acres enjoy some property tax advantage as temporarily non-developable. Should any of this acreage be proposed for sale, the Town

enjoys first refusal. This program is enabled by Mass General Laws, Chapter 61 and protects farm and cranberry acreage as well as forestland and selected recreation lands.

CONSERVATION RESTRICTIONS

Some 600 acres are protected by permanent conservation easements enabled by MGL Chapter 184, Section 31-33. Conservation restrictions vary depending on the specific agreement but most limit further development of acreage while the property remains with the existing owner and the public gains no right of usage. The owner gets significant tax benefits. Some conservation restrictions are agricultural in nature and are called APR's or Agricultural Preservation Restrictions.

CONSERVATION COMMISSION

The Conservation Commission holds acreage acquired through gifts and Town purchase. Some acreage is designated for recreation and others held without designation. These are managed by the Commission and are not available for municipal use.

TOWN OF ROCHESTER

The Town "takes" property by a procedure specified in Mass General Laws for failure to pay taxes. It can also accept gifts as occurred with the open space provided by the Bogview Estates Flexible Development subdivision.

LAND TRUSTS

The Rochester Land Trust, the Mattapoissett Land Trust, Trustees of Reservations and the Wildlands Trust of

Southeast Massachusetts all own open space parcels in Rochester. The Mattapoissett Land Trust is in conversations to transfer its New Bedford Road tract next to Oldfield Farm to the Rochester Land Trust. Each of the other organizations, and possibly others, are actively cultivating opportunities for gifts or acquisitions.

COMMONWEALTH OF MASSACHUSETTS

The MA Division of Fisheries and Wildlife holds approximately 1300 acres of Rochester in the Haskell Swamp formerly managed as timberland by the Acushnet Sawmill Company. They also hold approximately 160 acres called the Church Wildlife Management Area on the west side of Mattapoissett River and 70 acres designated as "Wildlife Management Area" off Hartley Road.

The Massachusetts Farm Bureau Agricultural Preservation Corporation will hold approximately 400 acres of property in deed restriction similar to a Conservation Restriction as part of the Connet Woods Flexible Development subdivision. This property is under relatively severe restrictions set by the DEP NHESP (Natural Heritage and Endangered Species Program) due to confirmed habitat for the Eastern Box Turtle, a species defined as "of concern". The acreage will be available for hunting, walking and exploring.

OTHER OPEN SPACE

Each residential subdivision which is permitted under the Rochester Zoning By-Law called Flexible Development (synonym for Cluster Zone) and Special Residential Development has open space not deeded to any one residence and

forms uncluttered visual spacing and public access depending on the specific documents involved.

OPEN SPACE SUCCESSES:

Rochester has been fortunate in achieving Open Space using a number of these vehicles. Several of the recent successes are:

1. **Rounseville Homestead South** conservation restriction of 113 acres south of Rounseville Road
2. **Church Wildlife Management Area.** - The George Church grant to Mass Fisheries and Wildlife of 163 acres west of and adjacent to the Mattapoissett River off Wolf Island Road entitled “Church Homestead Wildlife Management Area”
3. **A George and Katherine Church Grant** of almost 21 acres on the north side of Marion Road adjacent to The Pines at Hathaway Pond is owned outright by the Rochester Land Trust
4. **Rounseville Homestead North** conservation restriction of 164 acres comprising most of the interior acreage between Rounseville Road and Hartley Road.
5. **Gaumont** conservation restriction at the corner of Cushman and New Bedford Road of 7 acres.
6. **Red Barn Farm** conservation restriction of 60 acres off

Vaughan Hill Road preserved as farm and woodland.

7. **Rounseville Recreation Area** of 6.9 acres is Conservation Commission land. It’s a canoe launch site on the west side of the Mattapoissett River off Rounseville Road.
8. **Eastover Farm Land Preservation Project** is 380 acres of farm-field, woodland and cranberry bogs in Rochester, some owned by the Conservation Commission, some owned by the Trustees of Reservations, portions under APR programs and the balance is conservation restrictions held by an assortment of agencies. Combined with adjacent protected Marion acreage, this totals some 780 acres.
9. **Sperry** conservation restriction off Marion Road at the Marion Town Line is 13.5 acres of woodland.
10. **Mattapoissett River Valley Aquifer Protection Project** is 131 acres in four parcels which is Conservation Commission land, some south of New Bedford Road and some east of Cushman Road.

SUMMARY OF COMMUNITY’S NEEDS

The Rochester Park Commission, a three member elected board, schedules and maintains the Raynor Gifford Park ball fields and the new Dexter Lane playing fields, built with the help of an Urban

Self Help Grant in 1997-1998. The addition of the new fields has helped tremendously to ease the scheduling conflicts that constantly arose in the past at the limited playing fields of Raynor Gifford Park. Residents have expressed interest in seeing basketball and tennis courts constructed. It should be noted that although the Park Commission schedules use of the recreational facilities, it does not fund the sports played on the fields. Funding comes from “booster” or support groups. Little League has benefited from this kind of support for years. A Pop Warner Football League has been formed, and groups interested in sponsoring other sports are encouraged to do so. A skateboarding support group raised money to build the recently completed skate park at Dexter Lane.

According to the responses to the town-wide survey, there is interest in walking, biking and bridle paths and a need for information about existing available pathways. There are a number of walking trails open to the general public on town and state owned properties. An informational brochure is needed and has been a proposed project for the Conservation Commission since the last Open Space Plan. There are possible sites for additional paths behind the Dexter Lane fields and perhaps behind Memorial School. To provide more paths, access to large parcels needs to be available through outright acquisition of land or negotiation for access on private land.

The town acquired land on the western shore of Mary’s Pond for a town beach a number of years ago. The Mary’s Pond Beach Committee worked over a nine-year period to obtain environmental

permits to construct a resident’s beach off Perry’s Lane. These have been granted. The project is on hold pending full funding from a Town Meeting. A canoe/car top boat access has recently been constructed on town owned property by the Department of Fish and Game Office of Boating Access. It officially opened in June of 2007.

The Town of Rochester needs a standing “Open Space Action Committee” to initiate a public policy of inviting landowner discussion about issues concerning open space, resource protection, scenic preservation and land conservation. This committee would distribute educational materials and approach owners of critical parcels of interest to the town to discuss possible ways of protecting those parcels. The committee would also work with the Board of Assessors and local legislators to update state assessment laws to recognize the value of open space.

IMPLEMENTING ACTION TASKS
suggested to realize the plan:

BOARD OF HEALTH:

On-going evaluation of pond and stream health.

CONSERVATION COMMISSION:

Identify people with enthusiasm to staff an Open Space Action Committee and recommend that the Selectmen create the committee with the following challenges.

- a. Build proactive relationships with owners
- b. Build proactive relationship with growers and other farming ventures
- c. Build relationship with Mattapoissett River Valley

- organizations and secure mutual objectives
- d. Understand/guide Assessor's options
 - e. Advocate and pursue acquisition of open space, conservation restrictions, etc.
 - f. Promote education and proactively identify and implement the following:
 - Address change to new self-image as suburban replaces rural
 - Value of wetlands
 - Value of farming and how to nurture
 - Recreational opportunities, walking trails, etc
 - g. Proactively address need for sidewalks on busy roads to allow easier access to open space.
 - h. Proactivley identify and implement preservation of public access to multiple existing woods trails.
 - i. Specify a time frame and management plan for Mary's Pond Beach.

public access to privately owned open space.

PLANNING BOARD:

1. Develop and propose zoning By-Laws for:
 - a. Open Space Residential Development by-law (OSRD)
 - b. Tradable Development Rights by-law (TDR)
 - c. Refined cluster by-law maybe as preferred mode of development
2. Develop and implement:
 - a. Commercial project options for Chapter 61 land-release applications which include open space provisions.
 - b. Identify and implement liability management techniques for