

**ROUTE 11
GREENWAY DEVELOPMENT PLAN**

Route 11 Greenway Authority Commission

Adopted: 22 September 2005

Route 11 Greenway Authority Commission

Members

Paul Eccard, *Chairman*
Peter Sielman, *Vice Chairman*
Wayne Fraser
Joseph Jaskiewicz
Edgar Hurle
Leslie Lewis
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Representing

Town of Waterford
Town of Salem
Town of East Lyme
Town of Montville
CONNDOT
Connecticut DEP
SCCOG

Alternate Members

Patrick Dunion
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Representing

Town of Montville
Town of Waterford
Town of East Lyme
Town of Salem
SCCOG

TABLE OF CONTENTS

I. INTRODUCTION

- A. Route 11
- B. Creation of Route 11 Greenway Authority Commission
- C. Work of Route 11 Greenway Authority Commission to Date

II. WHAT IS A GREENWAY

- A. Connecticut DEP Definition
- B. Route 11 Greenway Authority Commission Criteria for Inclusion in Greenway

III. ROUTE 11 GREENWAY AUTHORITY COMMISSION OBJECTIVES

- A. Purpose of the Route 11 Greenway Authority Commission
- B. Objectives

IV. PLANNING AND LAND ACQUISITION PROCESS

- A. Planning
- B. Procedure for Purchase of Property
- C. Procedure for Acceptance of Donated Property or Property Interest
- D. Property Management

V. PROPOSED ROUTE 11 GREENWAY DEVELOPMENT PLAN

EXHIBITS
MAPS

I. INTRODUCTION

A. Route 11

The first segment of Route 11, from Route 2 in Colchester to Route 82 in Salem (see Map 1) was completed in 1972. Original plans called for extension of Route 11 to I-95 and I-395 in Waterford, but construction of this segment of the highway was deferred in the late 1970s due to funding constraints.

In the fall of 1997, the Connecticut Department of Transportation (CONNDOT) began work on a Major Investment Study (MIS) to evaluate corridor conditions and to narrow a broad range of alternatives for inclusion in an Environmental Impact Statement (EIS) necessary for the extension of this highway. This very public process included participants from the Army Corps of Engineers, the Connecticut Historic Preservation Office, the Connecticut Office of Policy and Management, local state legislators, the Connecticut Department of Environmental Protection, the U.S. Environmental Protection Agency, the Federal Highway Administration, the City of New London Water Department, the Towns of East Lyme, Montville, Salem, and Waterford, and the Southeastern Connecticut Council of Governments. In January 1998, the MIS and EIS processes were combined, leading to the publication of a Draft Environmental Impact Statement (DEIS) in February 1999. The DEIS recognizes that Routes 82, 85 and 11 serve a vital transportation function in southeastern Connecticut as major travel routes between the capitol region and the southeastern region. The DEIS states that this travel corridor is regarded as inadequate to safely and efficiently accommodate the volume of traffic using these roadways. The DEIS identifies the following six points to summarize the purpose and need for transportation improvements in the Route 82/85/11 corridor:

- To complete the final link in the limited access highway between the southern terminus of Route 11 in Salem and I-95/I-395 in Waterford.
- To reduce conflicts between increased mobility/efficiency and access to local properties by separating through and local traffic.
- To improve motorist, pedestrian, and bicycle safety in the corridor and reduce roadway hazards contributing to accident frequency and/or severity.
- To provide transportation system improvements that are capable of meeting current and projected future peak traffic demands for all vehicle classes.
- To sustain community character in evaluating long-term transportation options.
- To meet local, regional and statewide transportation need while observing local growth and development goals and attempting to reduce excess burden on the corridor municipalities.

The Southeastern Connecticut Council of Governments (SCCOG) and its four impacted member towns have all endorsed the completion of Route 11. It is considered one of the region's top transportation improvement priorities and has broad public support.

Shortly after publication of the DEIS, a Least Environmentally Damaging Practical Alternative (LEDPA) was chosen for the highway's extension. This is a designation provided by one of the key federal regulatory agencies, the U.S. Army Corps of Engineers. The preferred alternative identified is a four lane limited access arterial on new alignment. Since the DEIS was published, CONNDOT and the Federal Highway Administration have been working with the federal and state natural resource agencies to resolve comments and publish the Final Environmental Impact Statement (FEIS) and a Record of Decision (ROD). These actions are necessary for the issuance of a Section 404 Permit by the Army Corps of Engineers, and before any construction can take place in federally regulated wetlands and watercourses. The completion of the FEIS has been delayed while agencies work to satisfy the concerns of the USEPA, which has warned that the project is a candidate for their veto authority of any Section 404 permit if their concerns are not addressed. In 2001, a Permit Streamlining Committee, comprised of representatives of involved federal and state agencies, SCCOG, and the four impacted towns met during the year in an effort to move the project's permitting requirements forward. In November 2002, CONNDOT nominated this highway project to the Secretary of Transportation's National Priority list established under Executive Order 13274. The project was added to Secretary Norman Minetta's National Priority list on August 17, 2004. Currently, additional resource studies are being conducted by CONNDOT in order to satisfy the concerns of the concerned federal agencies.

B. Creation of Route 11 Greenway Authority Commission

In 2001, the Connecticut General Assembly passed Public Act 00-148, enabling the creation of a Route 11 Greenway Authority Commission (see Exhibit 1). Pursuant to the Public Act the Towns of East Lyme, Montville, Salem, and Waterford, all adopted ordinances, which established the Greenway Authority Commission (see Exhibits 2,3,4,5). The purpose of the Commission is to identify and prioritize lands that shall be added to the Route 11 Greenway, to recommend land use within the Route 11 Greenway, to acquire land and to secure conservation easements for the Route 11 Greenway. Membership of the Commission consists of the Commissioner of Environmental Protection (or said designee), the Commissioner of Transportation (or said designee), a member and alternate from each of the Towns of East Lyme, Montville, Salem and Waterford appointed by the First Selectman or Mayor of each town and a member and alternate from the Southeastern Connecticut Council of Governments, appointed by said agency.

The Commission is an autonomous body within the Department of Transportation for administrative purposes only. The Commission may employ experts and such other assistants as it judges necessary and may accept funds from any source. Notwithstanding any other provision of the General Statutes, any funds appropriated to the commission or received by the Commission by any other source shall be held in the custody of the Commission and expended by the Commission for the purposes set forth in Section 40 of P.A. 00-148.

C. Work of the Route 11 Greenway Authority Commission To Date

The Route 11 Greenway Authority Commission (Route 11 GAC) began meeting in the summer of 2001. One of the first tasks that it undertook was to establish Bylaws under which the Commission would operate. The Route 11 GAC's first set of Bylaws was adopted on July 26, 2001. At this same meeting, the Route 11 GAC elected its first set of officers consisting of a Chairman, a Vice Chairman, and a Secretary/Treasurer. A list of the current officers as well as the members of the Commission, are presented at the outset of this document.

A second order of business was to schedule and hold a public hearing within 90 days of its inaugural meeting, as required by the Public Act creating the Commission. The purpose of the public hearing was to develop standards for defining the initial boundaries of the Route 11 Greenway; planning the design, construction, maintenance, and management of the Route 11 Greenway trail system and intermodal access system; identifying and prioritizing lands that should be added to the Greenway; recommending land use within the Greenway; and acquiring land and securing conservation easements for the Greenway. A public hearing was held on September 20, 2001, at the Chesterfield Fire House in Montville. At this well attended public hearing, fourteen officials and citizens addressed the Commission with questions and offered their ideas for a Greenway. The Route 11 GAC published a response to the comments and questions made at this hearing (see Exhibit 6).

The Route 11 GAC in the ensuing years has taken on a number of efforts in order to establish a Route 11 Greenway. These include the establishment of Standards for Land Acquisition (see Exhibit 7 and discussion below) to guide the Route 11 GAC when considering properties for inclusion in the Greenway. The Route 11 GAC has also created a subcommittee that will advise the full commission on the value of potential properties. In order to facilitate the purchase of properties, the Route 11 GAC has entered into a Memorandum of Understanding with CONNDOT, so that CONNDOT may use its property acquisition process to purchase properties on behalf of the Route 11 GAC, which after purchase by the State will be conveyed to the Commission. In recent months, the Route 11 GAC has been investigating the potential for the establishment of a revolving loan fund in the Commission's name in order to provide an alternative to the sometimes lengthy CONNDOT property acquisition process. The Route 11 GAC has adopted its own Process for Acquisition of Land, which includes a rating system to

evaluate prospective purchases (see Exhibit 8) and a Procedure for Acceptance of donated land (see Exhibit 9). The Route 11 GAC recognizes that it is a public agency having limited financial resources and it wishes to use the funds available to it for this purpose wisely. As of this writing, the Route 11 GAC has initiated the purchase of two properties that would contribute to a Greenway within the Route 11 corridor.

II. WHAT IS A GREENWAY?

A. Connecticut DEP Definition

The Connecticut Department of Environmental Protection (DEP) has a very active greenway creation program. In 1995, the Connecticut General Assembly acted upon the recommendations of the Governor's Greenway Committee and passed Public Act 95-335, which institutionalized Connecticut's greenways program. A highlight of that legislation was the establishment of the Connecticut Greenways Council. One of that Council's duties is to develop criteria for the designation of greenways around the state. The Public Act defines a greenway as a corridor of open space that:

1. may protect natural resources, preserve scenic landscapes and historical resources or offer opportunities for recreation or non-motorized recreation;
2. may connect existing protected areas and provide access to the outdoors;
3. may be located along a defining natural feature, such as a waterway, along a man-made corridor, including an unused right of way, traditional trail routes or historic barge canals; or
4. may be a green space along a highway or around a village.

In order to be officially designated by the Greenways Council, open space or pathways must meet at least one aspect of the above criteria. Connecticut DEP defines the critical element in greenway designation the parcel's connectivity to other open spaces and greenways.

B. Route 11 Greenway Authority Commission Criteria for Inclusion in Greenway

The Route 11 GAC has generated maps depicting a line running parallel to and 2,000 feet from either side of the planned Route 11 right of way. Together with a 200 to 400-foot right of way, this 2,000-foot wide area on either side of the planned highway has been mapped for planning purposes (see Map 2). The Route 11 GAC is looking to acquire key parcels within this artificially established area, but has also stated that the line 2,000 feet from either side of the planned ROW is not a boundary. The future Greenway is envisioned to be one that will grow and be added to over time. Its location and shape will be determined by the final location of the Route 11 ROW and the land acquired by CONNDOT for required environmental mitigation, the availability of funds to acquire property and

conservation easements, and the number of properties and easements that are offered as donations.

The Route 11 GAC has established its own set of criteria to be used for evaluating properties for potential inclusion in the Route 11 Greenway. These are set forth in a rating sheet the Route 11 GAC's Property Evaluation Subcommittee uses in weighing parcels that are being considered. The three primary standards applied are:

1. The preservation of natural resources;
2. The preservation of cultural resources; and
3. The expansion of passive recreational opportunities.

Because of its finite and limited funding stream, the Route 11 GAC must prioritize properties for acquisition. In setting its priorities, the Commission considers a number of factors including:

- **Connectivity** – The Commission shall place priority on land that is contiguous to other public open space such as state forests, state parks, municipal parkland or lands controlled by the Route 11 Greenway Authority Commission. The Commission shall give priority to critical watershed lands and lands controlled by easements. This may sometimes favor a linear tract configuration in order to provide a connection between two elements of the Greenway. These could serve as habitat corridors or recreation trails.
- **Size** – The Commission shall place a priority on larger tracts of land. This priority shall include tracts that are circular or square as opposed to narrow linear shapes. This configuration will allow species that may require larger forest habitat blocks to populate the Greenway.
- **Buffers** – The Commission shall place a priority on tracts that provide a buffer along sensitive resources. Such resources may include high quality wetlands and streams or cultural resources. These lands will generally protect resources and where appropriate may provide recreational or educational access.
- **Special Sites** – The Commission shall place a priority on certain areas such as vernal pools, important habitat for herpetofauna, unusual plant species, important cultural, historic or archeological sites, and areas that present unique recreational opportunities.
- **Sites that Create Opportunities for Open Space** – The Commission shall place a priority on tracts that would allow the Commission to manage access to important open lands that are likely to be developed. These tracts could provide a barrier between the transportation system and key developable open space.
- **Cost** – The Commission shall consider the cost associated with the acquisition and the maintenance of any tract under consideration.
- **Multi-Use Tracts** – The Commission shall place a priority on any tracts of land that serve the multiple goals of preserving natural and cultural resources and providing passive recreational opportunities as well as those tracts which

provide trailhead access, parking availability, and other potential amenities.

III. ROUTE 11 GREENWAY AUTHORITY COMMISSION OBJECTIVES

A. Purpose of the Route 11 Greenway Authority Commission

The stated purpose of the Route 11 GAC as contained in its Bylaws are:

1. Develop standards that will enable the initial and future boundaries of the Route 11 Greenway to be defined.
2. Plan the design, construction, maintenance and management of the Route 11 Greenway trail system and intermodal access system.
3. Identify and prioritize lands that should be added to the Route 11 Greenway.
4. Recommend land use within the Route 11 Greenway.
5. Acquire land and secure conservation easements for the Route 11 Greenway.

B. Objectives

The objectives of the Route 11 GAC are to create and manage a greenway that:

1. Provides environmentally sound protection of the land and habitat surrounding Route 11.
2. Provides useful service to the public in the form of passive recreation, including a trails system, with connection to other greenways.
3. Preserves and protects cultural resources.
4. Functions effectively and efficiently.

Functioning effectiveness will be measured by such external characteristics as:

- Protection and connectivity of habitat
- Ease of access
- Safety of use
- Connection to other greenways
- Extent of passive recreation facilities

- Public acceptance

Functioning efficiency will be measured by:

- Annual cost of operation and maintenance
- Smooth coordination with host towns, state agencies, and the federal government

IV. PLANNING AND LAND ACQUISITION PROCESS

A. Planning

The Route 11 Greenway Authority Commission has worked closely with the four impacted towns to collect data and mapped information for property that is located within 2,000 feet of either side of the proposed Route 11 ROW. This information is the basis for the planning being conducted by the Commission. The Route 11 GAC has formed a subcommittee of its members and local town staff to advise it when parcels are first identified for possible acquisition. The Eastern Connecticut Environmental Review Team may be invited to provide comment on particular properties. This subcommittee will evaluate tracts and/or easements under consideration based on the criteria outlined above and then makes a recommendation to the full Commission. A majority vote of the Route 11 GAC is required before a property will be pursued for acquisition.

B. Procedure for Purchase of Property

1. Data Finding Phase

a. Identify properties suitable for acquisition – property is identified as available or potentially available for sale, or a submission requesting a review of the property is received by the Route 11 GAC. Submissions for consideration may come from the Route 11 GAC or outside sources, and must include certain preliminary information, as well as a map of the property. A submission form will be made available to ensure that the minimum information necessary for review is supplied.

b. Prioritize property to be acquired using previously established criteria. In addition to the criteria evaluated by the reviewers, each property review may be used on a number of other relevant and important factors, including, but not limited to the following:

- Distribution of land acquisitions previously completed within the corridor.

- Availability of gift or partial gift of the property.
- Availability of a cooperator to cost-share in the property acquisition or management.
- Stewardship needs and special management constraints posed, or potentially alleviated, by acquisition of the property.
- Compatibility of the project with other environmental plans, policies, goals, and objectives (i.e. water quality protection, etc.).
- The fiscal and economic benefits and burdens resulting from the proposed acquisition.
- The estimated cost of acquisition in relation to the rating of the property.
- The extent to which the property encompasses other land use needs, such as preservation of agricultural land, aquifers, floodplains, etc.
- Vulnerability of a property and its resources to substantial adverse impact or conversion to incompatible uses. This is a measure of the urgency of Route 11 GAC acquisition in order to preserve the resource. Whenever possible, a vulnerability rating is given if substantial adverse impact is expected to occur: "A" – within two years; "B" – between two to five years; "C" – between five and ten years. "Substantial adverse impact" is a cumulative assessment, based on factors such as: present condition of the site; any announced plans for development; transfer of proposed transfer of ownership (including public offering of sale); growth rate of the affected municipality; and the relationship of the property with respect to the overall land use plan or pattern of the community.
- The conduct of a Phase I Environmental Analysis to determine if there are hazardous materials on the site.

c. Establish a database on prioritized properties including owner, contact information, acreage, property features and attributes, and assessed value. Property review information is entered into a computerized database. After the submission information is entered, acknowledging correspondence is sent to the property owner or submitter. Property sketches of each submission are digitally mapped whenever feasible.

2. Purchase Process Phase

Properties selected for inclusion in the greenway will be referred to the Connecticut Department of Transportation (CONNDOT) for acquisition on behalf of the Route 11 GAC utilizing existing CONNDOT procedures.

a. Acquisition steps by CONNDOT include:

1. Title search
2. Parcel mapping
3. Appraisal
4. Appraisal review
5. Negotiations
6. Procurement of title
7. Any required relocation activities

b. Following acquisition by CONNDOT, the property will be conveyed by the State to the Route 11 GAC. The conveyances will be made pursuant to State Statute and the conveyance documents will contain language providing for the reversion of title to the land to the State or to the municipality within which the property is located. in the event that the Route 11 GAC ceases to exist as a legal entity.

c. After properties have been conveyed from the State to the Route 11 GAC, CONNDOT will present the Route 11 GAC with an invoice for the purchase price of the property including all administrative costs associated with its acquisition. The Route 11 GAC in turn will invoice the Federal Highway Administration (FHWA) requesting reimbursement to CONNDOT from the Route 11 Greenway Acquisition Fund.

d. Administrative costs incurred by Route 11 GAC during the property acquisition phase may be reimbursed from the federal project funds.

NOTE: The procedure for purchase of property by the Route 11 GAC outlined above and in use at the time of this writing relies upon the the Connecticut Department of Transportation to initially purchase a property on behalf of the Commission. The reason for this is that the Commission does not currently have other funds available to it for this purpose. The Route 11 GAC is investigating the establishment of another source of funding from a private lending institution that would allow the Commission to purchase and pay for property. If the Route 11 GAC is successful in this regard, the process outlined above will be amended to reflect this streamlined arrangement.

C. Procedure for Acceptance of Donated Property or Property Interest

1. Offer to donate property or interest in property (i.e. conservation easement, right-of-way, property with life tenancy agreement, etc.) made in writing to Route 11 GAC by property owner or agent.

2. Route 11 GAC Property Review Committee reviews offer and makes recommendation to Route 11 GAC.
3. Route 11 GAC votes to accept or reject offer contingent upon environmental review(s) and satisfactory resolution of title issues.
4. If offer is accepted, Route 11 GAC has a Phase I Environmental Review performed and if necessary, a Phase II Environmental Review.
5. If offer is accepted, title is examined by Route 11 GAC attorney. Contingent on clear title review, deed or other appropriate instrument (e.g. conservation easement) is drafted by Route 11 GAC attorney and presented to property owner or their agent.
6. If determined necessary, Route 11 GAC has property survey performed.
7. Determination is made as to what tax adjustments are needed at closing before property reverts to non-profit status.
8. Executed deed and/or other legal instruments recorded in Land Records of appropriate municipality.
9. Management protocol (maintenance schedule, improvements, signage, insurance) for property established by Route 11 GAC.

D. Property Management

1. Route 11 GAC to decide if acquired property is to be transferred to the State of Connecticut or a land trust as allowed by state statute.
2. If Route 11 GAC retains either fee simple ownership or other rights to property, establish a management protocol for each parcel.
 - a. Establish funding source for ongoing maintenance of the property.
 - b. Regulate use of property based on type of use (resource protection, recreation, etc.).
 - c. Schedule any improvements to property, including signage.
 - d. Plan for property maintenance (e.g. as-needed tree trimming, mowing, snow removal, litter removal, etc.)

V. PROPOSED ROUTE 11 GREENWAY DEVELOPMENT PLAN

It is hoped that the Route 11 Greenway will serve as a model for future "Green Highways" so that transportation and environmental concerns can be met in combined symbiotic developments. It is toward that end that the Route 11 Greenway Authority Commission, including the Towns of East Lyme, Montville, Salem, and Waterford have identified the parcels shown on Map 3 to be included in the initial Greenway. It is not intended that this map be static, but rather it is a first cut in identifying the most important parcels to be acquired in the Route 11 Greenway Corridor. The map will be revisited from time to time so that it may be updated as new properties are identified for inclusion. Nor is the map intended to be all-inclusive; parcels other than those shown should and will be evaluated by the Greenway Authority Commission if the opportunity for their acquisition presents itself.

Substitute House Bill No. 5204

Public Act No. 00-148

An Act Revising Certain Transportation Laws.

Sec. 40. (NEW) (a) The towns of East Lyme, Montville, Salem and Waterford may, by ordinance consistent with the provisions of subsections (b) and (c) of this section, establish a Route 11 Greenway Authority Commission which shall be deemed established at such time as the last of the four towns has adopted such ordinance.

(b) Such ordinance shall specify the membership of the commission, which shall consist of the Commissioner of Environmental Protection, or said commissioner's designee, the Commissioner of Transportation, or said commissioner's designee, a member and alternate member from each of the towns of East Lyme, Montville, Salem and Waterford, appointed by the first selectman of each of said towns, and a member and alternate member of the Southeastern Connecticut Council of Governments appointed by said agency. Each member and alternate member shall serve for a term of two years and until such member's successor is appointed and has qualified. Such appointments may be made at a meeting of the town's legislative body, to take effect when the last of the four towns has adopted such ordinance. An alternate member shall be empowered to vote on said commission in the absence of the member for whom such person is an alternate. The initial terms of members shall commence when the last of the four towns adopting such ordinance has appointed a member and an alternate member. Any vacancy on the commission shall be filled in the same manner as the original appointment for the balance of the unexpired term. No appointed member shall receive any compensation for service on said commission. Said commission shall elect from its members a chairperson and such other officers as it deems necessary and shall establish its own rules of procedure. The commission shall be an autonomous body within the Department of Transportation for administrative purposes only. The commission may employ experts and such other assistants as it judges necessary and may accept funds from any source. Notwithstanding any other provision of the general statutes, any funds appropriated to the commission, or received by the commission from any other source, shall be held in the custody of the commission and expended by the commission for the purposes set forth in this section.

(c) Such ordinance shall also require the Commissioner of Environmental Protection and the Commissioner of Transportation, not later than sixty days after the effective date of this act, to call a meeting of said commission which shall, within ninety days

thereafter:

(1) Hold public hearings for the purpose of developing standards for (A) defining the initial boundaries of the Route 11 Greenway, (B) planning the design, construction, maintenance and management of the Route 11 Greenway trail system and intermodal transportation access system, (C) identifying and prioritizing lands that should be added to the Route 11 Greenway, (D) recommending land use within the Route 11 Greenway, and (E) acquiring land and securing conservation easements for the Route 11 Greenway, except that nothing in this act shall be construed to prohibit the acquisition of land within the Route 11 Greenway by a municipality; and

(2) Establish by-laws by which the commission shall (A) conduct its meetings, including a provision specifying that no action by the commission shall be effective except by the concurring vote of at least four members, (B) protect and preserve the lands under its custody, (C) supervise staff, (D) maintain its records, and (E) report to the General Assembly, as required under subsection (d) of this section.

(d) Notwithstanding any other provision of this section or the general statutes, the commission may: (1) Acquire or convey by purchase, gift, lease, devise, exchange or otherwise, any land or interest therein including, but not limited to, conservation easements, located wholly or partly in the conservation zone, provided such acquisition does not utilize funds furnished by the state; (2) transfer, with the approval of the commissioner, any land or interest therein to the state with or without consideration, provided any funds received therefor shall not be deemed funds furnished by the state for the purposes of this section, and (3) contribute or transfer funds to, and enter into agreements with, land trusts or other conservation organizations, to carry out the purposes of this act. The commission shall report to the General Assembly, on or before February fifteenth, annually, on its activities of the preceding year and on its finances. The existence of the commission shall terminate at such time as all of its member towns have withdrawn or it is abolished by the General Assembly.

Town of East Lyme

ORDINANCE ESTABLISHING ROUTE 11 GREENWAY AUTHORITY COMMISSION

WHEREAS, the Connecticut General Assembly has, in Section 40 of Public Act 00-148, authorized the towns of East Lyme, Montville, Salem and Waterford to establish by ordinance a "Route 11 Greenway Authority Commission"; and

WHEREAS, it is desirable to promote completion of Route 11 and a related Greenway;

The following ordinance is hereby adopted:

1. Pursuant to Section 40 of Public Act No. 00-148, the Town of East Lyme hereby establishes a Route 11 Greenway Authority Commission, which shall be deemed to be established at such time as the last of the four towns of East Lyme, Montville, Salem and Waterford has adopted an ordinance consistent with subsections (a), (b) and (c) of Section 40 of Public Act 00-148.
2. The membership of said Commission shall consist of the Commissioner of Environmental Protection, or said Commissioner's designee, the Commissioner of Transportation, or said Commissioner's designee, a member and alternate member from each of the towns of East Lyme, Montville, Salem and Waterford, appointed by the First Selectman of said

towns, and a member and alternate member of the Southeastern Connecticut Council of Governments appointed by said agency.

3. Each member and alternate member of the Commission shall serve for a term of two years and until such member's successor is appointed and has qualified. Such appointments shall take effect when the last of the four towns has adopted an enabling ordinance. An alternate member shall be empowered to vote on said Commission in the absence of the member for whom such person is an alternate. The initial terms of members shall commence when the last of the four towns adopting such ordinance has appointed a member and an alternate member. Any vacancy on the Commission shall be filled in the same manner as the original appointment for the balance of the unexpired term. No appointed member shall receive any compensation for service on said commission. Said Commission shall elect from its members a chairperson and such other officers as it deems necessary and shall establish its own rules and procedure.
4. The Commission shall be an autonomous body within the Department of Transportation for administrative purposes only. The Commission may employ experts and such other

assistants as it judges necessary and may accept funds from any source. Notwithstanding any other provision of the General Statutes, any funds appropriated to the Commission or received by the Commission from any other source shall be held in the custody of the Commission and expended by the Commission for the purposes set forth in Section 40 of Public Act No. 00-148.

5. The Commissioner of Environmental Protection and the Commissioner of Transportation, not later than sixty days after the effective date of the enabling ordinance adopted by the last of the four towns to adopt such an ordinance, shall call a meeting of the Commission which shall, within ninety days thereafter: (1) Hold public hearings for the purpose of developing standards for (A) defining the boundaries of the Route 11 Greenway, (B) planning the design, the construction, maintenance and management of the Route 11 Greenway trail system and intermodal transportation access system, (C) identifying and prioritizing land that should be added to the Route 11 Greenway, (D) recommending land use within the Route 11 Greenway, and (E) acquiring land and securing conservation easements for the Route 11

Greenway, except that nothing in the Act shall be construed to prohibit the acquisition of land within the Route 11 Greenway by a municipality; and (2) Establish bylaws by which the Commission shall (A) conduct its meetings, including a provision specifying that no action by the Commission shall be effective except by the concurring vote of at least four members, (B) protect and preserve lands under its custody, (C) supervise staff, (D) maintain its records, and (E) report to the General Assembly, as required by Section 40 of Public Act No. 00-148.

6. Notwithstanding any other provision of Section 40 of Public Act 00-148 or the General Statutes, the Commission may: (1) acquire or convey by purchase, gift, lease, devise, exchange or otherwise, any land or interest therein including, but not limited to, conservation easements, located wholly or partly in the conservation zone, provided such acquisition does not utilize funds furnished by the State; (2) transfer, with the approval of the Commissioner, any land or interest therein to the State with or without consideration, provided any funds received therefor shall not be deemed funds furnished by the State for purposes of this section, (3)

contribute or transfer funds to, and enter into agreements with, land trusts or other conservation organizations, to carry out the purposes of Section 40 of Public Act No. 00-148.

7. The Commission shall report to the General Assembly, on or before February 15 annually, on its activities of the preceding year and on its finances.
8. The existence of the Commission shall terminate at such time as all of its member towns have withdrawn or is abolished by the General Assembly.
9. This ordinance shall become effective ten (10) days after publication of notice of its adoption.

**TOWN OF MONTVILLE
NOTICE OF ADOPTION OF ORDINANCE**

Notice is hereby given that the Town Council of the Town of Montville, at a special meeting held March 7, 2001, adopted the following Ordinance:

ORDINANCE NO. O-V-4

ESTABLISHMENT OF A ROUTE 11 GREENWAY AUTHORITY COMMISSION

Section One.

The Town of Montville Hereby Ordains pursuant to Section 40 of Public Act No. 00-148 that there shall be established a Route 11 Greenway Authority Commission.

Section Two.

In accordance with the provisions of Section 40 of Public Act No. 00-148 the Route 11 Greenway Authority Commission shall be established upon passage of this Ordinance, the Towns of East Lyme, Salem and Waterford having previously adopted ordinances establishing said Commission.

Section Three.

Membership of the Commission shall consist of the Commissioner of Environmental Protection, or said commissioner's designee, the Commissioner of Transportation, or said commissioner's designee, a member and an alternate member from each of the Towns of East Lyme, Montville, Salem, and Waterford, appointed by the first selectman or mayor as the case may be of each of said towns, and a member and an alternate member of the Southeastern Connecticut Council of Governments appointed by said agency. Each member and alternate member shall serve for a term of two years and until such member's successor is appointed and has qualified. Such appointments shall be made at a meeting of the town's legislative body, to take effect when the Town of Montville has adopted this ordinance. An alternate member shall be empowered to vote on said Commission in the absence of the member for whom such person is an alternate. The initial terms of members shall commence when the Town of Montville adopts this ordinance and has appointed a member or alternate member. Any vacancy on the Commission shall be filled in the same manner as the original appointment for the balance of the unexpired term. No appointed member shall receive any compensation for service on said Commission.

Said Commission shall elect from its members a chairperson and such other officers as it deems necessary and shall establish its own rules of procedure. The Commission shall be an autonomous body within the Department of Transportation for administrative purposes only. The Commission may employ experts and such other assistants as it judges necessary and may accept funds from any source.

Notwithstanding any other provisions of the general statutes, any funds appropriated to the Commission, or received by the Commission from any other source, shall be held in the custody of the Commission and expended by the Commission for the purpose set forth in this section.

Section Four.

The Commissioner of Environmental Protection and the Commissioner of Transportation, not later than sixty days after the effective date of this ordinance, shall call a meeting of said commission which shall, within ninety days thereafter:

1. Hold public hearings for the purpose of developing standards for:
 - A. defining the initial boundaries of the Route 11 Greenway,
 - B. planning the design, construction, maintenance and management of the Route 11 Greenway trail system and intermodal transportation access system,
 - C. identifying and prioritizing lands that shall be added to the Route 11 Greenway,
 - D. recommending land use within the Route 11 Greenway, and
 - E. acquiring land and securing conservation easements for the Route 11 Greenway, except that nothing in this act shall be construed to prohibit the acquisition of land within the Route 11 Greenway by a municipality, and

2. Establish by-laws by which the Commission shall:
 - A. conduct its meetings, including a provision specifying that no action by the Commission shall be effective except by the concurring vote of at least four members,
 - B. protect and preserve the lands under its custody,
 - C. supervise staff,
 - D. maintain its records, and
 - E. report to the General Assembly, as required under Section 5 of this ordinance.

Section Five.

Notwithstanding any other provision of this section or the general statutes, the Commission may:

- 1) Acquire or convey by purchase, gift, lease, devise, exchange or otherwise, any land or interest therein including, but not limited to, conservation easements, located wholly or partly in the conservation zone, provided such acquisition does not utilize funds furnished by the State,

- 2) Transfer, with the approval of the commissioner, any land or interest therein to the State with or without consideration, provided any funds received therefore shall not be deemed funds furnished by the State for the purposes of this section, and
- 3) Contribute or transfer funds to, and enter into agreements with, land trusts or other conservation organizations, to carry out the purposes of this act. The commission shall report to the General Assembly, on or before February fifteenth, annually, on its activities of the preceding year and on its finances. The existence of the Commission shall terminate at such time as all of its member towns have withdrawn or it is abolished by the General Assembly.

Section Six.

This Ordinance shall become effective thirty (30) days from the date of passage.

Dated at Montville, Connecticut this 8th day March 2001.

ATTEST: Lisa DiMarco
Montville Town Clerk

Town of Salem

ESTABLISHMENT OF A ROUTE 11 GREENWAY
AUTHORITY COMMISSION

WHEREAS, it is desirable to promote the completion of Connecticut Route 11 with a "Greenway", and

WHEREAS, the Connecticut General Assembly has, in Section 40 of Public Act 00-148, Substitute House Bill No. 5204, authorized the towns of East Lyme, Montville, Salem and Waterford to establish, by ordinance, a "Route 11 Greenway Authority Commission", and

The legislative body of the Town of Salem hereby adopts the following ordinance, entitled "Establishment of a Route 11 Greenway Authority Commission":

(a) In accordance with the provisions of subsections (a), (b) and (c) of Section 40 of Public Act 00-148, Substitute House Bill No. 5204, a Route 11 Greenway Authority Commission is hereby established, at such time as all the towns of East Lyme, Montville, Salem and Waterford shall have adopted ordinances consistent with the provision of subsections (b) and (c) of Section 40 of said Public Act.

(b) The membership of said Commission shall consist of the Commissioner of Environmental Protection, or said Commissioner's designee, the Commissioner of Transportation, or said Commissioner's designee, a member and alternate member from each of the towns of East Lyme, Montville, Salem and Waterford, appointed by the First Selectman of each of said towns, and a member and alternate member of the Southeastern Connecticut Council of Governments appointed by said agency. Each member and alternate member shall serve for a term of two (2) years and until such member's successor is appointed and has qualified. Such appointment shall take effect when the last of the four (4) towns has adopted an enabling ordinance. An alternate member shall be empowered to vote on said Commission in the absence of the member for whom such person is an alternate. The initial terms of members shall commence when the last of the four (4) towns adopting an enabling ordinance has appointed a member and an alternate member. Any vacancy on the Commission shall be filled in the same manner as the original appointment for the balance of the unexpired term. No appointed member shall receive any compensation for service on said Commission.

Said Commission shall elect from its members a chairperson and such other officers as it deems necessary and shall establish its own rules of procedure. The Commission shall be an autonomous body within the Department of Transportation for administrative purposes only. The Commission may employ experts and such other assistants as it judges necessary and may accept funds from any source.

Notwithstanding any other provision of the General Statutes, any funds appropriated to the Commission, or received by the Commission from any other source shall be held in the custody of the Commission and expended by the Commission for the purposes set forth in this section.

- (c) The Commissioner of Environmental Protection and the Commissioner of Transportation, not later than sixty (60) days after the effective date of the enabling ordinance adopted by the last of the four (4) towns to adopt such an ordinance, shall call a meeting of such Commission which shall, within ninety (90) days thereafter: (1) hold public hearings for the purpose of developing standards for (A) defining the initial boundaries of the Route 11 Greenway, (B) planning the design, construction, maintenance and management of the Route 11 Greenway trail system, and intermodal transportation access system, (C) identifying and prioritizing lands that shall be added to the Route 11 Greenway, (D) recommending land use within the Route 11 Greenway, and (E) acquiring land and securing conservation easements for the Route 11 Greenway, except that nothing in this act shall be construed to prohibit the acquisition of land within the Route 11 Greenway by a municipality; and (2) Establish by-laws by which the Commission shall (A) conduct its meetings, including a provision specifying that no action by the Commission shall be effective except by the concurring vote of at least four (4) members, (B) protect and preserve the lands under its custody, (C) supervise staff, (D) maintain its records, and (E) report to the General Assembly, as required under subsection (d) of this section.
- (d) Notwithstanding any other provision of this section or the General Statutes, the Commission may: (1) Acquire or convey by purchase, gift, lease, devise, exchange or otherwise, any land or interest therein including, but not limited to, conservation easements, located wholly or partly in the conservation zone, provided such acquisition does not utilize funds furnished by the State, (2) transfer, with the approval of the Commissioner, any land or interest therein to the State with or without consideration, provided any funds received thereof shall not be deemed funds furnished by the State for purposes of this section, and (3) contribute or transfer funds to, and enter into agreements with, land trusts or other conservation organizations, to carry out the purposes of this act. The Commission shall report to the General Assembly, on or before February fifteenth (15th), annually, on its activities of the preceding year and on its finances. The existence of the Commission shall terminate at such time as all of its member towns have withdrawn or it is abolished by the General Assembly.

Town of Waterford

2.42.010

Chapter 2.42

ROUTE 11 GREENWAY AUTHORITY COMMISSION

Sections:

2.42.010	Established.
2.42.020	Membership.
2.42.030	Membership - Term.
2.42.040	Alternate members.
2.42.050	Duties - Responsibilities.
2.42.060	Authority.
2.42.070	Termination.

2.42.020 Establishment.

Pursuant to Public Act 00-148 the Town of Waterford hereby establishes a Route 11 Greenway Authority Commission. This ordinance shall take effect at such time as the towns of East Lyme, Salem and Montville shall have adopted the ordinance required by said Act.

2.42.020 Membership.

Membership of the commission shall consist of the Commissioner of Environmental Protection, or said commissioner's designee, the Commissioner of Transportation, or said commissioner's designee, a member and alternate member from each of the towns of East Lyme, Montville, Salem and Waterford, appointed by the first selectman of each of said towns, and a member and alternate member of the Southeastern Connecticut Council of Governments appointed by said agency. Any vacancy on the commission shall be filled in the same manner as the original appointment for the balance of the unexpired term. No appointed member shall receive any compensation for service on said commission.

2.42.030 Membership - Term.

Each member shall serve for a term of two years, from the date when the last of the four towns has adopted such ordinance, and until such member's successor is appointed and has qualified.

2.42.040 Alternate Members.

The alternate member shall be empowered to vote on said commission in the absence of the member for whom such person is an alternate.

2.42.050 Duties - Responsibilities.

The Commissioner of Environmental Protection and the Commissioner of Transportation,

not later than sixty days after the effective date of this act, shall call a meeting of said commission which shall, within ninety days thereafter:

- (1) Hold public hearings for the purpose of developing standards for:
 - (A) defining the initial boundaries of the Route 11 Greenway,
 - (B) planning the design, construction, maintenance and management of the Route 11 Greenway trail system and intermodal transportation access system,
 - (C) identifying and prioritizing lands that should be added to the Route 11 Greenway,
 - (D) recommending land use within the Route 11 Greenway, and
 - (E) acquiring land and securing conservation easements for the Route 11 Greenway, except that nothing in Public Act 00-148 shall be construed to prohibit the acquisition of land within the Route 11 Greenway by the Town of Waterford, and
- (2) Establish by-laws by which the commission shall:
 - (A) conduct its meetings, including a provision specifying that no action by the commission shall be effective except by the concurring vote of at least four members.
 - (B) protect and preserve the lands under its custody,
 - (C) supervise staff,
 - (D) maintain its records, and
 - (E) report to the General Assembly, on or before February Fifteenth, annually, on its activities of the previous year and its finances.

2.42.060 Authority.

The commission may:

- (1) Acquire or convey by purchase, gift, lease, devise, exchange or otherwise, any land or interest therein including, but not limited to, conservation easements, located wholly or partly in the conservation zone, provided such acquisition does not utilize funds furnished by the state;
- (2) Transfer, with the approval of the Commissioner of Transportation, any land or interest therein to the state with or without consideration, provided any funds received therefor shall not be deemed funds furnished by the state for the purpose of this section, and
- (3) Contribute or transfer funds to, and enter into agreements with, land trusts or other organizations, to carry out the purposes of this act.

2.42.070 Termination.

The existence of the commission shall terminate at such time as all of its member towns have withdrawn or it is abolished by the General Assembly.

ROUTE 11 GREENWAY AUTHORITY COMMISSION

C/o Southeastern Connecticut Council of Governments

5 Connecticut Avenue, Norwich, Connecticut 06360

Phone: (860) 889-2324/FAX: (860) 889-1222

**RESPONSE TO QUESTIONS RAISED AT THE SEPTEMBER 20, 2001
ROUTE 11 GREENWAY PUBLIC HEARING***Prepared by the Route 11 Greenway Authority Commission***A. What is a greenway?**

Greenways are linear open spaces which can:

- 1) Provide corridors for the migration of birds and wildlife;
- 2) Become trails for non-motorized transportation or recreation, such as hiking, biking, horseback riding or roller blading;
- 3) Buffer rivers, streams, ridgelines, and other natural features;
- 4) Protect scenic vistas or preserve cultural and historic resources;
- 5) Connect existing areas of open land or recreational trails from town to town or state to state; and
- 6) Protect forest habitats.

B. What is the purpose of the Route 11 Greenway?

- 1) Preservation and protection of natural resources, including:
 - i) wetlands and watercourses
 - ii) riparian areas
 - iii) habitat
 - iv) wildlife
- 2) Recreational opportunities - only to the extent that the natural resources can sustain the intended level of use.
- 3) Cultural resource protection – federal & state

C. Can my property just be taken?

- 1) The Route 11 Greenway Authority Commission lacks the power of eminent domain and therefore must rely on negotiations with property owners.
- 2) Methods of acquiring land or development rights for the Greenway:
 - i) Purchase of all, or part, of a parcel of land
 - ii) Purchase of development rights – conservation easements
- 3) Donation of land or development rights – tax benefits
- 4) If land must be acquired to mitigate the impacts of Route 11, the State can use their power of eminent domain as a condition of the state and federal regulatory permitting process.

D. How will people be compensated?

Compensation will be based on the fair market value as established by appraisal(s). It will be up to the land owners to decide if they want to donate some of that value by lowering the selling price in anticipation of receiving a tax deduction.

E. Why would someone sell or donate land to the Route 11 Greenway Authority Commission?

- 1) To ensure that their property is preserved from future development.
- 2) To take advantage of tax benefits of a charitable donation or trust.

F. How does the Greenway stop development?

- 1) The purpose of the Greenway is not to stop development.
- 2) The land acquired and placed within the protection of the Greenway cannot be developed for private uses.
- 3) The Greenway provides a buffer between Route 11 and private property.
- 4) Route 11, not the Greenway, will create a barrier preventing extension of new roads into these areas.
- 5) The Greenway can be used to preserve land, which may become more attractive as a result of the completion of Route 11. An indirect impact of finishing Route 11 could be to induce development near Route 11 interchanges by reducing commuting distance, time and cost.

G. If I allow the use of my property for the purposes of the Greenway, will I have any say on how it is used and maintained?

- 1) In cases of easements and conveyances, the level of use allowed can be negotiated and form a condition of the transaction.
- 2) Typical rules for using a greenway trail:
 - i) Generally, greenways are open from sunrise to sunset
 - ii) Except for motorized wheelchairs, NO motorized vehicles are allowed
 - iii) Whether on foot, wheels, or horse: Keep to the right and pass on the left call out before you are about to pass someone
 - iv) Where pets are permitted, keep them leashed
 - v) Bicyclists should dismount when passing or approaching horses.
 - vi) Keep greenways "cleanways"!
- 3) The Route 11 Greenway Authority Commission will establish rules for the Route 11 Greenway based, in part, on input from the public.

H. Will I be liable if someone gets hurt while on the portion of the Greenway that crosses my property?

- 1) The State Legislature has made provisions to limit the liability of property owners who allow public access through their properties.
- 2) The management of the Greenway will include informing users of risks associated with the use of the Greenway.
- 3) Policing and management of the Greenway will include the identification and correction of any hazards that may need to be removed as a result of a storm, vandalism or intensive use.
- 4) Land owners will be responsible for informing the Commission if they intend to conduct any activities that may create a hazard to users of the Greenway.

I. Would the Commission manage property within the Greenway?

- 1) The legislation has given the Commission that authority.
- 2) The Commission will have the opportunity to work with the following public and Private agencies or other land conservation organizations on the management and policing of the Greenway:
 - i) Municipalities, including Salem, Montville, Waterford and East Lyme
 - ii) City of New London (watershed lands)
 - iii) Connecticut Department Of Transportation
 - iv) Connecticut Department of Environmental Protection
 - v) Local land trusts

J. Is the Greenway a waste of money and potential loss of tax revenue to the towns?

- 1) Some lands that may be acquired are currently assessed at a low tax rate under the farm, forest or open space assessment mechanism established by the legislature (Public Act 490).
- 2) Lands over which easements are taken are still taxed, but the assessment may be lowered by the town in which it is located.
- 3) Lands owned by the Greenway Authority Commission would be tax exempt and therefore towns would not receive taxes on them.
- 4) The direct cost of residential land developed, in terms of municipal services, exceeds the tax revenue collected.
- 5) Over the long term, additional indirect costs may result from land development (as opposed to preservation in a greenway) as a result of demands to extend municipal services and infrastructure to these areas.
- 6) The Greenway has the potential to stimulate additional tourism activity which in turn can create tax revenue.

K. What are the sources of funding for the Greenway Authority Commission and for land acquisition?

- 1) There is currently no money appropriated to carry out the Commission's responsibilities.
- 2) Technical assistance is currently provided by:
 - i) SCCOG – supported by its twenty member towns
 - ii) Regional and municipal technical assistance personnel
 - iii) State DEP & DOT technical assistance personnel through the Commissioners' appointees
- 3) Page 7 of this document describes potential funding sources which could be used to acquire land for the Greenway.

L. Would the Greenway contribute to the mitigation of impacts from Route 11?

It could, as described in the attached description of potential funding sources. (Also, see Item "T", below.)

M. Will the Greenway Authority Commission regulate the use of property within the Greenway?

Yes, in concert with the four abutting towns.

N. Would commercial development be allowed within the Greenway?

- 1) No. However, greenways have created opportunities for small businesses that support recreational uses permitted in the greenway including:

- i) Bike and other non-motorized rentals
 - ii) Small restaurants and food stands
- 2) While the Greenway may pass through previously developed commercial property, no new commercial development will be allowed in the Greenway.

O. Will there be a Greenway without Route 11?

Probably not. Route 11 is an opportunity for the four towns to work together on preparing and implementing land use plans and regulations that they now do independently.

P. Could the Greenway occur without the Greenway Authority Commission?

Yes. Connecticut has numerous other greenways but no other Greenway Authority Commission. In creating the Greenway Authority Commission, the Connecticut Legislature acted to establish a functional connection between highway planning and the development of a greenway:

- Sec. 13a-142a. Acquisition of land adjacent to highway for environmental protection purposes
- Sec. 13a-142b. Development of linear parks along state highways
- Sec. 13a-142d. Route 11 linear park

Q. Would we need a Greenway Authority Commission without Route 11?

See items "O" and "P" above.

R. What are the Greenway Authority Commission's responsibilities?

- 1) Establishing standards for the selection of property to be placed in the Greenway.
- 2) Defining the initial boundaries of the Route 11 Greenway.
- 3) Planning the design, construction, maintenance and management of the Route 11 Greenway trail system and inter-modal transportation access system.
- 4) Identifying and prioritizing lands that should be added to the Route 11 Greenway.
- 5) Recommending land uses within the Route 11 Greenway.
- 7) Acquiring land and securing conservation easements for the Route 11 Greenway.
- 8) Managing the Greenway.

Standards for land acquisition

The Route 11 Greenway Authority Commission has defined the following as the primary amenities that the Greenway will provide:

- The preservation of Natural Resources
- The preservation of Cultural Resources
- Expansion of Passive Recreational opportunities

The Commission will weigh the following factors in setting its priorities for acquiring land:

- **Connectivity** - The Commission shall place a priority on land that is contiguous to other public open space such as state forests, state parks, municipal parkland or lands controlled by the Route 11 Greenway Authority Commission. This may sometimes favor a linear tract configuration in order to provide a critical connection between two elements of the Greenway. This could serve as habitat corridors or recreation trails.
- **Size** - The Commission shall place a priority on larger tracts of land. This priority shall include tracts that are circular or square as opposed to narrow linear shapes. This configuration would allow species that may require larger forest habitat blocks to populate the Greenway.
- **Buffers**- the Commission shall place a priority on tracts that provide a buffer along sensitive resources. Such resources may include high quality wetlands and streams or cultural resources. These lands will generally protect resources and where appropriate may provide recreational or educational access.
- **Special Sites** - The Commission shall place a priority on certain areas such as vernal pools, important habitat for; herpetofauna, unusual plant species, important cultural, historic or archeological sites, and areas that present unique recreational opportunities.
- **Sites That Would Create Opportunities For Open Space** - The Commission shall place a priority on tracts that could allow the commission to manage access to important open lands that are likely to be developed. These tracts would provide a barrier between the transportation system and key developable open space.
- **Cost** - The Commission shall consider the cost associated with the acquisition and the maintenance of any tract under consideration.
- **Multi-Use Tracts** - The Commission shall place a priority on any tracts of land that serve the multiple goals of preserving natural and cultural resources and providing passive recreational opportunities as well as those tracts which provide trail head access, parking availability and other potential amenities.

Process for Acquisition of Land By the Route 11 GAC

As public policy, the Route 11 Greenway Authority Commission (Route 11 GAC) wishes to ensure the long-term protection, preservation, and enhancement of the Corridor's unique natural resources. At the same time, the Commission has a responsibility to adequately provide for the recreational needs of its residents. In order to achieve these goals, the Authority should act quickly to acquire those undeveloped and open lands which have special natural resource and recreational significance. Such acquisition was envisioned by the Legislature when it created the Route 11 Greenway Authority Commission.

In order to ensure that these funds are used wisely, the Route 11 GAC is developing a mechanism for sorting through prospective purchases and for analyzing relative acquisition priorities. The mechanism being used by the Authority, known as the "Priority Rating System of the Route 11 Greenway Authority Commission," is explained in this document.

The formal decision to try to acquire a property will be based on the scores and comments received from reviewers, as well as other considerations. A subcommittee of the Commission, made up of town planners, SCCOG staff, land trust representatives, and DEP will evaluate the parcels and will make a recommendation to the full Route 11 GAC. The Environmental Review Team may also be invited to participate in the process. In particular, the decisions will take into account: cost; fulfillment of recreation and resource needs; availability of "cooperators" to assist the Route 11 GAC in a project; potential to mitigate environmental impacts created by the construction of Route 11.

I. Data Finding Phase

- a. Identify properties suitable for acquisition - Property is identified as available or potentially available for sale, or a submission requesting a review of the property is received by the Route 11 GAC. Submissions for consideration may come from the Route 11 GAC or outside sources, and must include certain preliminary information, as well as a map of the property. A submission form will be made available to ensure that the minimum information necessary for review is supplied.
- b. Prioritize property to be acquired using previously established criteria – (See attached Acquisition Standards). In addition to the criteria evaluated by reviewers, each property review may be based on a number of other relevant and important factors, including, but not limited to, the following:
 - Distribution of land acquisitions previously completed within the corridor;
 - Availability of gift or partial gift of the property;
 - Availability of a cooperator to cost-share or assist in the property acquisition or management;
 - Stewardship needs and special management constraints posed, or potentially alleviated, by acquisition of the property.
 - Compatibility of the project with other environmental plans, policies, goals, and objectives (i.e. water quality protection, etc).
 - The fiscal and economic benefits and burdens resulting from the proposed acquisition;

- The estimated cost of acquisition in relation to the rating of the property;
 - The extent to which the property encompasses other land use needs, such as preservation of agricultural land, aquifers, floodplains, etc.
 - Vulnerability of a property and its resources to substantial adverse impact or conversion to incompatible uses. This is a measure of the urgency of Route 11 GAC acquisition in order to preserve the resource. Whenever possible, a vulnerability rating is given if substantial adverse impact is expected to occur: "A" – within two years; "B" – between two and five years; "C" – between 5 and 10 years. "Substantial adverse impact" is a cumulative assessment, based on factors such as: 1) present condition of the site; 2) any announced plans for development; 3) transfer or proposed transfer or ownership (including public offering of sale); 4) growth rate of the affected municipality; and 5) the relationship of the property with respect to the overall land use plan or pattern of the community.
 - Conduct Phase I analysis to determine if hazardous materials are present on the site.
- c. Establish data base on prioritized properties including owner, contact information, acreage, property features and attributes, assessed value. Property review information is entered into the computerized database. After the submission information is entered, acknowledging correspondence is sent to the property owner or submitter. Property sketches of each submission digitally mapped whenever feasible.

II. Purchase Process Phase

Properties selected for acquisition or will be referred to the Connecticut Department of Transportation (CONNDOT) for acquisition on behalf of the Route 11 GAC utilizing existing CONNDOT procedures.

- a. Acquisition steps by CONNDOT include:
1. Title search
 2. Parcel mapping
 3. Appraisal
 4. Appraisal review
 5. Negotiations
 6. Procurement of title
 7. Any required relocation activities
- b. Following acquisition by CONNDOT, the property will be conveyed by the State to the Route 11 GAC. The conveyances will be made pursuant to State Statute and the conveyance documents will contain language providing for reversion of title to the land to the State or to the municipality in which the property is located in the event that the Route 11 project is cancelled or if the Route 11 GAC ceases to exist as a legal entity.
- c. After properties have been conveyed from the State to the Route 11 GAC, CONNDOT will present the Route 11 GAC with an invoice for the purchase price of the property, including all administrative costs associated with its acquisition. The Route 11 GAC in

turn will invoice the Federal Highway Administration (FHWA) requesting reimbursement to CONNDOT from the Route 11 Greenway Acquisition Fund.

- d. Administrative costs incurred by the Route 11 GAC during the property acquisition phase may be reimbursed from the federal project funds.

III. Property Management Phase

Management and stewardship issues as they relate to each successful acquisition are discussed in conjunction with acquisition. Management plans for individual properties should be developed parallel to the acquisition process, so that property is not purchased without a management/stewardship protocol in place. This phase will be critical in the public's perception of the Authority's work and may effect dealings with potential sellers.

- a. Route 11 GAC to decide if acquired property is to be retained by the Route 11 Greenway Authority or conveyed to a land trust as allowed by State Statute. This will be highly dependent on future framework for GAC stewardship, which has not yet been finalized.
- b. If Route 11 GAC retains either fee simple ownership or other rights to property, establish a management protocol for each parcel
 1. Establish funding source for ongoing maintenance of property.
 2. Regulate use of property based on type of use (resource protection, recreation, etc)
 3. Schedule any improvements to property, including signage
 4. Plan for property maintenance (e.g. as needed tree trimming, mowing, snow removal, litter removal, etc.)

August 2004 Revision

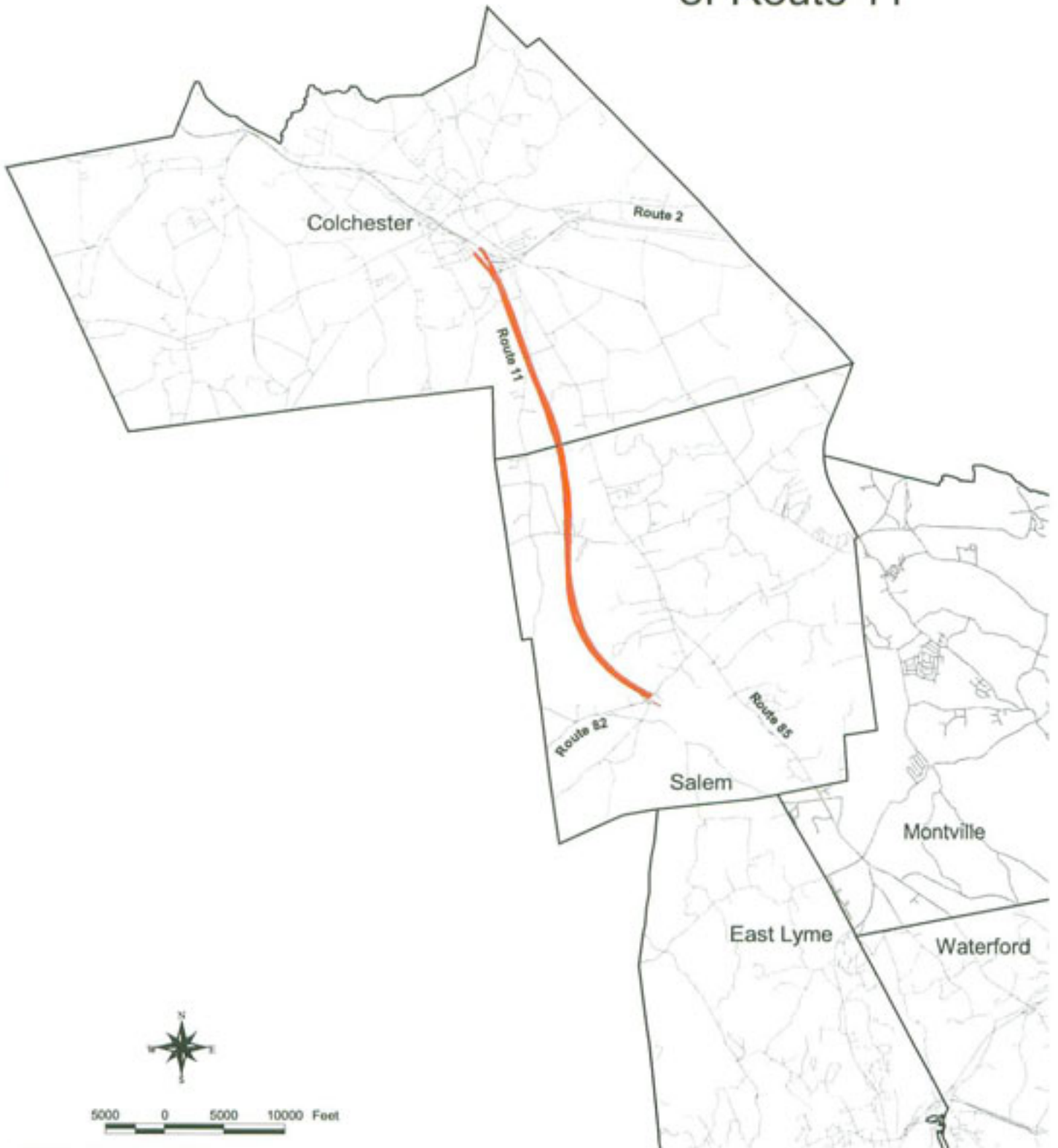
**PROCEDURE FOR ACCEPTANCE OF DONATION OF PROPERTY OR
PROPERTY INTEREST**

Route 11 Greenway Authority Commission

- 1) Offer to donate property or interest in property (i.e. conservation easement, right-of-way, property with life tenancy agreement, etc.) made in writing to Route 11 GAC by property owner or agent.
- 2) Route 11 GAC Property Review Committee reviews offer and makes recommendation to Route 11 GAC.
- 3) Route 11 GAC votes to accept or reject offer contingent upon environmental review(s) and satisfactory resolution of title issues.
- 4) If offer is accepted, Route 11 GAC has a Phase I environmental review performed and if necessary, a Phase II environmental review.
- 5) If offer is accepted, title is examined by Route 11 GAC attorney. Contingent on clear title review, deed or other appropriate instrument (e.g. conservation easement) is drafted by Route 11 GAC attorney and presented to property owner or their agent.
- 6) If determined necessary, Route 11 GAC has property survey performed.
- 7) Determination is made as to what tax adjustments are needed at closing before property reverts to non-profit status.
- 8) Executed deed and/or other legal instruments recorded in Land Records of appropriate municipality.
- 9) Management protocol (maintenance schedule, improvements, signage, insurance) for property established by Route 11 GAC.

Map 1

Completed Section of Route 11



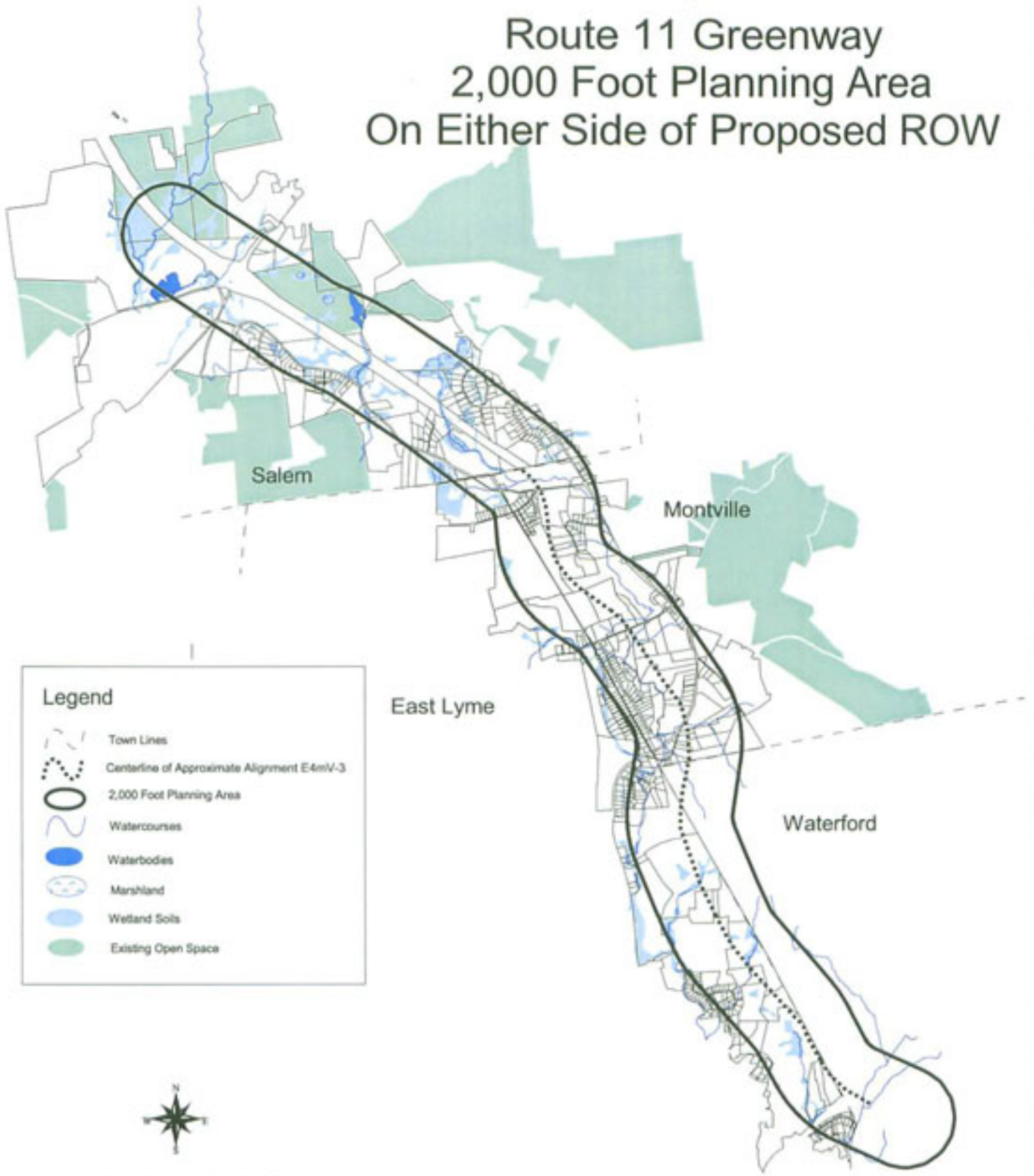
5000 0 5000 10000 Feet

Map 2

Route 11 Greenway

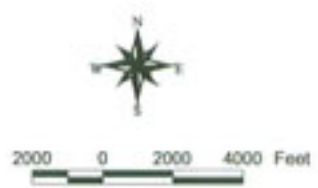
2,000 Foot Planning Area

On Either Side of Proposed ROW



Legend

- Town Lines
- Centerline of Approximate Alignment E4mV-3
- 2,000 Foot Planning Area
- Watercourses
- Waterbodies
- Marshland
- Wetland Soils
- Existing Open Space



Map 3

Route 11 Greenway Town Proposed Parcels

