



BETHANY

2010 Plan of Conservation & Development

TOWN PLAN
of
CONSERVATION and DEVELOPMENT
for
BETHANY, CONNECTICUT

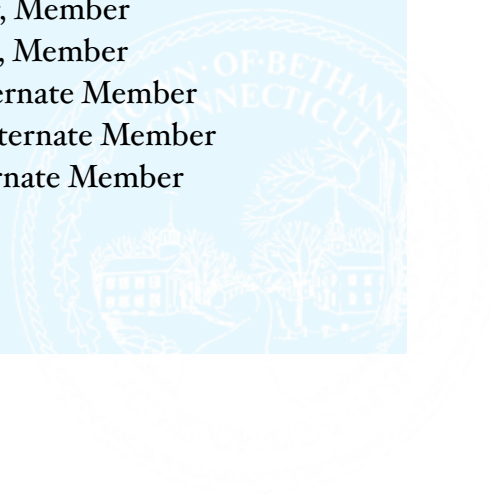


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BETHANY, CONNECTICUT
PLANNING AND ZONING
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2008 - 2009

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ACKNOWLEDGMENTS

A very special note of recognition and appreciation:

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These include all the members of the Airport Study Committee, the members of the Housing Issues Committee, members of Economic and Fiscal Issues Committee and the members of the Rural Character Committee.

A special note of recognition goes to J.B. Gardner for his years of work on the Commission and for his valuable contributions to the planning and zoning process in Bethany.

Also to the members of the Bethany Conservation Commission who as of September 29, 2008 specifically assisted with various portions of the 2010 Plan are:

Kenneth W. Martin, Chairman
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And most of all to all the Town Residents, for whom this Plan is created and intended to benefit.

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TABLE OF CONTENTS

	Page
Acknowledgements.....	3
Incorporation of Appendices and Exhibits.....	6
Foreword	6
Introduction: Why a Town Plan.....	8
Chapter 1: Guiding Principles.....	9
Dominant Values.....	10
Chapter 2: Findings and Recommendations.....	13
Section 1: Land Use.....	13
Goals	14
Policies.....	15
Measures.....	15
Section 2: Open Space.....	17
Goals.....	18
Policies.....	19
Measures.....	20
Section 3: Roads.....	22
Goals.....	23
Policies.....	23
Measures.....	24
Section 4: Housing.....	25
Goals.....	26
Policies	26
Measures.....	27
Section 5: Economic and Fiscal Development.....	27
Goals	29
Policies.....	29
Measures.....	30
Section 6: Recreation.....	32
Goals.....	32
Policies.....	32
Measures.....	33

	Page
Section 7: Municipal Facilities.....	33
Goals	35
Policies	36
Measures.....	37
Chapter 3: Implementation.....	38
Chapter 4: Revision Policy.....	39
Appendices:	
A: A Brief History of the Town Plan Process.....	39
B: Responsible Growth Definition and Principles.....	41
C: Open Space Plan Final 2010.....	47
D: Village Districts.....	
E: Maps: (Recommended).....	
Zoning.....	
Existing Land Use.....	
Proposed (Future) Land Use.....	
Existing Developed Land.....	
Open Space (Existing and Proposed).....	
Ownership by Type.....	

CT Conservation and Development Policies Plan 2005-2010...

► *Incorporation of Appendices And Exhibits*

This Plan explicitly incorporates and includes appendices and exhibits. In case of inconsistency or conflict, the more recent information or data should be presumed valid. The Plan's objectives, goals, policies and programs are solely those explicitly set forth in the maps and text in this Plan. They have been adopted following Commission deliberations based on the information and data in the exhibits and appendices, and on public comment and input received at numerous points in the POCD update process including the required public hearing process.

Authority

Connecticut General Statute (§ 8-23) requires Planning Commissions to “prepare, adopt and amend a plan of conservation and development” (POCD) at least once every ten years that shall:

- be a statement of policies, goals and standards for the physical and economic development of the municipality;
- promote...the coordinated development of the municipality;
- recommend the most desirable use of land within the municipality for residential, recreational, commercial, industrial, conservation and other purposes;
- recommend the most desirable density of population;
- be designed to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse;
- make provision for the development of housing opportunities;
- promote housing choice and economic diversity in housing; and
- provide for a system of principal thoroughfares...sidewalks, multipurpose trails.

CGS (§ 8-23) also states that in drafting the plan the Commission shall consider:

- the need for affordable housing;
- the need for protection of existing and potential drinking water supplies;
- the use of cluster development and other development;
- the state plan of conservation and development;
- the regional plan of development;
- physical, social, economic and governmental conditions and trends;
- the needs of the municipality;
- the objectives of energy-efficient patterns of development; and
- the protection and preservation of agriculture.

Finally, CGS (§ 8-23) requires that the plan “note any inconsistencies with state-wide growth management principles”. These principles are intended to help moderate sprawl by promoting the redevelopment and revitalization of existing commercial centers, concentrating development around transportation nodes, conserving and restoring natural, historical and cultural resources and existing farmlands, and protecting environmental assets critical to the public health and safety.

Because the POCD is primarily a statement of recommendations intended to guide the physical layout of Bethany by proposing how its land area should be both conserved and developed, it focuses primarily on issues related to land use and its impacts. However, while this plan is required

by statute to focus on land use issues, it fully recognizes the importance of the social, economic and cultural impacts it will have, and strives to protect the community characteristics that have been acknowledged as important to the Town's identity. During the planning process, this Commission was struck by some of the social and economic characteristics used to describe our community.¹ These characteristics include:

- A high level of volunteerism which the Town relies on to get its business done;
- A strong belief in self-sufficiency;
- A healthy diversity of interests, incomes, beliefs and opinions coupled with a steadfast tolerance of individual differences; and
- Strong support for a quality educational system.

In recognition of the significance of these community characteristics, the Commission has worked to engender them within the goals and policies set forth in this plan.

Finally, during the process of gathering input for this plan, the Planning and Zoning Commission received a very clear message: the 1999 Town Plan remains relevant and efforts to implement its recommendations should continue. Therefore, this revision of the POCD is intended to respect and support the values, policies, programs and goals of the previous Plan while adapting them to better reflect current physical, social, economic and governmental conditions and trends as well as the current state of land use, land use regulation and statutory law.



River's Edge Farm, Bethany, CT

¹ In 1991 Bethany's Planning and Zoning Commission solicited input from Bethany's residents and nonresident land owners via questionnaire. Over 88% of the 34% of the town's population responding to the questionnaire indicated that the Town should work to "protect scenic vistas and open space" and over 68% stated that "loss of rural character" was a problem which Bethany would need to address in the next five years.

INTRODUCTION

Why A Town Plan?

Strictly from a legal standpoint, Municipalities are required to adopt a Town Plan of Conservation and Development (POCD) in accordance with the requirements of the Connecticut General Statutes § 8-23. The adopted plan must be reviewed every 10 years and, subject to a public hearing, may be amended as the Planning Commission finds necessary.

However, a good Town Plan does more than just fulfill a legal obligation. At its best, a Town Plan describes the wishes and desires of the community and lays out a vision for the future that shapes policies and programs and guides the Town toward investments and activities in support of these aspirations. More specifically, a well drafted Town Plan forms the foundation for local land use decisions and serves as the basis for zoning and subdivision regulations which are tailored to guide development according to the goals of the plan.

Based on discussion, synthesis, and analysis of all the reports, information and public comment gathered during the multi-year process of updating this plan, the Planning and Zoning Commission drafted and adopted this 2010 Plan of Conservation and Development for the Town of Bethany. The Plan represents the Commission's best effort at developing planning goals that define the Town's vision of its future and that acknowledge the clear physical constraints on land use and development which exist in Bethany. The Commission recognizes that planning for the Town is an ongoing process and that this Plan will be subject to regular review. The overall responsibility to continually update this Plan is that of the Planning and Zoning Commission and is specifically contained in this Plan in Chapter 3.



Hilldale Road

CHAPTER I

Guiding Principles

The policies and programs set forth in this Town Plan have been designed to support five guiding principles identified during the planning process. These are:

1. To maintain the unique rural character of Bethany which has been achieved over time and which should be preserved for the future.
2. To ensure orderly development that is in harmony with Bethany's unique natural environment and which encourages the use of alternative energy sources and green building principles.
3. To encourage a pattern of land use which promotes a high quality of rural life for all the residents of Bethany and protects Bethany's role as a source of pure drinking water and a recreational and environmental greenbelt for surrounding communities, as well as for its own residents.
4. To limit the development of land in Bethany to a form and intensity that does not exceed the land's natural capacity for on-site water supply and sewage disposal, and is compatible with the Town's rural character.
5. To promote an approach to land use that is consistent with the core principles of sustainable development.

► **What is Sustainable Development?**

In 1987 the World Commission on Environment and Development formulated the following definition of sustainable development as they sought to address problems caused by conflicts between environment and development goals:

"Sustainable development is development which meets the needs of the present without compromising the ability of future generations to meet their own needs."

In the extensive discussion and use of the concept since then, three core principals of sustainable development have emerged. These are:

- **Economic:** A sustainable system will provide the goods and services a community needs to thrive on a continuing basis
- **Environmental:** A sustainable system will maintain a stable resource base, avoiding over-exploitation of renewable resource systems or destruction of environmental systems, and will deplete non-renewable resources only to the extent that investment is made in adequate substitutes. A sustainable system will value maintaining biodiversity, atmospheric stability, and other ecosystem functions not ordinarily classed as economic resources.
- **Social:** A sustainable system will seek to distribute community resources equitably, provide adequate social services to its members, and promote political accountability and participation.



► What is Rural Character?

The foundation of rural character is undeveloped land, be it farm, fields or forest. These open spaces form the fabric of a rural landscape, which is relatively natural, not intensively managed or maintained. Nature still has a hand in rural design. It includes developed areas that are widely dispersed so that they punctuate the landscape without overwhelming it. Rural landscapes are dark at night, and the stars are visible. In rural areas the sound of the wind in the trees and the cry of peepers at night can still be heard over the noise of traffic. Rural landscapes are accessible and enticing. They tempt you to spend time outdoors enjoying them.

Rural roads lie lightly upon the land, conforming to the topography and traversing the landscape without disrupting it. They are often narrow, uncurbed and flanked closely by forest or field. Dirt roads are welcome. Traffic is light, and allows for pedestrians and equestrians.

Rural evokes a sense of an agricultural past. Rural accepts and acknowledges some diversity in its natural and man-made surroundings. Finally, rural goes hand in hand with a sense of community and belonging. It is safe and it is clean, defining a healthy and secure existence.

Report of the Committee for the Protection of Bethany's Rural Character, 1991.

Dominant Values *Rural Character*

Bethany is the only town in New Haven County that contains a "Rural Community Center" as established in the CT Conservation and Development Policies Plan 2005-2010 (See State of Connecticut web site at www.ct.gov at the Office of Policy and Management) and as is also shown on the South Central Region Council of Governments (SCRCOG) POCD map at www.scrkog.org.

The rural quality of Bethany makes it a unique resource in this heavily developed area of Connecticut and, as such, of value to the whole region. It is no surprise, then, that back in 1991, at the very beginning of the previous town planning process, Dodson Associates found that "Above all else, Bethany's residents value its rural character." The oft expressed desire to preserve Bethany's rural character has continued to be a resounding theme played again and again as a result of public input throughout the entire process of updating the Town Plan in 2009 as well. The desire to protect Bethany's rural character has influenced deliberations on almost every area of this Plan including housing, economic development, and infrastructure. It is at the heart of this Plan even as it addresses other seemingly unrelated issues.

While the desire to protect Bethany's rural character has been a unifying theme in updating the Town Plan, the ways in which this goal is to be achieved have been a source of discussion. This Plan represents the best efforts of the Planning and Zoning Commission, based on extensive research of the issues and input from the community, to formulate an approach that will serve to protect and preserve those qualities which

make Bethany a rural community, while simultaneously recognizing and addressing the contribution our community makes to meeting the needs of its residents and the region.

Sustainability

The world in which we live today has changed in significant ways since the last revision of this plan over 10 years ago. Globalization of the economy has moved many jobs out of state to areas where the cost of doing business is lower. The rising cost of necessities such as food, fuel, housing as well as taxes are making it increasingly difficult for some town residents to afford to live here. Environmental challenges such as global warming, the depletion and degradation of our limited natural resources, and substantial loss of habitat and species signal a need for new strategies to manage the environmental impacts of our actions. Taken together these are challenges to sustainable development. Bethany needs to be concerned with these matters because of the very real threat they present to the economic, social and environmental health of our community over the long term. While the challenges of sustainable development facing our community are often global in nature, many of the solutions for creating a sustainable future can be found in local decisions. These local decisions relate to choices about:

- how and where land is developed and conserved
- how people and goods move about our community
- how much and what type of energy is used by our community
- how quickly natural resources are consumed and what happens to the waste products that result
- how our children are taught to care for our environment
- how we work together to solve problems, both within the Town and with neighboring communities in the region

Sustainability is defined in many different ways but generally means: “the capacity to endure, including the responsible use of natural resources. It includes development which meets the needs of the present without compromising the ability of future generations to meet their own needs.” In order to ensure that our actions and their consequences are in the best long term interest of the present and future residents of Bethany and the region, we have attempted to evaluate the goals, policies, and regulations proposed in this plan from a sustainable perspective by considering potential impacts on local food security and availability, vehicle miles traveled, fuel use, ecosystem function, carbon emissions, and other key indicators of a sustainable community.

► **What is Responsible Growth?**

“Responsible Growth is economic, social and environmental development that uses land and resources in ways that enhance the quality of life for Connecticut’s current and future generations. Responsible Growth supports a vibrant and resilient economy and preserves the natural resources upon which that quality of life depends. Responsible Growth maximizes previous investments in existing infrastructure while preserving distinctive landscapes, historic structures, landmarks and villages.”

*Report of the Responsible Growth Task Force to
Governor M. Jodi Rell*

Responsible Growth

Responsible growth is achieved through the implementation of local goals, policies and programs that have been developed with due consideration given to their regional impacts. Responsible growth principles generally encourage development compatible with existing infrastructure that is of a character and scale found in the most desirable parts of the community. It also calls for development that will not impair a community's historic, cultural, or natural resource value within a regional context. In Bethany's case responsible growth means planning for and encouraging development that is generally rural in character and small in scale, that will not impair Bethany's regional role as a public water supply watershed, that will not spoil those attributes of Bethany that make it a regional recreational destination, and that does not require municipal sewer or public water lines, relying instead on the natural capacity of the land to absorb and treat all aspects of the proposed built environment.

It is in this context of "think regionally and act locally" that the Commission has examined all its land use and development goals, policies, programs and regulations to insure they are compatible with the principles of Responsible Growth².



Lake Watrous

² A copy of Substitute House Bill 6467 (PA 09-230) defining Smart Growth and its principles as adopted and signed by Governor Rell on July 8, 2009 is included as Appendix B, along with a description of Responsible Growth by the Governor's Smart Growth Task Force.

CHAPTER 2

Findings and Recommendations

The following goals, policies and programs³ provide a comprehensive framework that is intended to ensure that land use within Bethany conforms to our community's guiding principles and is consistent with our community's dominant values.

SECTION I: LAND USE

Bethany's use of its land and water resources is a direct expression of its character. Optimum land use ... the most desirable use of a community's land based resources ... is the foundation of this Town Plan and the guiding principle behind local land use ordinances such as zoning and subdivision regulations. That is why the Connecticut General Statutes (Section 8-23) in authorizing the preparation of a Town Plan of Conservation and Development, require that "... Such plan shall show the commission's recommendation for the most desirable use of land within the municipality for residential, recreational, commercial, industrial and other purposes and for the most desirable density of population in the several parts of the municipality..."



Lake Bethany

In response to a very clear citizen mandate, clearly documented environmental constraints on development and a lack of developed infrastructure, the plan adopts preservation of rural character and protection of open space as key guiding principles. The basis for this Commission's recommendations on land use in Bethany is an analysis of Bethany's present development patterns with consideration given to the natural constraints imposed on the future use of Bethany's land by its soils, slopes, wetlands and flood plains. This analysis has taken place within the context of the needs of the region and has taken

into account the pervasive desire to preserve Bethany's rural character, protect Bethany's regional importance as a public water supply watershed, maintain its identity as a rural community providing environmental and recreational benefits to surrounding communities, and promote sustainable development.

³ Goals express where we are going, policies indicate how we will get there, and programs lay out the specific tasks we intend to complete in order to implement the policies we have adopted to achieve our goals.

► Consistency with State and Regional Plans of Conservation and Development

Bethany's land use goals and policies are consistent with the State of Connecticut's Conservation and Development Policies Plan 2005-2010 (C&D Plan) which has classified Bethany as a rural community and with the South Central Region Council of Governments (SCRCOG) POCD which designates Bethany as the only Rural Community Center in the SCRCOG region. The applicable policies as stated in the State C&D Plan are to encourage;

"...development in Rural Lands to be limited to those uses and densities that ensure indefinite functioning of on-lot ... water supply and waste disposal and that are consistent with a generally open and rural environment."

The State C&D Plan also states;

"All (water supply) sources need to be continuously protected from intensive development and potentially deleterious land uses through programs to protect both water supply watersheds and water supply aquifers."

The State Plan of C & D proposes to do this by regulating the density and type of land use in rural areas. The State's strategy with respect to Rural Lands is to;

"Avoid support of structural development forms and intensities which exceed on-site carrying capacity for water supply and sewage disposal and therefore cannot function indefinitely on a permanent basis and are inconsistent with adjacent open rural character or conservation areas..."

In addition the State C&D Plan includes the following policies with respect to drinking water supply watersheds:

- Encourage land uses that are compatible with protection of water quality.
- Permit land use types and intensities that do not require sewer service.
- Minimize site disturbance through open space, conservation easements and use of cluster-style development to lessen impervious surfaces.
- "As a general guideline", require minimum lot sizes of one dwelling unit per two acres of upland (non-wetland) area.

Land Use Goals

This plan recommends a set of policies and actions regarding land use that support the following goals:

1. To preserve and protect Bethany's rural character and significance as a rural community providing environmental and recreational benefits to its residents and the residents of surrounding communities⁴.
2. To respect and preserve Bethany's heritage.
3. To safeguard Bethany's role in the region as a source of clean drinking water.
4. To ensure development is compatible with the principles of sustainability and responsible growth.

⁴ Bethany has been classified a Rural Community in both the State Conservation and Development Policies Plan 2005-2010 and in the South Central Regional Council of Governments Plan of Conservation and Development.

Land Use Policies

The following land use policies have been adopted in support of Bethany's land use goals:

1. Development that is consistent with Bethany's limited infrastructure and status as a rural community shall be encouraged.
2. The physical constraints posed by Bethany's local geography, topography and soil types shall be clearly recognized and addressed through land use regulation.
3. The integrity of the public water supply watershed and aquifer recharge areas are of paramount importance and every effort shall be made to ensure allowed land uses do them no harm.
4. Bethany's historically and archeologically significant structures and sites shall be protected and preserved.
5. The principles of sustainability shall be practiced by encouraging development that will reduce the use of non-renewable resources.
6. The impact of development on the aesthetics of Bethany's natural and rural setting shall be minimized.
7. Safe emergency access for emergency service vehicles to all properties in Bethany shall be promoted, particularly in the B & I zone where the commercial nature of the use may dictate special attention to this concern.



A Bethany Institution

Land Use Measures

The follow Actions shall be taken in support of Bethany's land use goals:

1. Strengthen Minimum Buildable Land Standards by adding maximum slope requirements.
2. Provided that the minimum buildable land standards and maximum density requirements are met, consider permitting and/or requiring variation in lot size, lot location, lot dimensions, driveway design and setbacks, when it can be demonstrated that the proposed change would protect and preserve steep slopes, ridge lines, significant ledge, waterways, vistas, stone walls, culturally and historically significant features, or other noteworthy natural features of the site, including important wildlife habitat, and would result in a more desirable development plan by lessening the development's impact on the land. ⁵

⁵ Commission defines an historically significant site as any building, structure, object or site that is significant in natural, state, regional and/or local history, architecture, archaeology, or culture, or property used in connection therewith including sacred sites and archaeological sites.

► Minimum Buildable Land Standards

The current minimum lot sizes required by Bethany's Zoning Regulations have been supplemented by the adoption of Minimum Buildable Land Standards as recommended in the *Report for the Blue Ribbon Commission on Housing, On the Land Required to Support Residential Development In Connecticut, prepared for the Speaker of the House by the CT DEP*. These recommendations called for a minimum of two acres of buildable land (excluding wetlands) per building lot in public water supply watershed and a minimum of one acre of buildable land in other areas.

3. Adopt regulations allowing for open space development in specified areas if it can be demonstrated through further study that applying such regulations as a means of preserving open space and other important resources is a locally viable tool.⁶ Open space development should be considered desirable if it:
 - a. Leads to the preservation of significant areas of open space, and encourages open spaces to be linked,
 - b. Is appropriate to the site and/or preserves specific important resources,
 - c. Does not exceed underlying density provided for in standard zoning,
 - d. Does not compromise public health and safety standards,
 - e. Does not surpass the carrying capacity of the land, and
 - f. Demonstrates clear advantages over a standards type sprawl development.
4. Develop and apply strict land use and environmental standards that serve to minimize the disturbance of Bethany's landscapes while providing the flexibility necessary to allow development to conform to the unique needs of each site.
5. Explore adopting land use regulations that allow for the creation of small scale, walkable, mixed use neighborhoods containing dwellings and small retail conveniences that are appropriately located, compatible in scale to surrounding development, and in keeping with the Town's rural character.
6. Provide for a limited degree of flexibility in land use regulation, supported by strict environmental standards, when it can be demonstrated that specific modifications will allow a development to better realize Bethany's land use policies and goals.
7. Investigate and adopt feasible alternatives to traditional subdivision design that encourage development more compatible with Bethany's land use goals.



Country Corner Diner

⁶ In this context, this is taken to mean that Open Space Developments maintain the underlying density established by standard zoning. However, Open Space Development may allow development to be clustered or grouped in exchange for and as a means of preserving the remaining undeveloped land as permanently protected open space.

8. Streamline and standardize the land use application process. Consider establishing a number of application processes that can be accessed and possibly completed using the Town website.
9. Adopt regulations that allow for the installation of distributed sources of renewable energy such as solar and wind generation, in a form and configuration that are compatible with Bethany's land use goals and policies, including:

- a. Solar energy
- b. Geothermal heating and cooling
- c. Wind energy
- d. Fuel cells
- e. Methane
- f. Hydrogen
- g. Others as they become available



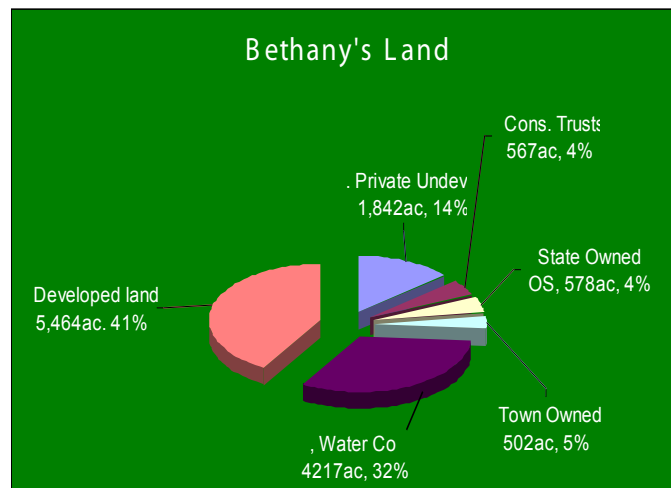
Residential solar panels

SECTION 2: OPEN SPACE

The essence of Bethany's rural character is the amount of land that remains undeveloped. Approximately 7,708 acres or 58.5% of Bethany's total land base is either protected open space or privately held undeveloped land (Chart 1). According to the report prepared by the Committee on the protection of Bethany's Rural Character, it is this extent of open land which contributes in large part to Bethany's highly valued "rural character."

While protection of the soil, water and air quality is basic to the Town's needs, Bethany's Open Space Plan⁷ states that Bethany's open space has more than local significance. Bethany's undeveloped land base contributes to the protection and provision of the region's water supply as well as providing opportunities for hiking, fishing and other recreational pursuits to residents of the region and the state.

Chart 1: Bethany's Developed and Undeveloped Lands



⁷ Appendix C



Historic cemetery



Autumn pumpkin picking

Open Space Goals

1. To preserve, protect and improve the quality of life in town, and to protect Bethany's role as a regional resource for water and outdoor recreation by ensuring that a significant base of undeveloped land is maintained.
2. To create a protected base of land that includes a variety of landforms and land types that are representative of Bethany's natural and historic landscapes and will serve a variety of interests within the community. Key values to be protected include:
 - a. **Agriculture Heritage:** Bethany's remaining farmland and meadows reflect the Town's agricultural heritage and should be protected.
 - b. **Scenic Landscapes:** The scenic vistas and rural roadside landscapes that characterize Bethany should be preserved. This includes preserving stone walls in subdivisions and along roadsides, as well as protecting the ridgetops and hilltops that define Bethany's topography.
 - c. **Historic and Archeological Sites of Importance:** Many areas of archaeological and historical interest lie within the boundaries of Bethany. The Open Space Plan encourages protection of these treasures and should provide support for the efforts of local groups and citizens who work to identify and preserve them.
 - d. **Wildlife Habitat:** Many natural areas remaining in town are refuges for wildlife. Protecting these areas and linking them into wildlife corridors will assure that native species continue to thrive.
 - e. **Recreation:** As Bethany's population continues to grow, there will be a need for added recreational facilities, both passive and active. Ideally a balance between development and open space, active and passive recreation, human needs and environmental protection should be maintained.



Historic church



A view from the eastern hills

Open Space Policies

1. Undeveloped lands identified in the 2008 Open Space Plan (Appendix A) shall be converted to permanently protected status in sufficient amount to sustain the over-riding value of rural character identified in this Plan, and to accomplish the open space goals established by this plan.
2. The various types of open space protected and preserved as part of this Plan shall be in a proportion which is roughly representative of Bethany's diverse landscape.
3. Open space shall be protected to create greenways and encompass a viable trail system that allows for town wide passive recreation.
4. Existing trails in town shall be extended and connected, including creating connections with the trail systems of neighboring towns.
5. Greenbelts and wildlife corridors shall be created and expanded by linking existing open space parcels.
6. The exceptional scenic qualities of Bethany shall be preserved by protecting ridgelines, roadsides, vistas and stone walls.
7. Areas of archaeological and historic significance shall be protected.



Refuge for wildlife



8. Farmland shall be protected and local agricultural enterprise supported as a characteristic of Bethany's rural character.
9. Water quality shall be protected by preserving watersheds.
10. When appropriate, the negotiating, finance and legal skills of a not-for-profit conservation group such as the Trust for Public land shall be used when negotiating a land purchase.
11. The use of Low Impact Design techniques shall be required in order to minimize the environmental footprint of new development.

Open Space Measures

1. When feasible convert land identified in the Open Space Plan to protected status in conjunction with development or subdivision proposals, or when it is offered for sale either publicly or privately.
2. Encourage the installation of underground utilities where feasible.
3. Encourage owners of property identified in the Open Space Plan to advise the Town when their property becomes available for sale and give the Town the option of first refusal, with adequate notice, to purchase the property for conservation purposes.
4. Work collaboratively with the Regional Water Authority
5. Pro-actively pursue protection of property within their watershed in Bethany.
6. Recommend substantial annual contributions be made to the Land Acquisition Fund.
7. Recommend adoption of a right-to-farm ordinance.
8. Incorporate Low Impact Design standards into planning and zoning regulations to prevent the concentration of storm-water drainage and encourage natural infiltration whenever possible.
9. Strengthen and enhance the existing open space set aside provision of Bethany's subdivision regulations by:
 - a. Modifying the subdivision regulations to establish the authority of the Planning and Zoning Commission to designate the location and size of open space set aside in compliance with the subdivision regulations and any applicable state statutes; and

- b. Modifying the open space set aside provision of the subdivision regulations to include “preservation of rural character”, “protection of scenic vistas” and ‘creation of greenways” as additional objectives for the set aside of open space in compliance with Bethany’s subdivision regulations.
10. Strengthen Bethany’s land use regulations to protect the natural and scenic qualities of Bethany’s land base by:
 - a. Adopting land use regulations that will protect ridgelines;
 - b. Modifying the buildable land standards of the zoning regulations to remove slopes greater than 20% from buildable land;
 - c. Permitting housing to be clustered on suitable sites, allowing a significant portion of the site to remain as open space; and
 - d. Requiring subdividers to provide appropriate environmental site assessments as part of a subdivision application.
 - e. Cooperating with neighboring towns in preserving greenways.
11. Implement a land conservation program that:
 - a. Identifies and pursues acquisition of parcels of land that can be added to protected open space and/or is intended to meet present and future recreational needs of the Town.
 - b. Seeks out private, state and federal grants for funding the acquisition of open space.
 - c. Encourages land owners to place conservation easements on their land so as to permanently reduce the density of residential development allowable on their property and preserve open space, while allowing this land to remain on the tax rolls.
12. Work with utility companies to ensure sensitive tree trimming.
13. Adopt a policy that requires the Town to retain a right of way whenever a town road is discontinued that allows construction and maintenance of a bridle path, pedestrian trail and/or bicycle path.
14. Recommend to the legislative body of the Town of Bethany the adoption of a proper ordinance allowing parcels of land be preserved under PA 490 as open space pursuant to § 12-107e (a) of the Connecticut General Statutes with the understanding that if such designation is approved by the legislative body, these parcels may, upon application by the owner, be classified as open space land for purposes of property taxation as provided for in § 12-107e.
15. Design trail easements to protect natural resources as much as possible, with a minimum width of 25 to 50 feet.
16. Call for the use of natural materials such as stone and timber for bridges, guide rails and other engineering structures whenever possible.
17. Implement a program to educate residents regarding the use of pesticides, herbicides and other chemicals so as to minimize their application and their impact on groundwater and drinking water supply watersheds.
18. Actively pursue expanding Bethany’s network of trails, focusing in particular on creating north-south and east-west corridors and on connecting the town-owned airport property to other existing open space.

SECTION 3: ROADS AND TRANSPORTATION



Bethmour Road

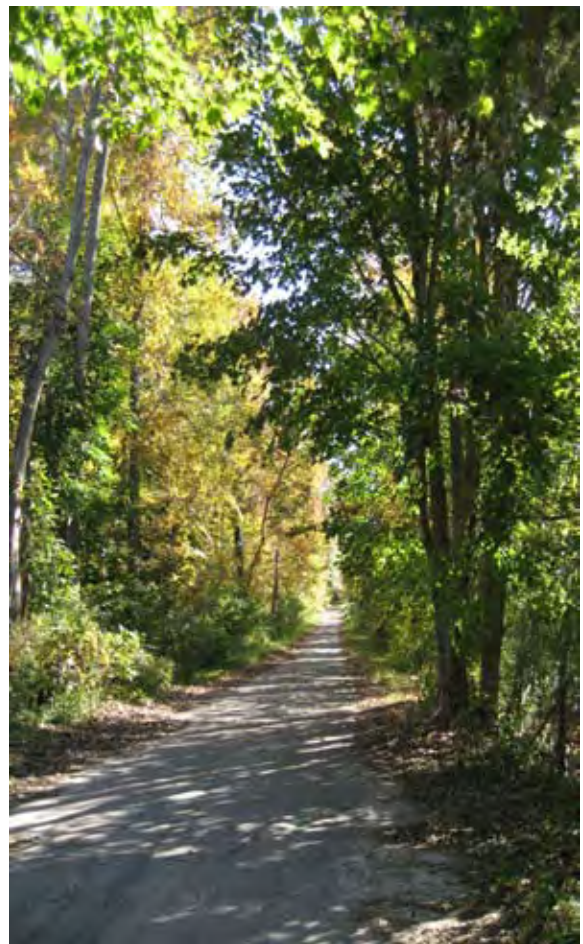
retaining the rural character of Bethany's roads. The report of the Committee for the Protection of Bethany's Rural Character noted that the strongest visual statement made by a town is often made via its roads:

"Roads and the landscapes they run through relay a great deal of information about a town's history as well as its present priorities... Roads impart character to a town. The paths they take, the trees that shade them, their width, their bridges and guardrails, their shoulders and curbs, are all details which contribute significantly to a town's character."

"It is the country flavor of Bethany's roads that invites us to use them as more than just automobile routes. We enjoy them as we walk, greet our neighbors, jog, bike and ride horseback. Bethany's roads are an important component of its rural character, and are worthy of and need our protection."

Bethany's roads are valued precisely because they maintain rural aesthetics and manage to serve a variety of interests and purposes. In order to preserve this value, it is critical to maintain and protect a road system that respects Bethany's rural quality while balancing the needs of motorists with those of pedestrians, cyclists and horseback riders and with the health and safety of the community as a whole.

Because Bethany has relatively little retail, commercial and industrial development within its borders, residents are for the most part required to travel to neighboring communities to shop and work.⁸ At the same time very little public transportation is locally available. Therefore, Bethany residents rely heavily on their cars and Bethany's system of roads to get in and out of and around town. Consequently, the number of vehicle miles routinely traveled by Bethany residents to meet their daily obligations is significant. Changes to Bethany's road specifications in 1988 and the adoption of a scenic road ordinance in 1997 reflect a growing concern for



Atwater Road

⁸ The round trip distance from the center of town to the nearest grocery store is miles.

Road and Transportation Goals

1. To regulate the design and construction of new roads so that they lie lightly upon the land, conforming to the guiding principles laid out in this Plan and, in particular, conforming with and enhancing the Plan's central value of rural quality.
2. To preserve and protect the aesthetic quality of Bethany's roads by maintaining existing roads and designing new roads with priority given to those elements including stone walls, that enhance their scenic qualities and that invite and encourage multiple uses.
3. To keep Bethany's roads safe for all citizens whether they use them for driving, riding bicycles or horses, or walking, and to assure Bethany's roads continue to meet the needs of Emergency Services to quickly and safely serve all of Bethany's residents.
4. To avoid unnecessary concentrations of storm-water drainage and runoff and the use of the town road drainage system for storm-water drainage for land development wherever possible.
5. To reduce the dependency of Bethany residents on the automobile to access services not available locally.

Roads and Transportation Policies

1. The design and engineering of new roads and rebuilding and maintenance of existing roads shall be guided by the principles and techniques of Low Impact Development (LID),⁹ including:
 - a. Apply Low Impact Design techniques to the design of new roads.
 - b. Preserving the historic use of swales and other types of sheet flow drainage in existing road systems wherever possible.
2. Traveled portions of new roads and bridges should be kept to a maximum width of 22 feet and, if consistent with public safety, older roads and bridges shall be maintained at their historic width.
3. The visual integrity of Bethany's existing system of historic roads, including its gravel roads, shall be protected by minimizing the areas of disturbance along side of these roads

► What is LID?

Low Impact Development (LID) is an innovative storm-water management approach with a basic principle that is modeled after nature: manage rainfall at the source using uniformly distributed decentralized micro-scale controls. LID's goal is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to its source. Techniques are based on the premise that storm-water management should not be seen as storm-water disposal. Instead of conveying and managing/ treating storm-water in large, costly end-of-pipe facilities located at the bottom of drainage areas, LID addresses storm-water through small, cost-effective landscape features located at the lot level.

⁹ Soft drainage, more currently referred to as low impact development (LID) relies on grassy swales, rain gardens, reduced impervious areas and similar devices rather than conventional curbing and storm drains to mitigate increases in runoff caused by increased impervious surfaces, including roads.

to the greatest extent possible given the possible need to install and maintain necessary utility lines.

4. The use of underground utilities shall be encouraged as a means of decreasing visual clutter and allowing tree canopies to overgrow roads.
5. Light pollution along Bethany's roads and in its neighborhoods shall be minimized by discouraging the unnecessary placement of streetlights.
6. Historic stone walls along roadways shall be preserved and/or reconstructed as these opportunities occur.
7. Local transportation options that reduce the automobile dependency of Bethany residents shall be developed.

Roads and Transportation Measures

1. Integrate the principles and techniques of low impact development (LID) into the zoning and subdivision regulations as well as the Town road policies and specifications.
2. Recommend that Bethany's road specifications be revised to:
 - a. Require the use of wooden guide rails and bridges of timber or other natural materials.
 - b. Require the minimum practical width in the design of new roads and bridges.
 - c. Encourage the use of unpaved passable shoulders wherever possible.
3. Modify Bethany's subdivision regulations to:
 - a. Encourage the use of underground utilities,
 - b. Encourage minimal width roads and bridges,
 - c. Encourage the use of unpaved passable shoulders, and encourage the use of low impact development drainage systems in the design of new roads.
 - d. Encourage the design of roadways that accommodate the needs of pedestrians, cyclists, and equestrians as well as automobiles.
 - e. Require that historic dry stacked stone walls destroyed during the construction of roads or installation of utilities be rebuilt.
4. Investigate and adopt, if appropriate, regulations that contain standards for the construction and maintenance of gravel roads.
5. Consider adopting revisions to Bethany's land use regulations that encourage or possibly require through roads in lieu of cul-de-sacs where desirable.
6. Develop standards for the placement of street lamps and limit their use to those situations where street lighting is necessary for the public health, safety and welfare.
7. Adopt regulations, or recommend a lighting ordinance, to mitigate the nuisance effect of excessive residential and business lighting, especially light trespass.

8. Find ways to expand existing transit service or create similar services to serve Bethany residents.
9. Adopt regulations or encourage the adoption of standards which minimize the coverage of new roads for subdivisions so as to reduce the overall impervious surface coverage.

► **Bethany's Demographics**

In November 2008, the median value of a home in Bethany was \$449,910 while average home sales price was \$400,000, one of the highest averages in the SCRCOG region. The average monthly rent was \$1,058.

The median age of a Bethany resident was 42 in 2006, and 32.7% of Bethany residents were older than 50.



Multi-family housing

SECTION 4: HOUSING

As of 2007 there were 1,975 residential dwelling units (including apartments) in Bethany. (There are 1,887 dwelling unit structures in Bethany with 90% of these owned and 8% rentals, and 1% vacant.) These are comprised mostly of single family and scattered multi-family dwellings on individual lots. Bethany's relatively low population density of approximately 255 persons per square mile is in sharp contrast to the densities of all surrounding towns and the overall density of the South Central Region. Low population density factors heavily into Bethany's rural quality and is a manifestation both of geography - distance from urban centers - and of the land itself. An analysis of land constraints indicates that the majority of land in Bethany has one or more severe limitations for development. Wetlands, steep slopes, and soils with poor septic capability are found throughout the Town.



Bethany provides a variety of housing alternatives

Bethany's geographic location in the regional watershed with public drinking water supply reservoirs serving several urban centers also limits its residential growth potential. About three-fourths of its land area recharges these reservoirs and is recognized in the State Plan of Conservation and Development as land to be conserved and protected for public drinking water supply purposes. Moreover, Bethany is without either public water supply¹⁰ or sewer service itself by reason of its distance from a supply source and its topography. The absence of sewer services is a significant development constraint and is an important consideration in the fulfillment of Bethany's role as a primary source of pure drinking water for the region.



Given these very real constraints, Bethany must nonetheless remain sensitive to local and regional housing issues and work to address unmet housing needs as they become evident. In developing this Plan, a significant amount of time was dedicated to considering the need for affordable housing as set forth in CGS § 8-23 as well as other sections of the Connecticut General Statutes pertaining to housing. This Plan recognizes that the viability, stability and integrity of the community depends upon maintaining a diverse supply of housing that meets the

needs of residents at a variety of income levels. In particular, the Town must pay close attention to the housing needs of its seniors so that a variety of housing options are available for them as well. In response to this need, the Planning and Zoning Commission in 2007 adopted zoning regulations that encourage the development of affordable housing for elderly citizens.

Housing Goals

1. To promote and maintain a supply of housing alternatives that allow for economic diversity among Bethany residents.
2. To provide for the development of new housing without compromising Bethany's water resources and rural character.
3. To provide appropriate housing for senior residents of Bethany.
4. To ensure that Bethany's land use regulations permit and encourage a variety of housing styles and sizes and provide for flexibility in the layout of residential lots.
5. To encourage the development of housing that is that is in keeping with the principles of sustainable development.

¹⁰

With the exception of approximately five dwellings near the Town's southern border which have public water.

Housing Policies

1. Bethany's land use regulations shall seek to strike a balance between the need to accommodate economic diversity among its residents and the vulnerable nature of the community's rural character and natural environment.
2. Diversity in Bethany's supply of housing shall be encouraged.
3. Initiatives and activities that reduce Bethany's dependency on non-renewable sources of energy and are in keeping with Bethany's dominant values shall be supported and encouraged.
4. Initiatives and activities in keeping with Bethany's dominant values that decrease the overall environmental impact of residential development shall be supported and encouraged.
5. The development of housing incorporating principles of sustainable development shall be encouraged.

Housing Measures

1. Facilitate active collaboration between appropriate boards and commissions and local civic groups working to assess the need for and define the most appropriate approach to providing housing for Bethany's senior residents. Based on the results of this collaboration, modify Bethany's ordinances and regulations accordingly to allow for such development to occur.¹¹
2. A modest variation in residential density shall be permitted in association with the construction of smaller than average houses provided that the impact on the carrying capacity of the land is no greater than would be created by larger houses at a lower density.
3. Incentives for buildings to conform to sustainability standards such as those put forth by LEED,¹² Green Globe or other similar organizations shall be provided, including standards that pertain to the siting and location of these structures. All aspects of sustainability should be considered whenever possible.
4. An informal "guide toward achieving sustainability" shall be developed and distributed to applicants and residents that will provide information on sustainable design, sustainable development and sustainable communities.

¹¹ It should be noted that a small portion of the rear of the Airport property has been proposed for development of 12 units of needed elderly housing. This project is in the planning stages at this time. The ultimate acceptability of this project will depend on its ability to conform to local and state regulations with regard to well and septic availability.

¹²Leadership in Energy and Environmental Design (LEED) is a Green Building Rating System developed by the U.S. Green Building Council.



Clover Nook Farm

SECTION 5: ECONOMIC AND FISCAL DEVELOPMENT

Municipal economic development efforts are generally geared toward creating a productive commercial tax base that contributes to the fiscal well being of the community. However, the impact of commercial development on the community is complicated and multidimensional, extending far beyond the fiscal and economic impact. New development creates new tax revenues. However, it also requires infrastructure and municipal services and therefore creates costs. New commercial development may provide access to desirable goods and services and it may provide employment opportunities for residents. It may also, however, create impacts counter to the Town's primary goal to remain rural and has the potential to negatively affect the contribution Bethany's undeveloped land base makes toward protecting the region's water supply and environmental quality. In light of this, it is important to assess both costs and benefits when attempting to identify the amounts and kinds of development which are desirable here in Bethany.

While new development would contribute to its tax base, Bethany's limited infrastructure would require significant expansion to meet the growing demand for services, particularly if Bethany were to attract any major commercial ventures. In addition, a number of local studies of the fiscal impacts of residential development have shown that in the long run, the cost of providing services to a growing community are very likely to exceed any additional tax revenues generated, leading to a net loss in revenue to the Town.

Environmental considerations and the desire to preserve rural character are also important factors which need to be considered when formulating Bethany's development policies. The ability of Bethany's land base to support commercial development has been shown to be extremely limited



Bethany Community School



Amity Middle School

as a result of the lack of existing infrastructure and the high cost of providing and maintaining that infrastructure. At the same time, while residential development may require less infrastructure, its demand for services, in particular education, generally exceed the tax revenues it can generate to pay for them. In the final analysis, Bethany's fiscal health is inextricably linked to serving the goal of supporting a high quality of education.

Given the existing environmental and infrastructure constraints, commercial or industrial development on a scale that could generate tax revenues to subsidize residential growth is unlikely, and therefore the added costs of residential development will accrue to the residential taxpayers whose tax burden will continue to increase as new residential development continues to affect Bethany's fiscal position.

Finally, policies guiding land use and development must take into account the visual impact of development on Bethany's rural character. Most would agree that conventional "strip" development is generally not in keeping with Bethany's historic look and feel, yet without a design strategy in place to promote development consistent with the traditions that contribute to rural character, this type of development is likely to prevail.

► **Development and the Conservation and Development Policies Plan for Connecticut**

The policy of the State with regards to rural lands is to encourage "development in Rural Community Centers or Rural Lands of a form, density, and location compatible with the carrying capacity of the natural environment, and which avoids the need for large scale and costly urban infrastructure for water supply, waste disposal and transportation." The State Plan also states that "A primary goal must be to protect high quality raw water for drinking purposes. Water quality correlates with the density and type of land use activity within the watershed or aquifer recharge area. Sources cannot be endlessly degraded without impact to the costs and effectiveness of treatment."

Development Goals

1. To encourage development that is consistent with Bethany's role in the region as a public drinking water supply watershed and its significance as a rural community providing environmental and recreational benefits to surrounding communities. This goal is consistent with the State Conservation and Development Policies Plan which has classified Bethany as a rural community.
2. To provide for development that will enhance the fiscal well-being of our community.
3. To ensure that new and redevelopment creates a visual impact that is consistent with and contributes to Bethany's rural character.
4. To advance development that is energy and water efficient and consistent with the goals of sustainable development.

Development Policies

1. Bethany's environmental quality and recreational value shall be protected by limiting growth to low density, low impact development with strict controls on uses that may generate hazardous wastes or otherwise compromise the quality of surface and groundwater resources.
2. Certain limits on future development shall be acceptable based on the natural "safe carrying capacity" of the land for water supply and waste water renovation.
3. An economically prudent approach to future growth shall be adopted by supporting a development scenario that emphasizes controlled, responsible growth and places a priority on infrastructure avoidance. Smart growth practices that further this policy include:
 - a. Preserving rural landscapes and existing agricultural activities and lands.
 - b. Encouraging new development to occur in a village pattern rather than typical spread out subdivision.
 - c. Discouraging expansion of conventional commercial development into areas which are not already properly zoned for such development.
 - d. Espousing development consistent with Bethany's rural character in lieu of a traditional commercial highway strip.

► Rural by Design

Design guidelines intended to preserve traditional development patterns and protect against the harmful impact of conventional strip development on community character have been adopted by a number of rural municipalities. These standards primarily affect what a development will look like from the street by addressing aspects of development such as:

- The size, height, scale, proportions and placement of buildings and associated parking on the site;
- The preservation of historic structures;
- Tree retention, site lighting and landscaping; and
- Signage.

The look and feel of the commercial zone can also be influenced by allowing for mixed use development in certain areas, by encouraging pedestrian access and traffic calming, and by including the "streetscape" as an integral part of the overall design process.

- e. Creating a mixed use zone and development guidelines and standards for village type developments where such development is appropriate.
 - f. Reinforcing the existing rural centers to make them more economically viable.
 - g. Recommending the Town strongly promote a broad recycling program for residents. A town wide ordinance is recommended for this program.
4. While emphasizing controlled and responsible new development, programs that foster growth, stability, and prosperity among existing commercial and industrial enterprises shall be supported, especially those that attract stable, attractive, environmentally appropriate business establishments that will prosper and add to the quality of our community.

Development Measures

1. Strengthen site development standards for the existing B/I zone.

- a. Consider using CGS 8-2j to establish Village Districts in acceptable areas of town where small scale mixed use development would be appropriate.¹³
- b. Consider whether maximum bulk or maximum footprint regulations would benefit the rural character of the town going forward. Consider implementing such a regulation if it is found to be compatible with encouragement of rural character.



Laticrete corporate headquarters

- 2. Establish an Architectural Review Committee to review proposed commercial structures and site plans so as to encourage size and scale which are compatible with the rural character of Bethany.
- 3. Adopt architectural and streetscape standards that reflect and encourage commercial development of a size and scale which is in keeping with this Plan.
- 4. Adopt revisions to Bethany's land use regulations that encourage development of existing lots on existing roads.
- 5. Adopt land use regulations that put into effect appropriate protective standards to ensure minimal adverse environmental impact from commercial and industrial development.
- 6. Perform an analysis of the capacity limits of existing municipal structures and services and the nature and cost of incremental services, including education and recreation as well as municipal and general government functions in order to fully identify and quantify



the impacts of potential development on government services and Bethany's tax base.

7. Adopt policies and regulations that encourage the establishment, preservation and operation of existing and proposed agricultural land and operations as well as the establishment of new low-impact agriculturally related businesses. Examples: farmers markets, wineries, boutique farms and organic/natural/free-range/grass fed meat, etc.

8. Adopt policies and regulations that encourage energy and water efficient

commercial development.

9. Encourage waste reduction and recycling by implementing a pay-as-you throw program.
10. Adopt policies and regulations for sustainable, natural storm-water drainage so as to minimize runoff and maximize on-site drainage of storm-water, as opposed to simply discharging it into a storm-water drainage system, which would carry it off-site. These techniques are collectively referred to as low impact development (LID) techniques.

SECTION 6. RECREATION

With the exception of a clearly expressed desire to protect, preserve and enhance Bethany's extensive system of trails, very little information exists with regard to the demand for either recreational facilities or programs among Bethany residents. In the Town Plan questionnaire which was previously distributed in 1991, there was some support demonstrated for expanding recreational opportunities and facilities.

Also in 1992, a joint report to the Airport Study Committee by the Bethany Athletic Association and the Bethany Park and Recreation Commission expressed a desire for additional playing fields for baseball and soccer as well as a running track. Neither the desire nor need for additional recreational facilities or programs appear to be based on any type of formal needs assessment.

Recreation Goal

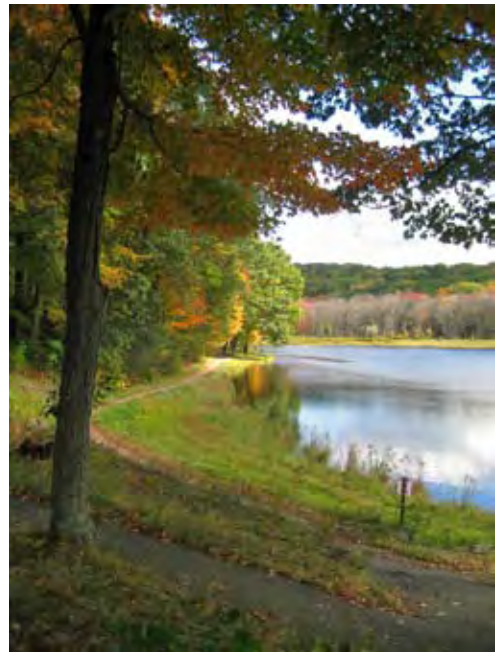
1. To meet the recreational needs of the community by assuring that residents have access to a diversity of adequate recreational facilities and programs in Bethany.

Recreation Policies

1. Preserve and enhance Bethany's system of equestrian and hiking trails as a community asset.
2. Consider diversity of ways to recreate when developing recreational assets.

Recreation Measures

1. An extensive system of interconnected public trails traversing Bethany's undeveloped lands shall be developed and maintained working with both public and private landowners.
2. A Recreational Needs Assessment shall be performed to identify current and anticipated needs for recreational facilities, including specific types of dispersed facilities such as playgrounds, and prepare a facilities plan that meets those needs.
3. Veterans' Memorial Park shall be further developed and improved to best serve the recreational needs of the Town. (See Section 7 for further discussion).



Lake at Veteran's Park

SECTION 7: MUNICIPAL FACILITIES

In July of 1992, with the concurrence of the Board of Selectmen, the Planning and Zoning Commission formed an advisory committee to prepare a set of recommendations regarding the use of the 126 acre municipal property known as the Airport property. In gathering information for their report, the Airport Study Committee solicited input from the Board of Selectmen, the Bethany Highway Department, the Recycling and Solid Waste Committee, and the Bethany Volunteer Fire Department, all providers of municipal services and occupants of municipal facilities. As a result of the information gathered from these groups, with regard to municipal facilities and uses, the Airport Study Committee Report states that “the area generally north of the proposed Munson Road extension has been designated for municipal buildings and uses such as a new fire house, highway department garage, recycle center, etc.”



Public Works garage and office



Bethany firehouse

Subsequent to the publication of the Airport Study Committee's Report in August of 1993 a new Town garage and recycling center were constructed on the area of the Airport property identified by the Airport Study Committee for municipal use.

In addition to the recently completed Town garage and recycling center, Bethany has also completed the following municipal improvements and additions since the adoption of the last Town Plan in 1998:

- a. A large construction and renovation project at the Bethany Community School which updated the existing school facilities and added additional classrooms and instructional areas. This facility currently accommodates Bethany's elementary school age population.
- b. Some renovations to Bethany Town Hall have been completed. Others still need to be accomplished to bring it up to desirable standards for municipal facilities.
- c. Veterans' Memorial Park, a 55 acre recreational property for use by the Town, was acquired and extensive site work completed. The facility is actively used by a variety of groups and residents of the Town. It provides residents with a clubhouse, a large pond suitable for swimming, an area for playing fields and a trail network, tennis courts and a playground. Grant funds have been awarded and planning is underway for construction of a new pavilion.
- d. A new firehouse has been constructed on a portion of the Airport property. This new facility should serve the Town for its intended purpose for the foreseeable future.



Bethany Town Hall



Riding ring at the Airport

- e. The existing riding ring at the Airport property has been upgraded.
- f. A study done by the Yale Urban design Workshop has been completed regarding the reconstruction and reuse of the hangar on the Airport property. A proposal to renovate the hangar based on this study has passed 8-24 review. The ultimate decision on the use of this facility will depend on available funding and public support.
- g. A Recreational Facilities Review has been completed by (Yale).
- h. A site plan has been developed by (Yale) for the Airport Property which is being reviewed, discussed and decided upon by all the appropriate committees, boards and commissions.



Old Bethany Airport hangar building



Old Bethany Airport Multiuse Facility

Goals for Municipal Facilities

- 1. To anticipate the need for municipal facilities within a time frame that allows for adequate planning.
- 2. To take a responsible fiscal approach to municipal investments.

Municipal Facilities Policies

1. Investments in new municipal facilities shall be made according to a comprehensive long range municipal facilities investment plan that has been endorsed by the Board of Selectman.
2. Grants shall be sought for municipal improvements and facilities whenever possible so as to minimize the burden on Bethany's taxpayers.
3. The necessary maintenance and repairs of municipal facilities shall be performed in a timely fashion in order to maximize their useful life and avoid the problems and decay that result from poor upkeep.



Clark Memorial Library

Municipal Facilities Measures

1. Perform a Needs Assessment for municipal facilities as the basis for a long range approach to meeting the Town's future needs, matching the Town's projected long term growth with its need for municipal facilities and allowing for proper fiscal and land use planning.
2. Complete the development of the Veterans' Memorial Park property in a well planned, well executed and timely fashion.
3. Remove the lot-lines from the Airport Property and rezone the property for recreational or municipal use.

Pay as you Throw Program

The basic concept underlying systems of pricing trash for disposal is very straightforward: customers that put out more waste for collection pay more than those who put out less. Variable-rate programs provide a number of advantages:

- Equity: Variable rates are fair: customers who use more service pay more.
- Economic Signal: Under variable rates, behavior affects a bill, regardless of what disposal choices a household makes. Without variable rates, avid recyclers pay the same as large disposers. Variable rates provide a recurring economic signal to modify behavior, and allow small disposers to save money compared to those who use more service and impose more costs on the system.

- **Lack of Restrictions:** Variable rates do not restrict customer choices. Customers are not prohibited from putting out additional garbage; but those who want to put out more will pay more.
- **Efficiency:** Variable-rate programs help prevent overuse of solid-waste services. **Waste Reduction:** Recycling programs alone only encourage recycling while variable rates reward all behaviors—recycling, composting, and source reduction—that reduce the amount of garbage thrown away.
- **Environmental Benefits:** Variable rate programs broadly benefit the environment by encouraging increased recycling and waste reduction.



Bethany Historical Society

CHAPTER 3

Implementation

The Planning and Zoning Commission will undertake, recommend or encourage the following steps toward the implementation of this plan:

Implementation Plan

Responsibility:	Item:	Actions and Timing:
Planning and Zoning Commission:	<ol style="list-style-type: none"> 1. The Commission will conscientiously devote its planning activities to drafting new zoning and subdivision regulations to bring those regulations into conformance with the goals, policies and recommendations made in this plan. It will adopt such revisions to the regulations only after public hearing, as appropriate. 2. Once Bethany land use regulations have been brought into conformity with the recommendations made in this plan the commission will devote its planning activities to gathering additional information to aid in the planning process. As it becomes available, this additional information will be used to evaluate and revise this plan so that it remains up to date and pertinent. The priority in this process will be to refine those sections where additional information is needed to complete a proper analysis. 	<ol style="list-style-type: none"> 1. Work program for 2009-2010 2. Ongoing but to be initiated in 2010.
Board of Selectmen:	<p>The Commission will work closely with other boards and commissions as needed to implement those provisions of the plan which are not within the jurisdiction of the Planning and Zoning Commission such as the Board of Selectmen on matters such as:</p> <ul style="list-style-type: none"> • Ordinances • Appointments • Town Road Regulations and Standards • Development applications affecting Town road drainage or use. 	Ongoing or on a per application basis
Inland Wetlands and Watercourses Agency (IWWA):	<p>The Commission will work closely with the IWWA to implement those provisions of the plan which are not the jurisdiction of the Planning and Zoning Commission including:</p> <ol style="list-style-type: none"> 1. Improving and streamlining coordination on common environmental issues 2. Aligning Commission and IWWA regulations and goals. 	Ongoing or on a per application basis.
Conservation Commission (CC):	<p>The Commission will work closely with the CC as needed to implement those provisions of the plan which are not within the jurisdiction of the Planning and Zoning Commission, including:</p> <ol style="list-style-type: none"> 1. Implementing the Open Space Plan. 2. Coordinating on applications so as to meet common goals. 3. Sharing research on areas of common interest. 	Ongoing
Town Departments/Staff:	Perform application review and processing in a fair and efficient manner.	Ongoing
Land Trust	<ol style="list-style-type: none"> 1. Encourage efforts at land preservation so as to assist in accomplishing the goals of the POCD. 2. Encourage education and outreach regarding land conservation and preservation efforts. 	On an application as well as an ongoing basis.

CHAPTER 4:

Revision Policy

While State statute 8-23 calls for review of the Town Plan of Conservation and Development every 10 years, this Town Plan will be reviewed and amended as necessary.

APPENDICES

Appendix A

A Brief History of the Bethany's Town Plan of Conservation and Development

Stage One

In 1990, the Bethany Planning and Zoning Commission began the process of revising Bethany's existing Town Plan of Development, which had been prepared in 1961. In revising the 1961 plan, the Commission's foremost objective was to ensure that the revised plan would reflect the views and desires of Bethany residents, in addition to meeting statutory requirements for Plans of Conservation and Development.

To this end, in addition to gathering data about the Town's physical characteristics, the Commission invested significant time, money and effort in the process of gathering public input in an attempt to define a common vision for Bethany. This process, which included a series of public meetings and a town-wide survey, resulted in a Stage One Report which outlined four primary areas of concern expressed by the residents of Bethany: Rural Character, Economic Development, Housing and the disposition of the Airport Property.

Stage Two

Based upon the findings of the Stage One Report, the Planning and Zoning Commission established the following four committees to analyze existing information (including the questionnaire results), gather additional information, and make recommendations to the Commission for policies to be included in the revised Town Plan:

1. The Committee for the Protection of Bethany's Rural Character.
2. Coordinating on applications so as to meet common goals.
2. The Airport Study Committee.
3. The Committee for the Study of Housing Issues.
4. The Committee for the Study of the Economic and Fiscal Issues.

Convened in July of 1992, each Committee was chaired by a member of the Planning and Zoning

Commission, and composed of other Planning and Zoning Commission members, other municipal officials and employees, and representatives of interested civic groups. Each Committee issued a report summarizing their findings and conclusions. These reports informed the content of the revised Town Plan adopted in November of 1998 by the Commission.

Stage Three

In 2006 the Commission began the process of revising the 1998 Town Plan of Conservation and Development as is required by State Statute every 10 years. As in 1998, in addition to meeting statutory requirements for Plans of Conservation and Development, ensuring that the revised plan would reflect the current views and desires of Bethany residents was a primary concern in 2006. To this end the Commission held multiple meetings to discuss the most current POCD update and solicited input and comments from all other Town Boards and Commissions as well as Town officials. A constant theme heard by the Commission as it gathered input for the 2006 revision process was the importance of continuing to implement the goals, policies and programs contained in the 1998 Plan. In reviewing the work of the four committees convened in 1990, the Commission agreed with the consensus that the basic conclusions and recommendations of these Committees, as incorporated into the 1998 plan, remain valid.

Concurrent with the work of the Planning and Zoning Commission, the Bethany Conservation Commission prepared a draft of Bethany's 2008 Open Space Plan which was also considered by the Planning and Zoning Commission during the revision process.

Adoption of the 2009 Plan of Conservation and Development

Based on discussion, synthesis, and analysis of all of the reports and public comment described above, the Planning and Zoning Commission has drafted and hereby adopts this 2009 Plan of Conservation and Development for the Town of Bethany. In addition, the final (draft of the) Conservation Commission's Open Space Plan is hereby made part of this POCD and the recommendations set forth in the 2008 Open Space Plan have been included and referenced in Section 2 of Chapter 2 of this Plan. This revision of the POCD is intended to respect and support the goals, policies and programs of the previous Plan while refining them so as to better reflect the current state of land use, land use regulation and statutory law. The Plan represents the Commission's best effort to develop planning goals that define the Town's vision of its future in light of the clear physical constraints on land use and development which exist in Bethany. The Commission recognizes that planning for the Town is an ongoing process and that this Plan will be subject to regular review. The overall responsibility to continually update this Plan is that of the Planning and Zoning Commission. The revision process to be followed is clearly outlined in Chapter 3 of this plan.

Appendix B

Substitute House Bill No. 6467

Public Act No. 09-230

AN ACT CONCERNING SMART GROWTH AND THE STATE PLAN OF CONSERVATION AND DEVELOPMENT POLICIES PLAN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

SECTION 1. (Effective from passage) As used in this section and section 2 of this act:

(1) “Smart growth” means economic, social and environmental development that (A) promotes, through financial and other incentives, economic competitiveness in the state while preserving natural resources, and (B) utilizes a collaborative approach to planning, decision-making and evaluation between and among all levels of government and the communities and the constituents they serve; and

(2) “Principles of smart growth” means standards and objectives that support and encourage smart growth when used to guide actions and decisions, including, but not limited to, standards and criteria for (A) integrated planning or investment that coordinates tax, transportation, housing, environmental and economic development policies at the state, regional and local level, (B) the reduction of reliance on the property tax by municipalities by creating efficiencies and coordination of services on the regional level while reducing interlocal competition for grand list growth, (C) the redevelopment of existing infrastructure and resources, including, but not limited to brownfields and historic places, (D) transportation choices that provide alternatives to automobiles, including rail, public transit, bikeways and walking, while reducing energy consumption, (E) the development or preservation of housing affordable to households of varying income in locations proximate to transportation or employment centers or locations compatible with smart growth, (F) concentrated, mixed-use, mixed income development proximate to transit nodes and civic, employment or cultural centers, and (G) the conservation and protection of natural resources by (i) preserving open space, water resources, farmland, environmentally sensitive areas and historic properties, and (ii) furthering energy efficiency.

SECTION 2. (Effective from passage) The Continuing Legislative Committee on State Planning and Development, established pursuant to section 4-60d of the general statutes, shall study the state plan of conservation and development, including, but not limited to, the process for adopting such state plan, the incorporation into such plan of the principles of smart growth as defined in section 1 of this act, the application of such plan and principles of smart growth to actions undertaken by state agencies, and the integration of such plan with municipal and regional plans of conservation and development. In conducting such study, the committee shall consult

with stakeholders, including, but not limited to, municipalities, regional planning organizations, state agencies and the public. On or before February 1, 2010, the committee shall submit a report of its findings and recommendations to the General Assembly in accordance with the provisions of section 11-4a of the general statutes.

SECTION 3. Section 16a-27 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The secretary, after consultation with all appropriate state, regional and local agencies and other appropriate persons, shall, prior to March 1, [2009] 2011, complete a revision of the existing plan and enlarge it to include, but not be limited to, policies relating to transportation, energy and air. Any revision made after May 15, 1991, shall identify the major transportation proposals, including proposals for mass transit, contained in the master transportation plan prepared pursuant to section 13b-15. Any revision made after July 1, 1995, shall take into consideration the conservation and development of greenways that have been designated by municipalities and shall recommend that state agencies coordinate their efforts to support the development of a state-wide greenways system. The Commissioner of Environmental Protection shall identify state-owned land for inclusion in the plan as potential components of a state greenways system.

(b) Any revision made after August 20, 2003, shall take into account (1) economic and community development needs and patterns of commerce, and (2) linkages of affordable housing objectives and land use objectives with transportation systems.

(c) Any revision made after March 1, 2006, shall (1) take into consideration risks associated with natural hazards, including, but not limited to, flooding, high winds and wildfires; (2) identify the potential impacts of natural hazards on infrastructure and property; and (3) make recommendations for the siting of future infrastructure and property development to minimize the use of areas prone to natural hazards, including, but not limited to, flooding, high winds and wildfires.

(d) Any revision made after July 1, 2005, shall describe the progress towards achievement of the goals and objectives established in the previously adopted state plan of conservation and development and shall identify (1) areas where it is prudent and feasible (A) to have compact, transit accessible, pedestrian-oriented mixed-use development patterns and land reuse, and (B) to promote such development patterns and land reuse, (2) priority funding areas designated under section 16a-35c, and (3) corridor management areas on either side of a limited access highway or a rail line. In designating corridor management areas, the secretary shall make recommendations that (A) promote land use and transportation options to reduce the growth of traffic congestion; (B) connect infrastructure and other development decisions; (C) promote development that minimizes the cost of new infrastructure facilities and maximizes the use of existing infrastructure facilities; and (D) increase intermunicipal and regional cooperation.

(e) Any revision made after October 1, 2008, shall (1) for each policy recommended (A) assign a priority; (B) estimate funding for implementation and identify potential funding sources; (C) identify each entity responsible for implementation; and (D) establish a schedule for implementation; and (2) for each growth management principle, determine three benchmarks to measure progress in implementation of the principles, one of which shall be a financial benchmark.

(f) Thereafter on or before March first in each revision year the secretary shall complete a revision of the plan of conservation and development.

SECTION 4. Section 16a-28 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The secretary shall present a draft of the revised plan of conservation and development for preliminary review to the continuing legislative committee on state planning and development prior to September first in [2008] 2010 and prior to September first in each prerevision year thereafter.

(b) After December first in [1985] 2010 and after December first in each prerevision year thereafter the secretary shall proceed with such further revisions of the draft of the revised plan of conservation and development as he deems appropriate. The secretary shall, by whatever means he deems advisable, publish said plan and disseminate it to the public on or before March first in revision years. The secretary shall post the plan on the Internet web site of the state.

(c) [Within] Not later than five months [of] after publication of said revised plan the secretary shall hold public hearings, in cooperation with regional planning agencies, to solicit comments on said plan.

SECTION 5. Section 16a-29 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

The secretary shall consider the comments received at the public hearings and shall make any necessary or desirable revisions to said plan and within three months of completion of the public hearings submit the plan to the continuing legislative committee on state planning and development, for its approval, revision or disapproval, in whole or in part. Notwithstanding the provisions of this section, the secretary shall submit the state Conservation and Development Policies Plan, [2004-2009] 2012-2017, to said committee on or before December 1, [2004] 2011.

SECTION 6. Section 16a-32a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

The Office of Policy and Management shall amend the state plan of conservation and development adopted pursuant to this chapter to include therein a goal for reducing carbon dioxide emissions

within this state [. Said office, in consultation with the Department of Environmental Protection, shall submit a report to the General Assembly on or before the thirtieth day following May 22, 1995, on or before May 1, 1996, and annually thereafter, which details the net amount of carbon dioxide emitted annually within this state. Subsequent to the May 1, 2000, submittal, said report shall be submitted every three years with the first such report due May 1, 2003] consistent with the recommendations of the Connecticut Climate Change Action Plan prepared in accordance with Section 22a-200a.

SECTION 7. Subsection (b) of section 8-23 of the general statutes, as amended by section 3 of public act 07-239, section 4 of public act 07-5 of the June special session and section 17 of public act 08-182, is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(b) [Until the plan is amended in accordance with this subsection the municipality] On and after the first day of July following the adoption of the state Conservation and Development Policies Plan 2012-2017, in accordance with section 16a-30, a municipality that fails to comply with the requirements of subsection (a) of this section shall be ineligible for discretionary state funding unless such prohibition is expressly waived by the secretary.

Approved July 8, 2009

A Discussion of Responsible Growth

Responsible growth is economic, social, and environmental development that uses land and resources in ways that enhance the long-term quality of life for Connecticut's current and future generations. Responsible growth supports a vibrant and resilient economy and preserves the natural resources upon both of which that quality of life depends. Responsible growth maximizes previous investments in existing infrastructure while preserving distinctive landscapes, historic structures, landmarks, and villages.

Responsible growth requires leadership and governance of the highest caliber to prioritize public decisions in a manner that maximizes the long-term benefits to the state's residents and communities. It demands a collaborative approach to analysis, decision-making, and evaluation between and among all levels of government to ensure consistency with integrated local, regional, and state-wide vision, plans, and strategies.

- ***Focus on Redevelopment***

- › Redevelop First -- Encourage reuse and rehabilitation of existing infrastructure rather than the construction of new infrastructure in undeveloped areas.
- › Revitalize Connecticut's central cities to take advantage of existing infrastructure and their locations as centers of economic and cultural importance.
- › Give preference to redevelopment of brownfields, preservation, and reuse of historic structures and rehabilitation of existing housing and schools.

- ***Be Fair***

- › Encourage interlocal cooperation.
- › Promote equitable sharing of the benefits and burdens of development and diminish the competition for revenue that biases land use decisions.
- › Provide technical and strategic support for inclusive community planning to ensure social, economic, and environmental justice.
- › Make regulatory and permitting processes for development clear, transparent, cost-effective, and oriented to encourage responsible growth and regional equity.

- ***Expand Housing Opportunities***

- › Support the rehabilitation and construction of housing to meet the needs of all people regardless of abilities, income levels, and household types.
- › Coordinate the provision of housing with the location of jobs, transit, and services.
- › Promote a range of attainable housing choices that provides housing for people who work in the area and that leads to diverse communities.

- ***Concentrate Development***

- › Support development that is compact, conserves land, integrates uses, and fosters a sense of place.
- › Revitalize and protect existing village centers.

- › Create walkable districts in or adjacent to existing centers, making full use of existing buildings and infrastructure, and mixing commercial, civic, cultural, educational and recreational activities with open space and housing for diverse communities.
- ***Provide Transportation Choice***
 - › Concentrate development around transportation nodes and along major transportation corridors.
 - › Increase access to transportation alternatives, in all communities, including public transit (with flexible schedules), bicycling, and walking.
 - › Invest strategically in transportation infrastructure that decreases annual lane miles while increasing transit passenger miles traveled, and increases rail freight while decreasing road freight.
- ***Conserve Natural Resources***
 - › Reduce waste of water, energy, greenhouse gases, and materials, and increase our supply of renewable energy.
 - › Expand land conservation efforts in appropriate areas.
 - › Protect water resources.
 - › Protect and restore biodiversity, environmentally sensitive lands, natural resources, food security, wildlife habitats, and cultural and historic landscapes.
 - › Increase the quantity, quality, and accessibility of open space.
 - › Lead by example and support conservation strategies, clean power, and innovative industries.
 - › Construct and promote buildings and infrastructure that use land, energy, water, and materials efficiently.
- ***Plan Regionally***
 - › Support the development and implementation of local and regional plans that have broad public support and are consistent with statewide plans and with these principles.
 - › Encourage development projects, land and water conservation, transportation and housing that have a regional or multi-community benefit.
 - › Consider the long-term costs and benefits to the commonwealth of the state.
- ***Increase Job Opportunities in Appropriate Locations***
 - › Attract new and support the growth of existing businesses with meaningful, well-paying jobs in appropriate locations, preferably near housing, infrastructure, water, and transportation options.
 - › Expand access to educational and entrepreneurial opportunities.
 - › Strengthen sustainable production of goods and services.
 - › Support economic development in industry clusters consistent with statewide, regional, and local plans.

Appendix C

Final

**OPEN SPACE PLAN
2010**

BETHANY, CONNECTICUT



Sperry Road Open Space Property donated by Dr. and Mrs. Niederman

BETHANY, CONNECTICUT
CONSERVATION COMMISSION MEMBERS
2010

Kenneth W. Martin, Chairman

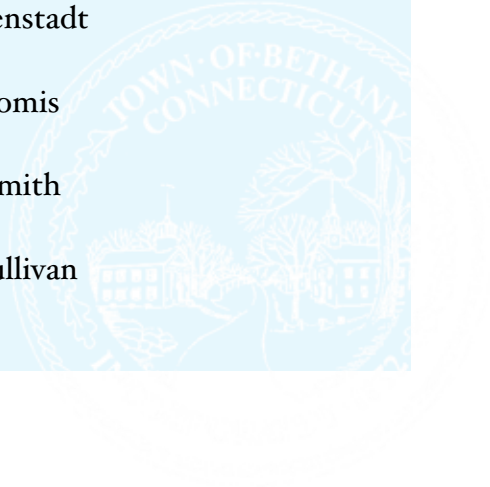
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ACKNOWLEDGMENTS

Relative to this update, thanks go to former Commission members for their contributions to this document: Marian Ash, Kimberly McClure Brinton, Constance Royster, Kristine Sullivan, and Judith Tierney. Extra special thanks goes to Kristine Sullivan, who devoted countless hours consolidating the work of various authors into a unified document and entering the final editing.

At hearings on the plan and through their attendance at Commission meetings, many residents of Bethany expressed their hopes for the future of our town and, in specific ways, contributed to the pages that follow.

CONTENTS

I.	Introduction	51
II.	Goals of the Open Space Plan	52
III.	Bethany's Open Space	53
IV.	The Plan	57
V.	Trail Systems	63
VI.	Implementing the Plan	65
VII.	Recommendations	68

Appendixes (separate documents):

1.	Inventory of Open Space Land in Bethany	69-71
2.	Open Space Priorities	72-73

Maps (separate documents):

1.	Land Use
2.	Open Space (current and proposed)
3.	Ownership Type
4.	Development Status

I. INTRODUCTION

Open space is the woodlands, fields, streams and ponds that still abound in Bethany and provide the distinctive rural character we cherish. Who among us does not derive special enjoyment from the sight of trees and open fields as we drive into Bethany, leaving behind the dense development of urban and suburban areas? Who among us is not delighted to know that our forests and meadows provide a habitat for animals and birds with greater diversity than can be found in more densely developed urban and suburban areas? Whether we use open space as hikers, horseback riders, baseball players, swimmers, or simply because we find our souls refreshed by looking at scenic views and listening to the stillness of a summer night, we know that the open space around us plays an important part in our lives and the lives of our children throughout every season of the year. This is one of the reasons we choose to live in Bethany.

Bethany remains at a crossroads. The open space over which we have some control is fast disappearing, as increasing development puts ever-growing pressure on our land. If we are to preserve the special quality of life Bethany offers both for ourselves and generations to come, we must agree on a plan that strikes a balance between development and preservation. In planning for the future, we should try to direct development to those areas in Bethany suitable for growth, while at the same time avoiding those areas identified as being in the public interest to preserve. The property rights of landowners must be carefully balanced with the needs of the community, now and in the future. Good planning helps avoid land use conflicts.

The importance of open space in our lives is reason enough to work to preserve it, but we should also take into consideration the known fact that developed land is more costly to taxpayers than open space. A town spends more on education and other services than a new residence with children generates in taxes. Furthermore, the attractiveness of a town with abundant parks, trails, recreation areas, scenic views, stone walls, brooks, farmland, wetlands, greenways and greenbelts is likely to be reflected in higher sale prices for homes and undeveloped land.

It is our hope that this Open Space Plan is one that all of Bethany's citizens will support and assist in implementing so that the rural qualities of Bethany that are so essential to its character and charm, can be retained.

II. GOALS OF THE OPEN SPACE PLAN

“A town is saved, not more by the righteous men in it than by the woods and swamps that surround it. A township where one primitive forest waves above while another rots below--such a town is fitted to raise not only corn and potatoes, but poets and philosophers for the coming ages.”

--Henry David Thoreau, Walking

The general goal of Bethany's Open Space Plan is to preserve, protect and improve the quality of life in town, by ensuring that a base of undeveloped land be maintained. Included in the plan are environmental, recreational, historical, cultural and aesthetic components. It is important to preserve a variety of landforms to represent the natural state of this area and to serve the various interests within the community.

Protection of water, air and soil quality is basic to the Town's needs. The Town's Inland Wetlands Commission enforces regulations for the protection of water quality. Saving certain lands as open space will further protect water resources. Protecting ridges and steep slopes assists in guarding against erosion. Saving woodlands enhances air quality.

Bethany's first modern residents were farmers. A major goal of the Open Space Plan is to protect the remaining farmland and meadows that reflect the Town's agricultural heritage. Stone walls, which also serve as reminders of those bygone days, should be preserved in subdivisions and along the roadsides. Implementation of these goals will also serve to protect the scenic vistas and rural roadscapes that characterize Bethany.

Many areas of archaeological and historical interest lie within the boundaries of Bethany. This Open Space Plan encourages protection of these treasures and should provide support for the efforts of local groups and citizens who work to identify and preserve them.

Many natural areas remaining in town are refuges for wildlife. Protecting these areas and linking them into wildlife corridors will assure that native species continue to thrive. There already has been a dramatic return of wild turkeys, coyotes, turkey vultures and bluebirds. Steps have been taken to preserve threatened plant species as well.

Veterans Memorial Park provides the Town with recreational space that is accessible to the public. As Bethany's population continues to grow, there will be a need for added recreational facilities, both passive and active. Bethany's trails should be linked together to provide a comprehensive trail system. Ideally a balance between development and open space, active and passive recreation, human needs and environmental protection, should be maintained.

The specific goals of the Open Space Plan are to:

- Identify parcels of land that can be added to protected open space;
- Provide links between existing trails in town and trail systems in neighboring towns;
- Link existing open space parcels, thereby creating greenbelts and wildlife corridors;

- Protect ridgelines, roadscares and scenic vistas;
- Acquire property for present and future recreational needs;
- Protect areas of archaeological and historical significance;
- Preserve farmland as a characteristic of Bethany; and
- Protect water quality by preserving watersheds.

III. BETHANY'S OPEN SPACE

To the casual observer, Bethany appears to have vast tracts of protected land that can be enjoyed by all. However, currently undeveloped land and protected open space are not always the same thing.

Undeveloped land in town can be broken into four separate classes:

Category I

Properties that are protected in perpetuity from development, contain natural or recreational resources and are open to the public. This category of land includes properties owned by the Bethany Land Trust, Nature Conservancy and state that are perpetually protected and have provisions for public access.

- ☉ *The Bethany Land Trust* owns 14 parcels in outright fee ownership and has accepted 13 conservation easements; bring the total acreage under its protection to about 420 acres. The largest tracts are as follows:
 1. The *Ida Carrington Lowell Property* consists of a rectangular 27-acre block of land north of Cedar Road. There is a loop trail on the property. This land, which is usually accessed from Cedar Road, also has an easement running east to Pole Hill Road, directly across from the Town's Pole Hill Park.
 2. *Mendell's Folly* consists of 57 acres in Bethany, with the rest of the 125-acre parcel across the Town line in Beacon Falls. The property has a mixture of wooded hillsides and wetlands, which are divided by a brook. There is a network of hiking trails on the property.
 3. *Several parcels in Bethany Farms* that total approximately 72 acres. A series of trails and easements connect those parcels.
 4. Development rights to a *110-acre piece of land located on Bethway, Carrington, Schilf and Old Mill roads*. Angelica Harter and Patricia Winer generously donated the easement, known as the Spykman Preserve, to the trust in memory of their parents. The Preserve abuts land owned by the South Central Connecticut Regional Water Authority (SCCRWA). The extensive trail system on the Spykman Preserve compliments the trail system on the adjoining SCCRWA lands.

- ☼ *The Nature Conservancy* owns a 10-acre piece of land, called Quiddity, which is located off the northern side of Cheshire Road between Routes 63 and 69.
- ☼ The *State of Connecticut* has several parcels in town:
 1. The *Naugatuck State Forest* is the largest and most significant state property, with most of its 535 acres located off of Beacon Road. A small non-contiguous piece is located off Cheshire Road. The state forest includes Beacon Cap and extensive hiking trails. The park extends into the neighboring towns of Naugatuck and Beacon Falls to the north and west, and Cheshire and Hamden in the east.
 2. *West Rock Ridge State Park* extends into Bethany with thirty-eight acres off Brooks Road. The majority of the Park is located in Hamden and New Haven.
 3. *The Hotel or Ley's Pond* parcel is another state piece. While it is only about 2 acres, it is historically significant. Located between Litchfield Turnpike and Amity Road, just north of their intersection, the property has the remains of an old dam and pond that were associated with the Bethany Hotel, which was destroyed in a fire.

Category II

Properties which are unlikely to be developed for residential or commercial purposes, contain natural or recreational resources and/or are open to the public This category of land includes land owned by public and quasi-public institutions such as the town and cemeteries where future residential or commercial development is unlikely and public access is allowed.

- ☼ The Town of Bethany owns over 500 acres of land the largest of which are:
 1. The Airport Property – Amity Road (Route 63) and Fairwood Road (140 + acres)
 2. Veterans Memorial Park – Beacon Road (Route 42) (165 + acres)
 3. Gordon V. Carrington Town Center – Peck Road (55 acres)
 4. Pole Hill Park – Pole Hill Road (37 acres)
 5. Hopp Brook Tract – Bear Hill and Miller Roads (nearly 17 acres)

The other town pieces are smaller and consist mostly of subdivision set-asides and cemeteries.

- ☼ *Pole Hill Park, the Hopp Brook Tract and the various subdivision set-asides* are predominately natural areas.
- ☼ Other town properties are mixed uses that include natural open space areas. The *Hoppe/Co-francesco Memorial Park* on Amity Road (Route 63) and Munson Road is an active recreational area. The *Airport Property* is currently used for passive recreation, organized sporting events, horse shows and carnivals. The Airport Property also has municipal uses, such as the Town garage, recycling center and Bethany Volunteer Fire Department Headquarters. The *Gordon V.*

Carrington Town Center includes buildings for the Community School and Town Hall, parking lots, and areas for active and passive recreation.

- ☉ *The western portion of Veterans Memorial Park* provides a variety of recreational uses: a lake for swimming, fishing, beaver accommodations and boating, a picnic area, a clubhouse, hiking trails, children's playground, tennis courts, basketball court, and soccer fields. The eastern portion, which is approximately 90 acres in area, is adjacent to a privately owned natural area and includes numerous ridges and ravines and extensive system of wetlands. This land is permanently protected by a state held easement. It is still largely wooded, with stone walls, trails and the occasional beautiful, long-range view of Beacon Cap. Hockanum Brook, which rises from the east, flows into the park's lake.
- ☉ *The Betkoski property* off Beacon Road, consisting of 12 landlocked acres surrounded by the Naugatuck State Forest, was acquired in 1998 by the Town in exchange for forgiveness of unpaid taxes. It should be sold to the state, for inclusion in the Naugatuck State Forest.

Category III

Properties which are unlikely to be developed for residential or commercial purposes, contain natural or recreational resources but are not open to the public or open to the public only on a restricted or permitted basis. This category of land includes land owned by water companies, Yale University, and the Josef Albers Foundation.

The largest open space landholders in Bethany are the two water companies. The South Central Connecticut Regional Water Authority (SCCRWA) (which in January 2008 acquired ownership of Birmingham Utilities (formerly Ansonia-Derby Water Company)), and the Connecticut Water Company together own approximately 4,000 acres in town. This land provides a core for Bethany's open space and rural atmosphere. In many ways, the water company properties have protected Bethany from intensive development and preserved its natural character.

There are however, some drawbacks to water utility ownership. One main problem is that the public is allowed access to only a small portion of the land, due to regulatory policies imposed by the State Health Department to protect the public drinking water supply. The Connecticut Water Company does not allow any public access. SCCRWA allows access only on designated trails if one purchases a hiking permit.

A second concern about water utility land is that it is often, but erroneously, believed to be permanently protected. This is not the case. Water companies are allowed to dispose of surplus non-public watershed land, with state approval. An example of this occurred when the former Ansonia-Derby Water Company sold all of its Class III or non-public watershed land. Currently there is very little water company land in Bethany that is Class III land. However, if regulations change, or a new technology is introduced that makes much of the land unnecessary for water protection, additional land might be able to be sold. While the water company lands are a valuable asset to the Town, it must be remembered that the primary purpose of that land is water protection, not preservation of open space. The 475-acre parcel on the western side of town formerly owned by

Birmingham Utilities and now owned by the SCCRWA is part of a “reserve” water supply system – but holds the potential for becoming a more active water supply system in the future.

The SCCRWA has purchased a number of properties since 1998 including some originally recommended on the Open Space Plan. The Commission is pleased that the following properties have been preserved:

- ☼ *The Hinman property*, containing about 50 natural acres of trees, ravines, and rock outcrops, is located on Amity Road near the center of town. The majority of this property is interior from Amity Road. Its acquisition linked land holdings of the SCCRWA to its north and south, and provides a vital wildlife corridor through this portion of town, and also enhances the protection of the forested landscape along one of the Town’s main arteries.
- ☼ *Fifty acres of the Hein property*, adjacent to the Hinman property, is a rolling land dotted with rocky outcrops and ledges and crossed by streams that flow into a large pond. It is a haven for songbirds, wild flowers, and other wildlife. It complements the Hinman property’s value of providing a vital wildlife corridor through this portion of town and protecting the forested landscape of this portion of town.
- ☼ *The 16-acre Brinsmade property* on Hatfield Hill Road slopes steeply down towards the West River.
- ☼ *The 19-acre Berry property* on Sargent Drive is part of the headwaters of the Sargent River.
- ☼ *Sanford Brook* flows toward Lake Bethany through a series of small parcels along Wooding Hill Rd. The SCCRWA has been active in acquiring various easements along this brook to preserve and protect it. While no recreational or direct visual benefits are provided to the townspeople because of the acquisition of these easements, they do assist in providing protection of the habitat and wildlife corridors in and adjacent to the brook.
- ☼ *The 17-acre Saxton property* off Hilldale Road.
- ☼ *The 30-acre Camp property* off Hilldale Road and Litchfield Turnpike.
- ☼ *Santa Barbara Company (62 acre parcel off Gaylord Mountain Road)*, purchased by the South Central Connecticut Regional Water Authority. Sanford Brook flows through the land on its way to Lake Bethany. It is part of the West River Public Water Supply Watershed.

Yale University owns the following properties in Bethany:

- ☼ The largest and most important, which can be considered Category III open space land, is known as the *Bethany Bog*. It is about 62 acres in area and is not open to the public.
- ☼ *A 12.5-acre research farm* on Old Amity Road.
- ☼ *A 9.5-acre parcel* on Hilldale Road home to an observatory.

Neither of the latter two properties are protected from future sale by Yale University.

The Josef Albers Foundation owns 74 acres on Beacon Road and Amity Road. Mostly undeveloped, this property contains an attractive pond which can be seen from Beacon Road. This tract is also located near, but does not adjoin, the Naugatuck State Forest.

Note: Appendix 1, entitled “Inventory of Open Space Land in Bethany,” lists Categories I, II, and III land in Bethany. This inventory of Bethany’s present open space land is meant to assist in determining future land and/or conservation easement acquisitions.

Category IV

Properties, often large, which are currently undeveloped and contain significant agricultural, natural or recreational resources but are privately owned and therefore not protected from residential or commercial development. There may or may not be public access to these parcels. This is the land available for preservation as open space.

IV. THE PLAN

Bethany residents are fortunate to have undeveloped land that can still be saved. The opportunity to preserve open space should be seized before it is too late. It is unrealistic to preserve all of the undeveloped land now existing in Bethany, so choices must be made.

In making its recommendations, the Commission constantly reviews its compiled inventory of open space in Bethany and examines the characteristics of the unprotected areas still undeveloped.

Since the first adopted Open Space Plan was presented by the Conservation Commission to the Board of Selectmen and the Planning and Zoning Commission in 1998, properties recommended for permanent protection have continued to be preserved, including:

1. *Monument Stables* (94 acres off Beacon Road - Route 42), purchased by the Town and now included in Veterans Memorial Park.
2. *Brinsmade* (15 acres off Old Fairwood Road), purchased by the Town and added to the airport property, already owned by the Town.
3. *Sandell/Woodward* (18 acres off Fairwood Road), development rights of a portion of the farm purchased by the Town.
4. *Egger* (27 acres off Beacon Road – Route 42), was purchased by the state and is now part of the Naugatuck State Forest north of Beacon Road.
5. *Arpine* (20 acres off Brooks Road), acquired by the state and is now part of West Rock Ridge State Park.
6. *Brinsmade* (17 acres off Hatfield Hill Road), purchased by the South Central Regional Water Authority, lies adjacent to the West River.
7. *Multiple parcels along Sanford Brook* between Wooding Hill Road and Carrington Road, (totaling 29 acres), purchased by the South Central Regional Water Authority.

8. *Niederman* (2 parcels with a total of 8 acres between Sperry Road and Litchfield Turnpike), 1 parcel donated to the Bethany Land Trust; the other conservation restrictions donated to the Bethany Land Trust. Both properties are hay meadows with open field habitat and sweeping views of West Rock Ridge.
9. *Santa Barbara Company* (62 acre parcel off Gaylord Mountain Road), purchased by the South Central Connecticut Regional Water Authority. Sanford Brook flows through the land on its way to Lake Bethany. It is part of the West River Public Water Supply Watershed.

The following properties, while not specifically recommended for permanent protection by the Open Space Plan, have been preserved as open space:

1. *Geiss* (10 acres off Fairwood Road), purchased by the Town and now included in Veterans Memorial Park.
2. *Berry* (19 acres off Sargent Drive), purchased by the South Central Regional Water Authority, lies adjacent to the Sargent River.
3. *Fugal* (5 acres off Beacon Road – Route 42), purchased by the Town and now included in Veterans Memorial Park.
4. *Saxton* (17 acres off Hilldale Road), purchased by the South Central Connecticut Regional Water Authority, part of the West River Public Water Supply Watershed.
5. *Camp* (30 acres off Hilldale Road and Litchfield Turnpike), purchased by the South Central Connecticut Regional Water Authority, part of the West River Public Water Supply Watershed.
6. *Grieger* (8 acre parcel off the end of the Virginia Rail Drive cul-de-sac), in-holding purchased by Birmingham Utilities (now South Central Connecticut Regional Water Authority) for Hopp Brook Diversion water supply watershed.

The following significant properties have been lost to development:

1. Earley (Poplar Swamp Road)
2. Lee (Bethway Road)
3. Beletsky (Amity Road)
4. Yimoyines/Treffers (Hilltop Road)
5. Bethany Farms (majority)
6. Harp (Judd Hill Rd. off Amity Road)
7. Niederman (Corner of Tuttle and Carrington Roads)

Properties Recommended for Future Preservation

One of the most important tasks for an open space plan is to identify important properties that should be preserved in the future to accomplish the goals of the plan. Most of these properties should be preserved by the Town, hopefully with financial assistance from state and/or federal funds dedicated to open space preservation. This plan also identifies properties related to water companies, state parks, and state forests that are not recommended for Town acquisition but would seem logical for the appropriate water company or the state, respectively, to acquire, thus adding to Bethany's protected open space. A new category, *Conservation Watch*, has been added for existing open space properties that are partially protected, but could possibly be converted to other uses in the future.

Because no one can predict now which of these properties will in fact become available for preservation, it should be understood that substitutions may have to be made as the future unfolds.

Descriptions of Open Space Priorities

Agricultural (Development Rights)

1. *Carrington* - Known as Cherry Tree Farm, this former dairy farm and farm supply store consists of two pieces of land--160 acres on Bethmour Road and 47 acres on Atwater Road. Beef cattle now graze in the pasture on Bethmour Road, prompting many passersby to stop briefly to photograph the view. Atwater Road, popular with neighbors walking their dogs and families out for a stroll, crests at a glacial drumlin (a rounded hill) where the hay fields stretch up toward the horizon. This crest is, in different seasons, home to flocks of American goldfinches, turkey vultures, quail, pheasant and bluebirds. The Naugatuck Trail winds along unpaved Atwater Road and turns into the forest toward Bethany Farms, where the trail continues. With its agricultural features, trails, views and location in a densely populated area of town, it deserves preservation.
2. *Manger* - Sweeping views of the open landscape, barns and farmhouse of the Manger farm on Bethmour Road provide a pastoral southwest entrance to Bethany. These 17 acres just north of the Bethany-Woodbridge town line were once part of a larger, grand scenic vista covering both sides of Bethmour Road and are often noted as one of the townspeople's favorite views. Today the Manger farm is the last remnant of this view, reminding all who pass of Bethany's past. For this reason, this property deserves preservation.
3. *Woodward* - The Woodward property (called Clover Nook Farm) is located on Fairwood Road and is the most visible working farm in Bethany, selling corn, pumpkins and other vegetables, as well as plants and hay, during the spring, summer and fall. Beef cattle and pigs are also raised. The land is centrally located in town, and the property on the east side of Fairwood Road abuts town land. This important farm has possible educational opportunities, as it is near the Community School. The Town has preserved about 20 acres of the farm by purchasing development rights. The Conservation Commission recommends acquiring development rights to 70 additional acres of the farm. The preservation of the

Woodward farm would greatly enhance the rural character of Bethany and remind us all of past years when Bethany was primarily an agricultural community.

4. *Kriz* – Kriz pasture land is located off Bear Hill and Miller Roads provides a scenic vista at this gateway entrance to Bethany. The preservation of this pasture land would greatly enhance the rural character of Bethany and remind us all of past years when Bethany was primarily an agricultural community.
5. *Funk* –this pasture land is located between Peck, Amity, and Dayton Roads, in the center of town, virtually across the street from the Town hall. The southwestern portion is adjacent to the Amity Junior High School. The western border of the property would be an ideal trail link between the junior high school and the Town hall/community school complex.
6. *Hirschhoff* – this pasture land is located on Sperry Road, which is a designated rural road. The preservation of a portion of this parcel, which is adjacent to the recently preserved Niederman properties, would expand the hay fields that provide open field habitat and sweeping views of West Rock Ridge.

Natural

1. *Simon* (formerly Sewall) - It is generally agreed that this is one of the most beautiful natural properties in Bethany. It consists of about 50 acres of land on Downs Road, just north of the intersection of Downs and Brooks Roads. It features lovely views of Lake Watrous and includes a portion of the West River, which passes through the property. Also on the tract is a 19th-century sawmill with accompanying stone-faced dam and millpond. There are numerous trails already existing on the property and a scenic ravine north of the mill along the West River. The views on this property, its existing trails and its importance to our watershed make it especially worthy of preservation. The entire property is surrounded by land owned by the South Central Connecticut Regional Water Authority (SCCRWA), and the hope is that the water company will join the town in protecting water quality in its watershed. This property could also be considered in the Water Company category based on its proximity to Lake Watrous.
2. *Simpson* - Also off Beacon Road, the 39 acres owned by Karin Simpson are between Veterans' Memorial Park and the Bethany Land Trust's Mendell's Folly. Hockanum Brook flows through the property with a steep ravine leading down to the brook on both sides. The property includes frontage on Old Northrop Road and has been selected for preservation because it would provide a linking trail and greenbelt between the Town and land trust lands.
3. *L.W.W.I. Broadcasting* - The steep ridge top (called Mad Mare Mountain) owned by L.W.W.I. Broadcasting is the location of the Channel 8 television tower and a section of the Quinnipiac Trail. The tower and support wires are not on the Bethany portion of the property, but the wires are close to the town line. About 40 acres in size, the property includes frontage along Downs Road. There are spectacular views from many spots on the property--east to Sleeping Giant and the Hanging Hills of Meriden, south over West Rock Ridge and Lake Watrous and west over Lake Bethany and Bethany's steep wooded hills. The Quinnipiac

Trail runs along the ridges on its way from North Haven to Prospect. This historic trail is almost 23 miles long and is the oldest trail in the Connecticut Blue Trail system. It is central to a vast trail network (including the Farmington Canal Greenway), which links Beacon Falls, Bethany, Woodbridge, New Haven, Hamden, North Haven, Cheshire and Prospect and is therefore important to preserve. This property is significant to the South Central Connecticut Regional Water Authority.

4. *Grobe* - The Grobe property, located off Beacon Road, consists of 25 acres directly adjacent to Mendell's Folly. It was originally part of the Mendell tract but was retained by the owners when Mendell's Folly was donated to the land trust in 1971. The property also abuts the Karin Simpson property, so it would help form a sizable greenbelt in the northern part of town. The only access to the land is a right-of-way over Old Northrop Road, which is included in the proposed trail system.
5. *Stabl* - This wooded parcel with a lake and a brook is located in the southwestern portion of Bethany, which is more heavily developed than the other quadrants in town. Thus it is important to preserve additional open space there, particularly land that is contiguous to both existing and proposed open space. Although the address is Round Hill Road, only a very small portion of the approximately 55 acres is located along that road. A substantial portion of this natural area borders existing natural open space in the Bethany Farms subdivision and the proposed Carrington agricultural open space described above. Together, these parcels would provide a wide variety of wildlife habitats, opportunities for recreational trails, and important links in the proposed town-wide trail system.

Recreation

1. *Church of the Assumption* - The Church of the Assumption property is 25 acres of fields and woods bounded by Luke Hill and Bethmour roads. The land is mostly level and the majority of it is cleared for fields. The tract is directly across Luke Hill Road from the Amity Middle School. The topography and the location next to the middle school make this an appropriate site for the town's future recreational needs.
2. *DaSilva/Gambardella* - A total of approximately 10 acres adjacent to the Town's airport property. It would be a natural addition to already existing recreational facilities.
3. *Bioagricultural Enterprises, LLC (formerly Musto)* - This property, located on Peck Road with additional frontage on Bethmour Road, contains about 29 acres. The land is relatively flat and partially cleared and could lend itself to future recreational uses, especially because it is centrally located between the Amity Middle School and the Town property at Peck Pond. This property is an alternative to Church of Assumption property, should that property not be available.

State Park or State Forest Related

1. *Francois* - On Brooks Road, this property consists of 14 acres that runs straight up to West Rock Ridge. The rear portion would compliment the West Rock Ridge State Park.

2. *Van Epps (formerly Raymond)* - On the Beacon Falls/Bethany line, this 27-acre property on the north side of Beacon Road is next to the Naugatuck State Forest and across from the Bethany Land Trust's Mendell's Folly. It would be a natural addition by the state for inclusion in the State Forest.

South Central Connecticut Regional Water Authority (SCCRWA) Related

1. *Halter Estates* - Meyers Road, east of the ridge that slopes towards Lake Chamberlain. The southeast quadrant contains wetlands that drain into the SCCRWA's reservoir - Lake Chamberlain.
2. *von Beren/Prentice* - The von Beren and Prentice properties on Wooding Hill Road, comprising about 116 acres, are surrounded on three sides by SCCRWA land. On the eastern side of the property, approximately 60 acres slopes towards Shepherd Brook which feeds into the SCCRWA's reservoir - Lake Bethany. Those 60 acres seem appropriate for acquisition by SCCRWA.

Conservation Watch: Non-public Recreation Areas

1. *Arrowhead Grove* - Approximately 15 acres of mixed forest & fields fronting Amity Road. This property abuts the Naugatuck State Forest and is traversed by a stream. It is a private park, primarily used for group picnics..
2. *Three Saints Park* - A 25-acre park located on Miller Rd. It is owned and operated by the Three Saints Russian Orthodox Church. It contains a pavilion and a pond. There is a proposed trail on the southern boundary of the property between Miller & Bear Hill Roads.
3. *Woodhaven Country Club* - a 70 acre, 9 hole private golf course on Miller Rd.

Conservation Watch: Water Company Reserve Lands

1. *South Central Connecticut Regional Water Authority (SCCRWA)* - SCCRWA (formerly land of Birmingham Utilities/ Ansonia-Derby Water Authority) owns about 475 acres off Schaffer, Pole Hill and Falls Roads. The sloping property contains trails, including a permitted trail, an old growth forest and the old northern section of Bear Hill Road, which runs north-south between Hinman and Falls Roads on the Bethany-Beacon Falls town line. This land is part of the Hopp Brook watershed. While the parcel is not currently part of SCCRWA's active water supply watershed, it is part of SCCRWA's reserve system. The property is also adjacent to town land (the Hopp Brook Tract) and a Bethany Land Trust parcel (the Ida Carrington Lowell Property). If SCCRWA decides to sell this land (and is permitted to do so), the Town should acquire it because of its trails, its location in the densely developed western part of town and its role as part of a greenbelt.

V. TRAIL SYSTEMS

Walking, according to Ralph Waldo Emerson, “is one of the secrets of dodging old age,” and “has the best value as gymnastics for the mind.” Walking requires no training and little equipment and is generally agreed to be one of the most beneficial forms of exercise. Leisurely walking gives one the chance to observe and appreciate natural features of the landscape and to learn about the natural history of the area. Bethany citizens are very fortunate to have many trails throughout the town that give opportunities for walking as well as other passive recreational activities. With the increasing pressures of living in the 21st century, it becomes even more of a necessity and more pleasurable to be able to relax and “take a hike.”

Bethany has several types of trails, including hiking trails, horse trails and multi-use trails. Some of the trails are owned by the Town of Bethany or the Bethany Land Trust. Trails on South Central Connecticut Regional Water Authority land are open only to those who purchase the required permits. There are also private trails that are open with the permission of the owners. A goal of the Open Space Plan is to build these separate trails into a comprehensive trail system. Trails and greenways add to the rural character of the Town and provide safe and relaxing recreation. Trails are relatively inexpensive to obtain and maintain.

The Town may secure space for trails in a number of ways: accepting donations of land; obtaining easements from individual landowners; requiring open space set-asides in subdivisions; or purchasing land outright. Property owners who allow free trail access are protected from liability by state statute. The trail system has been designed to provide north-south and east-west greenways through the Town. The locations of proposed trails that are shown on the Open Space Plan are subject to change depending on the availability of land and/or easements.

It is also important to connect Bethany’s trails with those in neighboring towns whenever possible. Several inter-municipal trail systems already exist and include the following:

- *The Naugatuck Trail* which connects to Woodbridge and New Haven in the south and to Beacon Falls and Naugatuck in the north
- *The Quinnipiac Trail* which leads north to Cheshire and Prospect and east to Hamden
- *The Sanford Feeder Trail* which gives access to the Regicides Trail leading to Woodbridge, Hamden and New Haven
- *Mendell’s Folly Trail* which connects into Beacon Falls.

The type of trail appropriate for in a given area will depend on the terrain of the land itself. In some areas, multi-purpose trails exist or are planned for pedestrians and horseback riders. Trails may be limited in use according to the season or suitability. Protection of the environment and control of erosion should be stressed. This plan recommends that an area of at least 50 feet in width should be set aside in order to preserve natural features, to allow space for the trail to meander, and to provide enjoyment and privacy.

Some of the trail system takes advantage of Bethany's rural roads. Use of these roads serves as connections between trails, provides diversity and interest, and helps to vary distance and time of walks by providing multiple access points to the system.

Bethany Volunteer Fire Department firefighters benefit from the existence and expansion of trails as a means of providing a quick and safer access to brush fires, and for use in search and rescue efforts.

Bethany has many dedicated groups and individuals who act as advocates for trails and who work together to oversee their maintenance and improvement. The Bethany Land Trust, Bethany Wanderers hiking organization, Bethany Horsemen, Boy and Girl Scout Troops and others help to maintain trails and keep them safe.

Trails provide significant opportunities for recreation and education, as well as help preserve the town's natural landscape. Trails and greenways provide links between open space parcels, corridors for wildlife, and recreational opportunities. To enable townspeople to enjoy the benefits of fresh air and exercise in natural surroundings, it becomes increasingly important to build and maintain a trail network.

Since the original Open Space Plan was adopted in 1998, several recommended easements have been obtained, and additional trails have been constructed:

1. A connection between Russell Road and Luke Hill Road will form an important north-south link.
2. Easements on both sides of Falls Road near the Beacon Falls town line which, when combined with the proposed Woodward link will connect the unimproved section of Bear Hill Road to the trust-owned Mendell's Folly tract.
3. A trail system has been constructed in the Bethany Farms subdivision that connects several open space parcels and links with trail systems to the south in Woodbridge.
4. Trails now connect Sperry Road, the unimproved section of Carrington Road and Hilldale Road.
5. The Delano and Rodell trail system has been developed and connects Amity Road and Falls Road to the Bethany Community School property through two Land Trust parcels.
6. Two trails now provide multiple accesses from Lebanon and Fairwood Roads to Bethany's Veterans Memorial Park.
7. Open space parcels on the west side of Amity Road connect Luke Hill and Amity Roads.

Goals for Additional Trails

This plan proposes that the Town or Bethany Land Trust acquire trail easements on the following properties:

- ⊗ *South Central Connecticut Regional Water Authority*- A trail easement across the South Central Connecticut Regional Water Authority land from Amity Road, north of Luke Hill Road to Meyers Rd.
- ⊗ *Carrington* – An easement where a trail now crosses the Carrington property as part of the Naugatuck Trail system connecting trails in Bethany Farms to the unimproved section of Atwater Road.
- ⊗ *Cavaliere* – An easement to establish a trail on the Cavaliere property to connect Pole Hill Road and the 37-acre town property there to the 27-acre Ida Carrington Lowell Property owned by the Bethany Land Trust. This trail would most likely follow the southern property line near Cedar Road.
- ⊗ *Funk or former Musto property* - The proposed trail would utilize these properties, running northerly from Luke Hill Road to Peck Road, to form an important connection between Amity Junior High School and the Town Hall/Bethany Community School land.
- ⊗ *Schuchman* - A north-south trail is proposed on the western edge of the Schuchman property. This trail would connect Schaffer Road to the Ida Carrington Lowell Property owned by the Bethany Land Trust.
- ⊗ *Woodward (James)* - This property off Northrop Road is the site of a proposed north-south trail. The probable route would be along the Beacon Falls/Bethany town line between the Watch Hill subdivision and Mendell's Folly that is owned by the Bethany Land Trust. This proposed easement, together with the easements described above, would complete the connection between the unimproved section of Bear Hill Road and Mendell's Folly.

VI. IMPLEMENTING THE PLAN

The Town of Bethany continues to preserve its available open space through gifts from landowners, donations of open space required by subdivision or resubdivision approvals or “in fee simple” purchase of land. The following provides examples of those methods of land preservation.

A. Gifts

Landowners who are interested in preserving their land for future generations may achieve substantial estate, income and property tax savings by donating land to the Bethany Land Trust or to the Town. Donations of conservation easements and development easements are eligible for similar estate, income, and property tax savings if the value of the property is reduced. Conservation

easements or donated development rights are used to limit or prohibit development in perpetuity and/or to protect trails and natural areas.

1. *Donation of Land by Landowner:* Examples are the 27-acre Ida Carrington Lowell property and the 125-acre Mendell property, which were given to the Bethany Land Trust in 1968 and 1971, respectively.
2. *Donation of Development Rights, Conservation Easements, or Trail Easements by Landowner:* An example is the 110-acre Spykman Preserve, where the development rights and easements were donated to the Bethany Land Trust in 1995.

B. Forms of Subdivision/Resubdivision Open Space

1. *Dedication of Land:* As provided for by the Connecticut General Statutes, the Planning and Zoning Commission may require up to a 20 % set-aside of open space in any new subdivisions or resubdivisions of land. The open space may be dedicated to the Town, to the state, to a land trust or known conservation organization, or to an association of homeowners. An example of an open space set-aside is the 72 acres dedicated to the Bethany Land Trust in the Bethany Farms subdivision.
2. *Dedication of Conservation Easements:* Open space in a subdivision or resubdivision can also be provided in the form of conservation easements. These easements can be used to preserve land or scenic views. An example is the scenic easement given to the Bethany Land Trust that encompasses the pasture on the southeast corner of Bethway and Sperry Roads.
3. *Preservation of Trail Systems:* Open space in a subdivision or resubdivision can also be provided in the form of trail easements or donations of trail systems in fee simple. An example is the Cedar Meadows Trail Easement between Sperry Road and the unimproved section of Carrington Road.

C. Purchase Options

The Town has been active in establishing and funding a land acquisition fund. While this fund may not be sufficient in and of itself to purchase a very large property, it has been used to purchase moderate sized properties. In addition, it does provide available funds to initiate the purchase process, e.g. to fund surveys, appraisals, etc.

Purchase options utilized by the Town of Bethany to protect its open space permanently include:

1. *Purchase of the Land by Use of Town Funds.* This method assures public access. An example is the purchase of the Monument Stables and Bethany West properties on Beacon Road, which were combined to make Veterans Memorial Park.
2. *Purchase of Development Rights or Conservation Easements.* This method is less expensive than outright purchase and allows the property to remain on the tax rolls. The owner retains all rights except the right to develop. This is an affordable way to preserve farmland and the scenic rural character of Bethany. An example is the purchase of the development rights of a portion of Clovernook Farm on Fairwood Road.

3. *Purchase of the Land and Leaseback to the Owner with Restrictions.* This method can be used to preserve farmland.

D. Town Funding Options for Purchase of Land

1. *Land Acquisition Fund:* This fund was established to set aside money to be used toward future purchases of open space. It also can be used for easements and costs associated with the purchase of land options, surveying and appraisals. Bethany established a Land Acquisition Fund in 1974 with \$10,000. Money was not added on a regular basis between 1975 and 1997. From 1998 to 2003, based on action at a town referendum, \$100,000 a year was added to the fund. Since 2004 the Town has continued to contribute to the fund on a steady basis. The Bethany Conservation Commission has remained staunch in its advocacy that substantial annual contributions be made to the Land Acquisition Fund.
2. *Borrowing Money to Purchase Open Space:* There are basically two ways the Town can do this - issue bonds or borrow from a bank. The advantage of bonding is that the Town pays a lower interest rate on the loan, since the bonds are tax-exempt for investors. The argument can also be made that future taxpayers share the cost with today's taxpayers. The disadvantage is that floating a bond has substantial costs associated with it and takes several months to arrange. The Town could go to a bank to borrow more quickly, but the interest would be higher because such a loan is not tax-exempt.
3. *Fees in Lieu of Open Space Set-asides:* A regulation permitting a fee to be collected in lieu of an open space set-aside in a subdivision has been adopted recently by the Planning and Zoning Commission. Under this regulation the Planning and Zoning Commission may allow a subdivider to pay a fee if the Commission finds that land from an open space set-aside would not be desirable or appropriate.
4. *Back Taxes:* Properties with significant open space value and substantial back taxes owed can be acquired by the Town in agreement with the owners.
5. *Regional, State and Federal Programs Are Available to Protect Open Space.*
6. *Intervention by Not-for-Profit Agencies:* Not-for-profit agencies, such as the Trust for Public Land (TPL) and the American Farmland Trust can enter the real estate market more quickly than can government. TPL can "provide interim protective ownership for land of scenic, recreational or cultural significance by intervening in the private real estate market and staving off development until a long-term steward and permanent funding can be arranged to protect the property."

VII. RECOMMENDATIONS

In addition to the detailed Open Space Plan and trail system outlined in sections IV and V of this document, the Conservation Commission recommends that appropriate town entities take the following actions:

1. Make substantial annual contributions to the Land Acquisition Fund.
2. Continue to pursue private, state and federal grants for funding the acquisition of open space.
3. Investigate the feasibility of clustered housing on suitable sites, which would permit houses to be grouped on a portion of the site, and the remaining undeveloped land dedicated as permanently protected open space. The density on the entire site would be unchanged from the existing zoning regulations.
4. Encourage the building of underground utilities to decrease visual clutter and to allow tree canopies to grow over roads, greatly enhancing their attractiveness and rural character.
5. Work with utility companies to ensure sensitive tree trimming.
6. Adopt zoning regulations to protect ridgelines.
7. Include steep slopes in the buildable land standards, as recommended in the Department of Environmental Protection guidelines for buildable land standards within a public water supply watershed.
8. Require a sub-divider to provide an environmental site assessment, performed at the appropriate time of year for plant and wildlife identification.
9. Require a subdivider to provide an assessment of significant natural, cultural, historic and archaeological features of the property to be subdivided. These features should be protected to the greatest extent possible when designing the subdivision.
10. Design trail easements to protect natural resources as much as possible, with a width between 25 and 50 feet.
11. Dedicate as permanently protected open space the majority of the wooded portions of the Airport Property, the Pole Hill Road property and other town-owned natural areas.
12. Cooperate with neighboring towns in preserving greenways.
13. When a town road is discontinued, reserve the right to construct and maintain a bridle path, pedestrian walk and/or bicycle path .
14. Use natural materials such as stone and timber for bridges, guardrails and other engineering structures.
15. Avoid installing curbing on roads wherever possible.
16. Encourage owners of property identified in the Open Space Plan to advise the Town when their property becomes available for sale and to give the Town the option of first refusal, with adequate notice, to purchase at fair market value.
17. In order to protect Bethany's water supply and public watershed land, educate residents in the minimal use of pesticides and herbicides, cleaning agents and chemicals to melt ice.
18. When appropriate, use the negotiating, finance and legal skills of a not-for-profit conservation group such as the Trust for Public Land when negotiating a land purchase.

Appendix I: Inventory of Existing Open Space Land in Bethany

Town of Bethany: Land, Conservation & Trail Easements

Town of Bethany - Land

Location	Street #	Property	Acres	Category
Amity/Fairwood/Old Fairwood	n/a	Old Airport Property	142.2	II
Bachelor Oak Drive	9	Natural area (subdivision set-aside)	0.9	II
Beacon Road	330	Natural area (formerly Betkoski) (taxes)	12.0	II
Beacon/Horseshoe Hill/Lebanon	n/a	Veteran's Memorial Park	155.0	I & II
Bear Hill & Miller Roads	224 Miller	Hopp Brook Tract (donation)	16.4	II
Bear Hill Road	263	Natural area (taxes)	3.8	II
Brinton Road	11	Sperry Cemetery	0.5	II
Earley Court	3 & 43	Natural area (subdivision set-aside)	6.4	II
Gaylord Mountain Road	92	Natural area (taxes)	0.9	II
Hopp Brook Road	16	Natural area (subdivision set-aside)	0.3	II
Humiston Drive	149	Natural area (subdivision set-aside)	2.9	II
Litchfield Turnpike	361	Methodist Cemetery	1.0	II
Luke Hill Road	27	Natural area (taxes)	3.0	II
Mesa Drive	81	Natural area (subdivision set-aside)	4.4	II
Meyers Road	89	Old Cemetery	1.0	II
Miller Road	200	Natural area (taxes)	3.0	II
Miller Road	41, 43	Natural area (subdivision set-aside)	4.4	II
Munson & Amity Roads	n/a	Hoppe & Cofrancesco Ball Fields	5.0	II
North Humiston Drive	34	Natural area (subdivision set-aside)	2.0	II
Peck & Amity Roads	n/a	Gordon V. Carrington Town Center	55.0	II
Pole Hill Road	90	Pole Hill Park (donation)	37.0	II
Rainbow Road	84	Carrington Cemetery	1.9	II
Seymour Road	219	Natural area (donation)	11.5	II
Woodcutter's Drive	9	Natural area (subdivision set-aside)	4.4	II
Woodcutter's Drive	114, 132, 142	Natural area (taxes)	4.7	II

TOTAL - Town land	479.6
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Town of Bethany - Conservation & Trail Easements

Location	Street #	Property	Acres	Class
Amity Road (also Grant Road)	980	Perkins Brook easement (subdivision set-aside)	0.0	II
Beacon Road	45	Mannel easement (subdivision set-aside)	0.8	II
Carmel Road	31	Quinnipiac Trail easement (subdivision)	0.0	II
Carriage Drive	n/a	Meadow easement & trail (subdivision set-aside)	0.0	II
Fairwood Road	51	Clover Nook Farm easement	17.9	II
Judd Hill Road	23, 35, 49	Bethany Bog easement (subdivision set-aside)	4.2	II
Luke Hill Road	114	Wetmore trail easement (subdivision set-aside)	0.0	II

TOTAL - Town conservation easements	22.9
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GRAND TOTAL - Town land & easements	502.5
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Appendix 1: Inventory of Existing Open Space Land in Bethany

Bethany Land Trust: Land, Conservation & Trail Easements

Bethany Land Trust - Land

Location	Street #	Property	Acres	Category
Amity Road	533	Edna L. Delano Nature Sanctuary	2.6	I
Amity Road	1030	Kleeman/Egger Property	2.4	I
Anthony Court	11	Donnelly Property	1.1	I
Beacon Road	337	Mendell's Folly	57.0	I
Bethany Farms subdivision	n/a	Bethany Farms (10 parcels)	71.9	I
Carrington (Rt. 69) & Cheshire (Rt. 42) Rd	n/a	Podgwaite Preserve	8.0	I
Carrington Road	191	Hein Property	6.7	I
Cedar Road	55	Ida Carrington Lowell Land	27.0	I
Downs Road	152	Hall Property	8.1	I
Falls Road	15	Rodell's Roost for Robins	3.4	I
Grant Road	81	Raymond Stronk Memorial Site	1.0	I
Litchfield Turnpike	658	Hershman's Hollow	2.2	I
Luke Hill & Amity Roads	n/a	Beletzky Property	12.0	I
Sperry Road	74	Shaw Property	10.0	I
Sperry Road	385	Welch's Way	0.8	I
Sperry Road	406	Niederman Property	3.3	I
TOTAL - Trust land			217.5	

Bethany Land Trust - Conservation & Trail Easements

Location	Street #	Property	Acres	Category
Bethany Farms subdivision	n/a	Bethany Farms (6 easements)	2.0	I
Carriage Drive	n/a	Clements Trail Easement	0.5	I
Carrington Road	139	Hein Trail Easements	4.0	I
Carrington Road	156, 162	Cedar Meadows Trail & Scenic Easements	1.1	I
Dayton Road to Luke Hill Road	21, 25	Old Dayton Road Trail Easement	1.1	I
Litchfield Turnpike	892	Kyc (formerly Liuzzi) Trail Easement	0.6	I
Pine Brook Crossing	25	Amber Fields Scenic Easement	3.3	I
Russell Road	140	Podoloff Trail Easement	0.5	I
Schilf, Old Mill & Bethway roads	n/a	Spykman Preserve Easements (multiple parcels)	110.1	I
Sperry Road (also Carrington Road)	357, 375	Hunt Welch Conservation Easements	21.9	I
Sperry Road	430	Niederman Conservation Easement	4.5	I
Split Rock Drive	21	Split Rock Trail Easement	0.8	I
TOTAL - Trust conservation easements			150.4	
GRAND TOTAL - Trust land & easements			367.9	

Appendix I: Inventory of Existing Open Space Land in Bethany

State of Connecticut, Institutions, Water Utilities

State of Connecticut

Location	Street #	Property	Acres	Category
Amity Road	n/a	Hotel/Ley's Pond	1.8	II
Beacon Road	n/a	Naugatuck State Forest	538.7	I
Brooks Road	152, 166	West Rock Ridge State Park	38.9	I
TOTAL - State land			579.4	

Institutions

Location	Street #	Property	Acres	Category
Beacon Road	88	Albers Foundation Property	71.4	III
Cheshire Road	47, 55	Quiddity (Nature Conservancy)	11.7	I
Fairwood Road (also 103 Beacon Road)	381	Bethany Bog (Yale University)	62.4	III
Hilldale Road	101	Observatory (Yale University)	9.5	III
Luke Hill Road	190	Junior High School (Amity Board of Education)	28.7	II
Old Amity Road	48	Research Farm (Yale University)	12.5	III
Round Hill Road	20	Russell Farm (Bethany Historical Society)	3.1	II
TOTAL - Institution land			199.3	

Water Utilities

Location	Street #	Property	Acres	Category
Eastern & Southwestern Bethany	n/a	South Central Conn. Regional Water Authority	3,868.0	III
Northern Bethany	n/a	Connecticut Water Company	348.7	III
TOTAL - Water Utility land			4,216.7	
Total Open Space Land & Easements, Bethany			5,865.8	

Appendix 2: Open Space Priorities

Agricultural Lands, Natural Lands, Future Recreational Lands

Agricultural Lands

Attributes (see first page for an explanation)												
Location	Street Number	Property	Acres	AJ	ET	TS	BG	RE	HA	AG	SP	PW
Atwater Road	115	Carrington	47.0							x		
Bear Hill & Miller roads	n/a	Kriz (multiple lots)	32.5	x						x	x	
Bethmour Road	43	Manger	17.0	x					x	x	x	
Bethmour Road	144	Carrington	160.0	x	x	x	x		x	x	x	x
Fairwood & Falls roads	n/a	Sandell/Woodward (multiple lots)	80.0	x					x	x	x	x
Peck & Amity roads	17 & 393	Funk (2 lots)	32.5	x		x				x		x
TOTAL - Agricultural Lands			369.0									

Natural Lands

Location	Street Number	Property	Acres	AJ	ET	TS	BG	RE	HA	AG	SP	GR	PW
Beacon Road	327	Simpson, Karin	65.4	x	x	x					x	x	
Beacon Road	339	Grobe	25.0	x	x	x						x	
Downs Road	63	Simon (formerly Sewall)	51.0	x	x	x	x		x		x	x	x
Downs Road	388 & 423 & 442 & 472	LWWI (Channel 8)	35.7	x	x	x	x					x	x
TOTAL - Natural Lands			177.1										

Future Recreational Lands

Location	Street Number	Property	Acres	AJ	ET	TS	BG	RE	HA	AG	SP	GR	PW
Amity Road	687	Golf driving range	8.0	x				x					x
Amity Road	695	Mattress factory	2.0	x				x					x
Luke Hill Road	191	Church of Assumption	27.0					x		x			x
Peck Road (also Bethmour Road)	93	Bioagricultural Enterprises (formerly Musto)	28.6	x		x		x					x
TOTAL - Future Recreational Lands			65.6										

Appendix 2: Open Space Priorities

Future Trail Easements, State Park/State Forest Related, South Central Connecticut Regional Water Authority (SCCRWA) Related, Conservation Watch

Future Trail Easements

Location	Street Number	Property	Acres	AJ	ET	TS	BG	RE	HA	AG	SP	GR	PW
Amity Road	294	Regional Water Authority		x		x						x	x
Bethmour Road	144	Carrington		x	x	x	x		x	x	x	x	
Cedar Road	21	Schuchmann		x		x						x	
Northrop & Mesa roads	n/a	Woodward (James)		x	x	x						x	
Peck Road	17 or 93	Funk or Bioagricultural Enterprises		x		x				x			x
Pole Hill Road	54	Cavaliere		x		x						x	
TOTAL - Future Trail Easements			0.0										

State Park or State Forest Related

Location	Street Number	Property	Acres	AJ	ET	TS	BG	RE	HA	AG	SP	GR	PW
Beacon Road	380	Van Epps (formerly Raymond)	25.0	x								x	
Brooks Road	128	Francois	11.0	x			x					x	x
TOTAL - State Park/Forest related			36.0										

South Central Connecticut Regional Water Authority (SCCRWA) Related

Location	Street Number	Property	Acres	AJ	ET	TS	BG	RE	HA	AG	SP	GR	PW
Meyers Road	4	Halter Estates	23.0	x					x	x		x	x
Wooding Hill Road	134	von Beren Prentice	61.0	x		x					x	x	x
TOTAL - SCCRWA related			84.0										

Conservation Watch

Location	Street Number	Property	Acres	AJ	ET	TS	BG	RE	HA	AG	SP	GR	PW
Amity Road	1089	Arrowhead Grove	15.0	x	x	x		x			x	x	x
Miller Road	112	Three Saints Park	25.0		x			x			x		
Miller Road	275	Woodhaven Country Club	70.0		x			x			x		
Pole Hill, Falls & Hinman roads	n/a	SCCRWA (formerly Birmingham Utilities)	480.0	x	x	x					x	x	x
TOTAL - Conservation Watch			590.0										
Total All Open Space Priority Lands			1,321.7										

Appendix E

Zoning Map

Existing Land Use Map

Developed Land Map

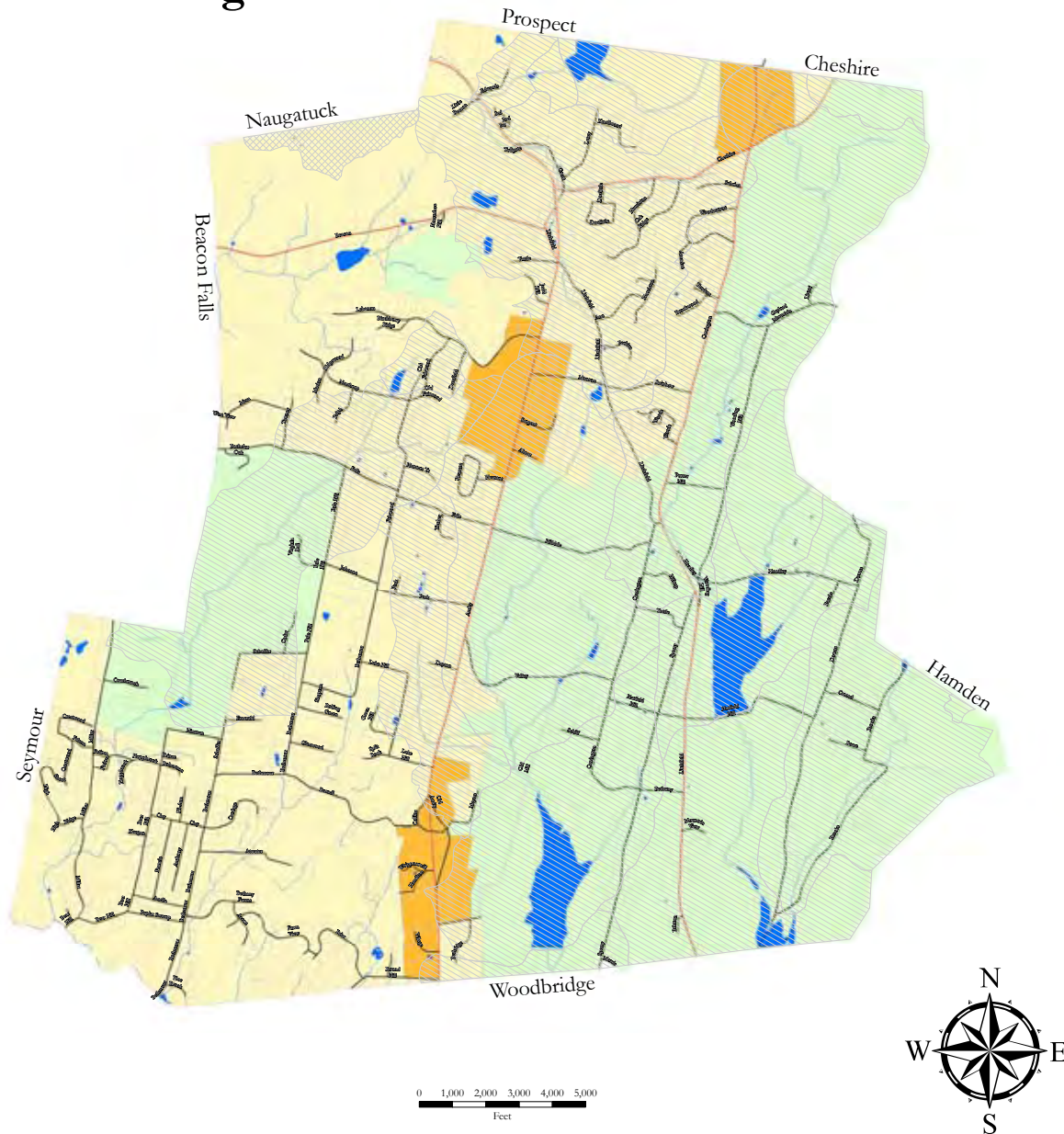
Proposed Land Use Map*

Open Space (Existing and Proposed)

Ownership by Type Map

*** not attached**

Town of Bethany, CT Zoning



November 2008

Note: This map is for planning purposes only and is not valid for legal description or conveyance. The dimensions shown are reasonably accurate but do not necessarily indicate true boundary locations. This map should not be considered survey accurate.

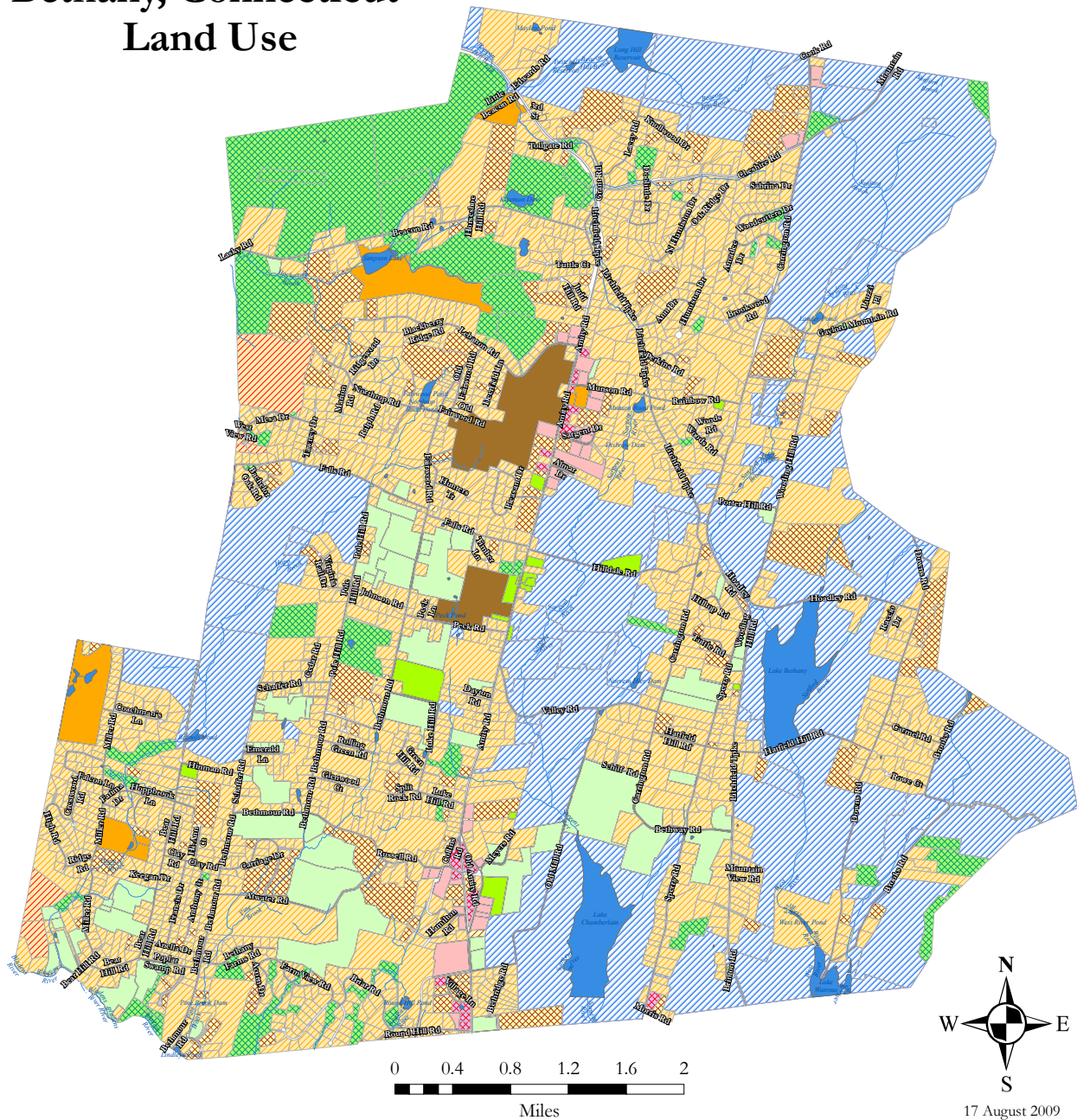


Legend

Streets		Aquifer Protection Area
— Local Road		Public Water Supply Watersheds
— Abandoned		Zones
— Highway		B-1
Parcels		R-65
Lakes and Ponds		R-130



Bethany, Connecticut Land Use



Note: This map is for planning purposes only and is not valid for legal description or conveyance. The dimensions shown are reasonably accurate but do not necessarily indicate true boundary locations. This map should not be considered survey accurate.

Land Use

Agriculture
Institutional
Manufacturing, Assembly, Wholesale, Other B&I
Mining/Extraction
Mixed Use Municipal

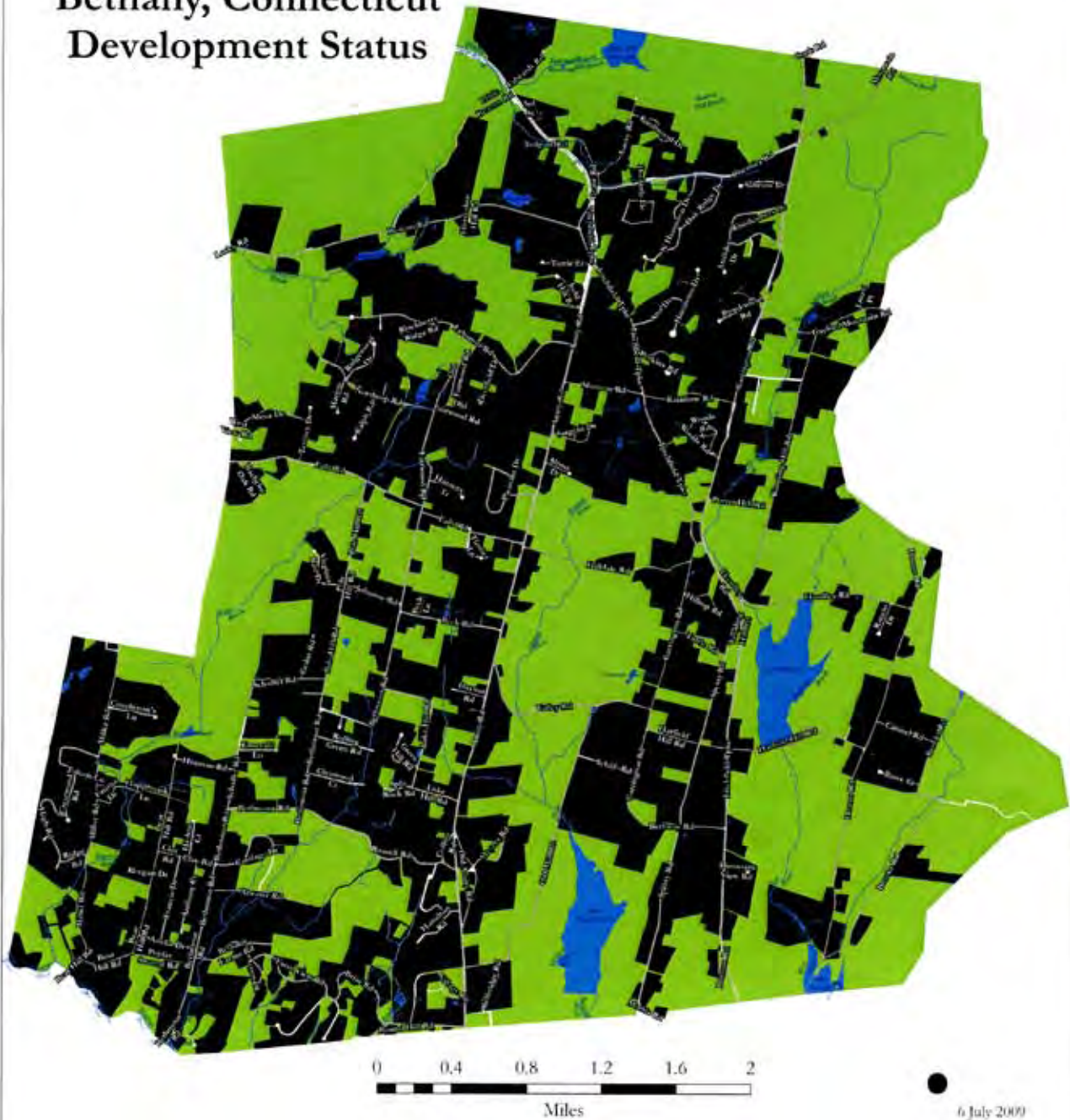
Natural Area - Protected
Paper Street
Public Water Supply
ROW
Recreation
Residential

Retail, Office, Personal Service
Utility/Public Service
Vacant
Water Body



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Bethany, Connecticut Development Status



None: This map is for planning purposes only and is not valid for legal descriptions or transactions. The boundaries shown are necessarily approximate and do not necessarily indicate legal ownership. This map should not be considered survey evidence.

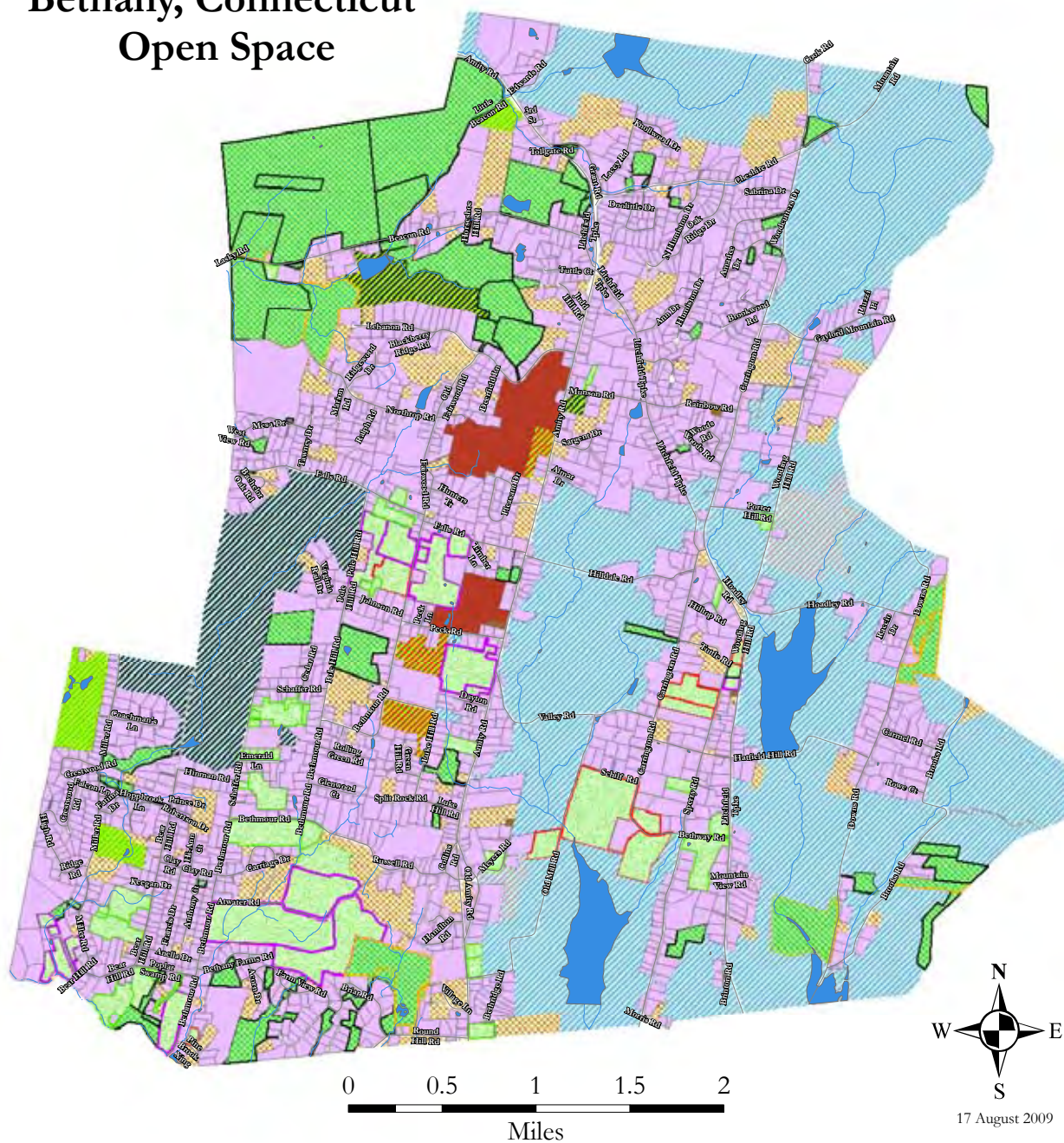


Development Status

- Undeveloped
- Developed



Bethany, Connecticut Open Space



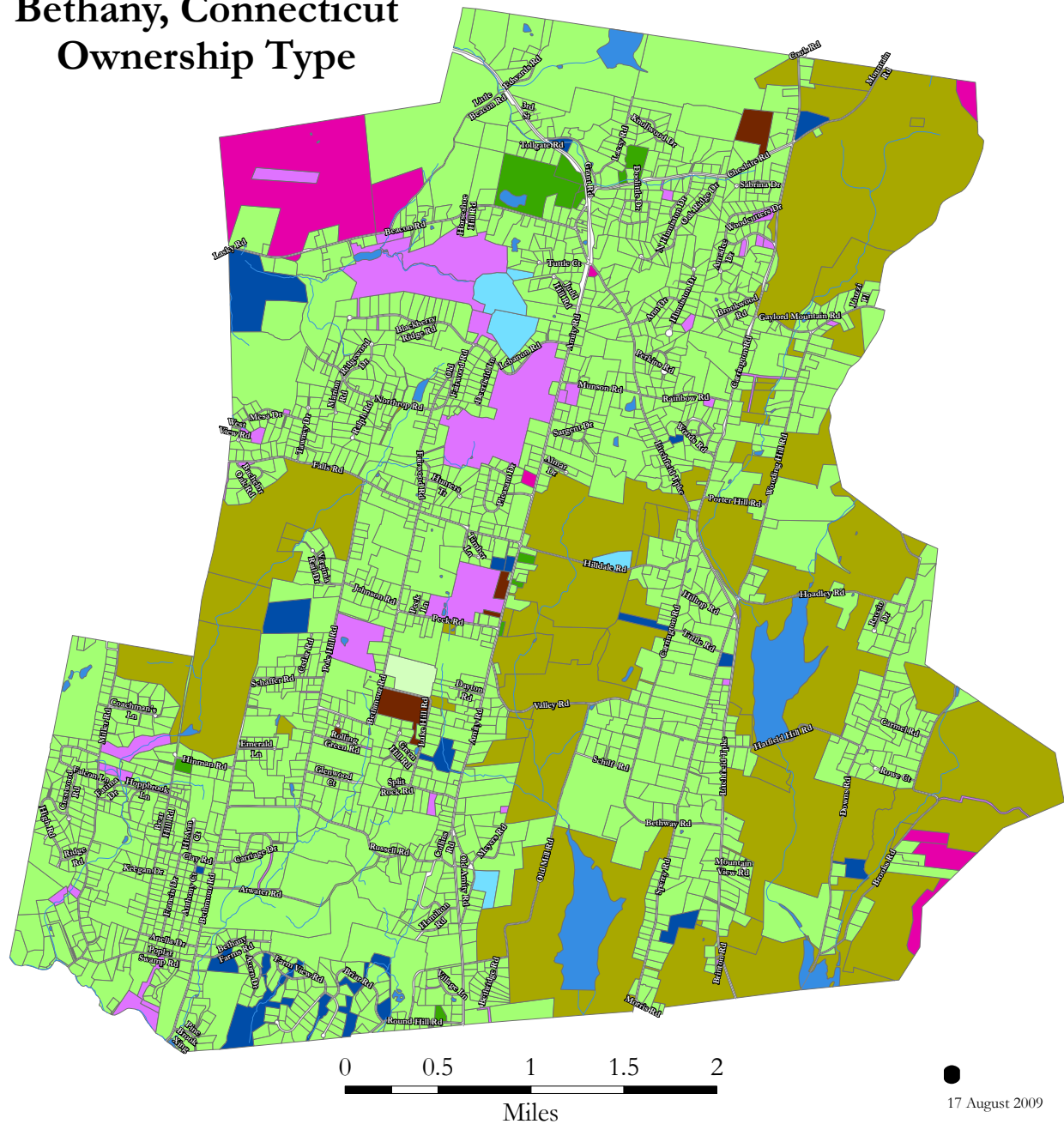
Note: This map is for planning purposes only and is not valid for legal description or conveyance. The dimensions shown are reasonably accurate but do not necessarily indicate true boundary locations. This map should not be considered survey accurate.

Open Space	Intensive Use	Public Water Supply - Reserve
Agriculture - Proposed Protection	Mixed Use Municipal	Recreation - Conservation Watch
Agriculture - Protected by Easement	Natural Area - Proposed Protection	Recreation - Proposed
Agriculture - Protected by Ownership	Natural Area - Protected by Ownership	Recreation - Protected by Ownership
Agriculture - Unprotected	Public Water Supply - Primary	Vacant
Cemetery	Public Water Supply - Proposed Acquisition	Undefined



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Bethany, Connecticut Ownership Type



Note: This map is for planning purposes only and is not valid for legal description or conveyance. The dimensions shown are reasonably accurate but do not necessarily indicate true boundary locations. This map should not be considered survey accurate.



Ownership	
Institutional-Land Trust	Institutional-Church
Institutional-Water Company	Private
Institutional-non-Public Education	Public-Municipal
Institutional-other non-Profit	Public-Regional Education
	Public-State



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