

Municipal Open Space Funding Option

Case Study: Warwick, NY

Warwick NY is a rural town of 32,000 people in southeastern NY State. It includes several villages and hamlets nestled in a landscape of rich flat farmland framed by forested mountains reflected in its scattered lakes and ponds.

In 1999, facing the rapid development of subdivisions, the town adopted a Comprehensive Town Plan that included a commitment to protect open space and agricultural farmland “in perpetuity.” A citizen survey had indicated that “maintaining the rural character” of Warwick was the goal of the Plan which got the most support. The Plan’s strategy for meeting this goal included the purchase of land and/or development rights within the town, guided by a citizen’s committee set up to prioritize open space and farmland protection.¹

In 2000, the town approved a \$9.5 million bond issue to pay for this proposed land conservation. An additional \$5.5 million was pledged from county, state and federal partners, as well as from private foundations and donations¹. In 2005, to help pay off the bond and to expand the program, the town was granted enabling legislation by NY State that allowed the town to impose a real estate buyer’s transfer fee of 0.75%, with receipts from the fee dedicated to land conservation.¹

Since inception of the plan, and augmented by income from the transfer fee, Warwick has now protected over 3,200 acres and holds the development rights (conservation agreements that prohibit development) on 32 farms. **Warwick is meeting its goal of maintaining its rural character and its land value**, while surrounding towns have lost many farms and forests to development, according to an Orange County Land Trust land agent who works in partnership with the town.

Supervisor (Mayor/Selectman) Michael Sweeton of Warwick sums up the transfer fee program after 10 years: **“By all measures the program has been a huge success in preserving our working farms and protecting our quality of life. While the local realtors saw doom and gloom when it was proposed they now all seem to acknowledge it has enhanced rather than diminished values in our town. During the crash of 2007-2008 property values in Warwick fell less than in other towns in Orange County.”**

The fee brings Warwick about \$50,000/month, funding land conservation, monitoring and oversight (provided by the Orange County Land Trust).

The proposed enabling legislation aims to achieve similar land conservation and stewardship success in select towns throughout Connecticut.

¹ Town Board of the Town of Warwick, NY, *Community Preservation Project Plan*. 17 August 2006. Retrieved from <http://www.townofwarwick.org/agriculture/pdr.shtml>.