An aerial photograph of a rural landscape. In the foreground, there are several houses with swimming pools, a golf course with multiple green fairways and sand traps, and a large barn. The middle ground is dominated by dense green trees. In the background, a large body of water, likely a lake or bay, stretches across the horizon under a clear blue sky. The text 'THE GREENING OF FALMOUTH' is overlaid in a white serif font within a white rectangular border in the upper-middle section of the image.

# THE GREENING OF FALMOUTH

**Falmouth Conservation Commission**  
**January 2006**

## I. Introduction

Falmouth has changed a great deal since the Council approved the Town's first Open Space Plan in 1990. New subdivisions, roads, and shopping malls have been constructed, traffic has increased, and the price of real estate has skyrocketed. Yet much has been done, through the efforts of many people, to save the rural character that Falmouth's citizens regard as an important element of their community's quality of life.

The 1990 Plan is now dated. Many of its recommendations have been implemented, but circumstances have changed such that we need a new way of looking at the issue of open space and natural resource protection. This report, prepared by a diverse citizen's group, takes us back to the basics. What is our common vision? What are our goals for conservation? How shall we achieve those goals? In answering these questions, we will need to develop new ways of looking at conservation and development, and find new ways to create opportunities in a physical and cultural landscape that is rapidly changing.



New subdivisions reflect the demand for home sites in a community with a high quality of life. (All photos by Terry DeWan)

## How Far Have We Come?

### The Open Space Committee

The Conservation Commission, working with the Comprehensive Plan Advisory Committee, assumed responsibility for updating the 1990 Open Space Plan. To do that, it established a subcommittee called the Open Space Committee with expertise in particular areas needed by the Town and who represented more diverse points of view than Commission members themselves.

Members of the Open Space Committee included Judy Adelman, a teacher and Trustee of the Falmouth Conservation Trust; David Chase, a contractor and developer; Mel Dickenson, a hydrogeologist; David Merrill, a member of one of Falmouth's oldest families and a forest landowner; Frank Ruch, a biochemist; Bob Shafto, an educator, forest land-owner and Chair of the Conservation Commission; and Faith Varney, a music educator and Chair of the Falmouth Community Programs Advisory Committee. They were assisted by consultants Gary Fogg and Terry DeWan.

For the purposes of its work, the committee defined open space as "Any non-developed land and water areas in the community. Open space may include woodland, wetlands, riparian corridors, farmland, orchards, and fields that serve a variety of functions: wildlife habitat, buffer zones, ecological protection, agriculture, passive public recreation, and scenic enjoyment."

Committee members decided against including active recreation areas, such as parks, golf courses, and playing fields, in this definition. These are important land uses which are usually considered open space for recreational purposes, but planning for these areas would appear to duplicate the efforts already being undertaken by a number of strong community groups and Town departments.

### Conservation History from 1990 to 2004

The Open Space Committee examined the projects undertaken in Falmouth since the Town Council adopted the Open Space Plan in January of 1990. The Committee noted how much had been done by the community as a whole to conserve land and natural resources since that time. This information is summarized in Table 1.

As can be seen in the Table, both the Town and the Falmouth Conservation Trust (FCT) were very active in protecting land permanently from development during this period. The Town almost doubled the amount of land it was conserving through easements, and the FCT increased the amount of land it was protecting three times over. The amount of undeveloped land in subdivisions increased by more than ten times. This was due mainly to the enactment of the Resource Conservation Overlay District in 1996, which requires a certain amount of open space to be conserved in new subdivisions, if the subdivisions are located in areas of high natural resource or scenic value as identified in the 1990 Open Space Plan.

The Town conservation land was acquired mainly through the purchase of Wilshire Farm and the Otte property, which has become part of the Falmouth Nature Preserve. The FCT land was acquired mainly by gift from a few private individuals and developers, and by the purchase of the Blackstrap Preserve. The increase in the Parks, Athletic Fields, and Golf Course category was due



Fields and forestland beside the Presumpscot River provide a natural greenway through the community.

to the purchase and development of the playing fields at Community Park.

A great deal of cooperation within the community was required to achieve these acquisitions and easements. For example, the Trust for Public Lands purchased Wilshire Farm first, and held it temporarily until the Town had enough money to complete the transaction; and the purchase of the Blackstrap Preserve by the Falmouth Conservation Trust required funding from multiple sources, including private individuals, the Town, and the Land for Maine's Future Program. In each case, the purchase of these properties also included the acceptance of a conservation easement by a second or third party, in order to ensure that the properties remained undeveloped. The agency qualified to accept and enforce these easements depended on circumstances. The Town, the FCT, and the Maine Department of Inland Fisheries and Wildlife all accepted this responsibility for one or more properties during this period.

CHANGES IN OPEN SPACE AND RECREATION LAND, 1990 – 2004

LAND USE	1990 Acres	2004 Acres	% Increase
1. Undeveloped Town Land Protected by Easements	222	413	86
2. Undeveloped Town Land with No Deed Restrictions	279	672	141
3. Falmouth Conservation Trust Land	163	634	289
4. Development Rights Purchased on Farmland	0	118	–
5. Undeveloped Land in Subdivisions	30	385	1,183
6. Parks, Athletic Fields, Golf Courses	725	753	4
7. Tree Farms and Tree Growth	3,020	3,264	8
<b>TOTAL</b>	<b>4,438</b>	<b>6,239</b>	<b>41</b>

1. Natural areas like forests and fields where development is prohibited by conservation easement or other deed restriction. Active recreation land (parks and play fields) not included.

2. Same as #1 except that there is no legal restriction on future use of the property.

3. Land and easements held by the trust, except for easements on Town-owned property.

4. Active agricultural fields at Wilshire Farm. Town owns development rights to the fields, but the landowner retains right to live on property and manage it for agriculture, forestry, and related uses.

5. Mostly open space in subdivisions in Resource Conservation Overlay District. The properties on which FCT has easements or owns the fee are included in #3.

6. Active recreation lands either publicly or privately owned. Some town-owned land is divided between this category and other categories, depending on its status. For example, the playing fields (28 acres) at Community Park are included in this category, but the land in the rest of the park (88 acres) is included in #2.

7. *Tree Farms*: forestlands enrolled in the American Tree Farm System, a private organization dedicated to multiple use forest management. *Tree Growth*: properties enrolled in the Tree Growth Tax Program as reported by Assessor's office.

## II. Charting a New Direction

The bare facts of protecting land for conservation purposes does not tell us, by itself, whether the Town or the community as a whole has succeeded in achieving its goals for open space in the last fifteen years. That is because the quality of open space and its influence on community character are inherently subjective values. Consequently, after lengthy debate, the Open Space Committee developed the following vision statement and goals to guide the Town's future efforts in conservation.

The Committee believes that these statements mirror the dreams and aspirations of a majority of Falmouth's residents. The evidence in favor of this belief includes the history of past actions by the people of this community — their support for purchases of open space land; their willingness to pay for this land through the issuing of bonds; their tolerance for new regulations to safeguard the environment; and their willingness to work together for the common purpose of protecting Falmouth's community character and quality of life.



The eastern part of Falmouth provides a mix of open space and development that is highly prized by many residents.

Streams are valued for scenic interest, water quality, wildlife habitat, recreation, flood control and many other benefits.

### Open Space Vision

*Falmouth will continue to be recognized as a place defined by its rural character and open space resources – open fields and woodlots, scenic vistas, scenic road corridors, with an abundance of wildlife and flora. People in all parts of Falmouth, in both established neighborhoods and newer subdivisions, will have convenient access to open space. Access will be provided to the ocean, Highland Lake, and our major rivers and streams for boating, fishing, hiking, and sightseeing. The park system will be maintained as a significant component of the open space system.*

*Townpeople will identify key natural resources that are inherent elements of the town's rural character. They will continue to be involved in land preservation efforts, actively learning from the success of other towns with histories of natural resource protection.*

*Additional homes and roads will be built as the community grows. At the same time, new residential development will preserve natural features; provide buffers along roads, wetlands, and streams; and incorporate meaningful pieces of open space. Connectivity will be a hallmark of new development for both wildlife (in the form of travel corridors and interconnected habitat) and pedestrians (in the form of off-road trails). Some very large natural areas will be preserved to protect habitats of area-sensitive species and provide opportunities for traditional outdoor pursuits, such as hunting, snowmobiling, and hiking.*

*There will be many ways to get around the community. A well-marked system of off-road trails will connect neighborhoods, schools, shopping areas, and places of employment. Through the help of trail clubs and other organizations that assist with planning and funding trail construction, townspeople will find ways to safely cross highways, streams, and rivers. Motorists and non-motorists alike will still have the opportunity to travel tree-lined roads bounded by stone walls that preserve Falmouth's rural character.*

*Community organizations, town government, landowners, developers, realtors, the public, and people in adjacent towns will work together collaboratively to actively plan for, protect, and manage the open space resources of the community. A guiding principle for land conservation will be that landowners retain the fair market value of their land. Thus, the methods will be flexible, depending on the type of open space to be conserved and the nature of the collaboration involved. Appropriate measures may include research and education, monetary incentives, encouraging the use of tax programs, conservation easements and purchasing fee interest in land. Because of the active involvement of private landowners, a significant portion of the town's forestland will continue to be managed for wood products, wildlife habitat, outdoor recreation, and the protection of groundwater supplies.*



Open space needs to be managed properly if it is to meet the needs of the community.

# THE GREENING OF FALMOUTH

## Open Space Goals

### 1. To retain and protect Falmouth's rural character and natural resources.

Open fields, woodlands, farmland, stone walls, tree-lined roads, and scenic vistas are some of the elements that define the rural character of Falmouth and give it a unique sense of place. Our natural resources include productive farmland and forests, significant wildlife habitat, the coastline, streams and rivers, lakes and ponds, floodplains, unique natural areas, and aquifers. These are all fragile resources that must be protected through a common vision of environmental stewardship.



Stone walls give character to the landscape

### 2. To ensure the availability of outdoor recreation.

For generations Falmouth residents have enjoyed the use of its open spaces for hunting, fishing, hiking, horseback riding, snowmobiling, and other outdoor pursuits. Future generations should continue to have opportunities for convenient outdoor recreation in pleasant surroundings. While conservation lands in rural areas can provide opportunities for traditional outdoor pursuits, the quality of life in new and older neighborhoods should be enhanced by street trees, nearby parks, quiet streets, and pedestrian and bicycle connections to other neighborhoods, parks, ball fields, schools, and nature preserves.



Walton Park provides an excellent way to visit the shoreline of the Presumpscot River.

### 3. To preserve large tracts of undeveloped land that provide wildlife habitat.

Large contiguous tracts of undeveloped land (250 acres or more), primarily in the western and northern portions of Falmouth, provide significant wildlife habitat as well as recreational opportunities, water quality protection, and forest products. Conserving land areas of this size and value is becoming increasingly urgent as development spreads out and the town's remaining forestland becomes fragmented into smaller and less functional parcels.

### 4. To provide connectivity between open space areas.

Falmouth's conservation lands should be planned as a continuous network of open space, rather than isolated patches of land. This ecosystem approach recognizes the significance of travel corridors for wildlife habitat and the social and recreational benefits of trail systems accessible to all residents.

### 5. To actively manage open space to benefit all citizens of Falmouth.

The Open Space Plan presents the town with a common vision of environmental stewardship that emphasizes shared responsibility for the management of Falmouth's land and water resources for present and future generations. This vision respects the rights of individual property owners to protect their privacy and to manage



Town-owned land at River Point, near Exit 53, contains high value wildlife habitat, but also has potential for development.

their land for economically viable uses. The objectives of the Plan should be implemented by collaborative efforts on the part of public and private entities: town, private landowners, the public, non-government organizations, and the residents of neighboring communities.



Forestland west of Longwoods Road contains a mix of conservation land and parcels still available for development.

## III. Goals, Objectives, and Strategies

### GOAL 1: TO RETAIN AND PROTECT FALMOUTH'S RURAL CHARACTER AND NATURAL RESOURCES.

#### Objective 1.1. Add to the inventory of public and private land protected in perpetuity from development.

##### Strategies

1.1.1 Establish a plan for identifying parcels of land for acquisition that link existing protected properties together in such a way as to create continuous tracts of undeveloped land, while meeting one or more of the following criteria:

- Helps to conserve an unfragmented habitat block of 250 acres or more.
- Provides wildlife and trail corridors between unfragmented habitat blocks or between properties already protected from development.
- Contains trails or the potential for trails accessible to the public.
- Remains accessible to the public for traditional outdoor recreation, such as hunting, snowmobiling, horseback riding, hiking, crosscountry skiing, and similar pursuits.
- Contains fields in locations that are visible to the public, either because the land can be seen from public roads and facilities or from conservation lands accessible to the public
- Contains land with prime farmland soils in tracts large enough to be economical for farming.

1.1.2 Adopt an approach to conserving open space that is comprehensive and proactive townwide. This can be done by anticipating present and future open space needs of residents in the more developed portions of the community as well as in the remaining rural areas. We should also acknowledge the vital role that private sector organizations play in conservation. For example, non-governmental organizations are often better equipped to negotiate and purchase open space than town government. On the other hand, Town government can be



To many people, farmland is the essence of rural character.

pivotal in providing the financial and technical resources necessary for other community groups to preserve open space.

1.1.3 Protect permanently from development those parcels or parts of parcels within the town-owned inventory that have high value for conservation, according to the criteria in Strategy 1.1.1. Areas that appear to meet these criteria, but which are not as yet protected from development by conservation easements or similar means, include the following:

- Hadlock Road Wild Land: R6-53
- High Meadows: R6-29-15
- River Point: R5-43-1
- Woods Road Deeryard: 17 acres on the backside of the Transfer Station property (R1-4)
- Wilshire Forest PWD Lot: R8-47-A
- The portion of the Falmouth Nature Preserve (U14-5) that was donated to the Town by Black Bear Development, formerly known as the Fish property.
- The undeveloped portion of Community Park northeast of the playing fields, including the open space land donated by the developers of Paddock Way Subdivision.



Protecting the riparian zones of rivers and streams is essential to protect water quality and aquatic habitat.

1.1.4 Increase the size and usefulness of Town-owned properties that have high conservation value by combining them with existing or new conservation lands. There are at least three ways to accomplish this, depending on circumstances:

- Acquire additional properties around the perimeter of an existing parcel to enlarge its size and ecological function.
- Sell or donate property to a conservation organization working on an open space project in the area, with an easement to be held by a qualified third party.
- Sell or trade Town-owned lands with little or no conservation value to an abutter or to a private developer in exchange for property or easements with higher conservation value elsewhere, so long as the sale or trade results in a net conservation gain for the community.

#### Objective 1.2. Improve the process used to identify and acquire open space land.

##### Strategies

1.2.1 Develop a process for identifying and acquiring land that involves the active participation of Falmouth's conservation community. We should begin this process by redefining Falmouth's conservation community as all the stakeholders who have an interest in land development, land conservation, and land management. At a



Development patterns can have a significant effect on the way people perceive rural character.

minimum, this would include landowners, private conservation organizations, the public, realtors, developers, and Town government. We should also ensure that the short and long-term costs of acquiring and managing open space are commensurate with the resources available, and that these costs are distributed fairly within the community.

1.2.2 Observe the following principles when identifying and acquiring land for conservation:

- Work with willing landowners who have expressed an interest in the sale of their property for permanent protection as open space.
- Expect to pay for the land at its fair market value.
- Identify, contact, and negotiate with landowners in a way that preserves their confidentiality, develops mutual trust, and honors the obligations of all parties.

1.2.3 Initiate a public discussion with the conservation community concerning the creation of an independent, non-profit, conservation development corporation. The purpose of this organization would be to purchase and maintain property for open space and conservation purposes in a way that observes the confidentiality of landowners as described in Strategy 1.2.2, as well as having the following benefits:

- It would be independent of town government, thus ensuring its freedom to negotiate privately with landowners and developers.
- Its non-profit status would free the organization and its assets from taxation.
- It could accept public and private money for the purposes of acquiring and managing conservation land for the public benefit.
- It could buy, sell, and develop land as needed to achieve its objectives.

#### Objective 1.3 Use creative approaches to the financing of open space purchases.

##### Strategies

1.3.1 Purchase additional conservation land or easements by spending the 1.5 million dollars that the voters approved in the 2001 Land Acquisition Bond Referendum. In order to simplify the land acquisition process, Town funds for open space should be funneled through non-profit organizations, such as the conservation development corporation discussed under Strategy 1.2.3 or the Falmouth Conservation Trust, when appropriate. The Town's participation in the purchase of the Blackstrap Preserve by the FCT is a good example of this approach.



Landowners, the Town, and the Falmouth Conservation Trust have a history of working together to conserve significant open spaces.

1.3.2 Pay for open space land through a combination of funding sources.

- Put additional open space bonds on the ballot in the future as old bonds are retired. Paying for purchases partly through bonds spreads the cost of acquiring open space more equitably between present and future generations of residents.
- Leverage Town funds through purchases involving the participation of other groups and agencies, such as private individuals, private foundations, and the FCT, as well as state and federal sources, such as the Land for Maine's Future Program and the wetlands program of the U.S. Fish and Wildlife Service, among others.

- Raise funds for the purchase of the property through limited development schemes, such as often used by the Rural Land Foundation in Lincoln, Massachusetts.
- Explore options for making regular contributions to the land acquisition fund, such as contributions based on a percentage of the annual tax revenue, a fixed dollar amount annually, and so on.
- Raise funds through a density transfer fee program. A density transfer fee program is one in which developers can purchase the right to build more lots than normally allowed in certain zones. The Town then uses the funds to purchase open space in another part of the community.



The views from public roads have a major impact on the public's perception of rural character.

- Reduce costs by purchasing development rights, conservation easements, and other limited means of protecting properties, instead of purchasing properties outright.
- Purchase land sooner rather than later in order to avoid paying the higher prices caused by the escalating cost of real estate.
- Help to defray the costs of owning and managing open space through timber harvesting and agricultural uses, such as haying, orcharding, beef production, and growing high quality organic produce. These activities might be performed directly by the landowner or through leases.

**Objective 1.4. Use incentives to encourage private landowners to keep their land undeveloped.**

### Strategy

1.4.1 Work with the conservation community to develop programs and policies that help landowners defray the cost of keeping their land undeveloped. Typical programs might include current use tax programs, such as Tree Growth and Open Space, conservation leasing, conservation easements, expanding the knowledge and understanding of Maine's recreational use statutes, encouraging landowners to take advantage of federal assistance, such as the Wildlife Habitat Incentive Program, and talking to landowners about conserving open space as a family legacy.



Falmouth is recognized for its tree-lined streets and well maintained road network.

**Objective 1.5 Reduce the impact of traffic speed, volume, and noise on all of Falmouth's roads.**

### Strategies

1.5.1 Undertake a comprehensive study of Falmouth's transportation system to determine how traffic speed, volume, and noise might be reduced or mitigated throughout the community. The study should be conducted in collaboration with the conservation community as well as the public and the Maine Department of Transportation.

1.5.2 Develop a set of principles and design guidelines that support the rural character of all town and private roads based upon the comprehensive transportation study. The guidelines should address road width, drainage, utilities, landscaping, siting in relation to buildings and other structures, pedestrian and bicycle access, and scenic quality. In developing the guidelines, the Public Works Department should work in collaboration with the conservation community as well as the public and the Maine Department of Transportation, to ensure that the recommendations reflect a balance between the needs of the community and state and federal agencies.



*Buffers at the water's edge can enhance scenic quality and protect sensitive environmental areas.*

In developing the design guidelines, consider how the principles described in the 1990 Open Space Plan for the protection of rural road corridors might apply to all of the transportation routes in the remaining rural areas of Falmouth.

**GOAL 2: TO PROTECT LARGE TRACTS OF LAND FOR WILDLIFE HABITAT.**

**Objective 2.1** Acquire and manage large tracts of land for species that require large areas of undeveloped land to survive (area-sensitive species).

**Strategy**

2.1.1 Develop a protection strategy for the two highest rated habitat blocks left in Falmouth, as determined by the Open Space Committee, in collaboration with other stakeholders in the conservation community. These two habitat blocks include the Hadlock Road area in the center of Falmouth and the Poplar Ridge area in the northwest corner of Falmouth. Both areas include parts of either Cumberland or Windham, and so the conservation strategy developed for these habitat blocks should include a joint effort with those communities. The Blackstrap Preserve is a good model for conservation at this scale. Both the public and private sectors participated through the incremental acquisition of land and easements over a period of time, starting with the purchase of Wilshire Forest in 1996 and continuing with the donation of private easements and the purchase of the Blackstrap Preserve in 2001.

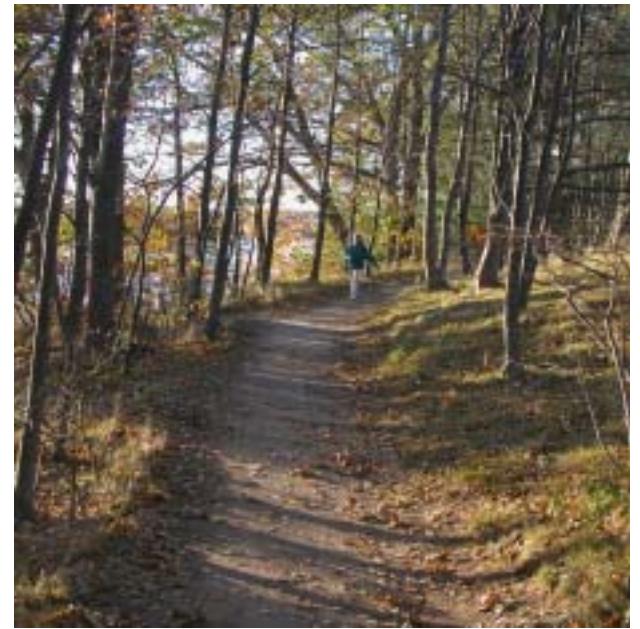
**GOAL 3: TO ENSURE THE AVAILABILITY OF OUTDOOR RECREATION.**

**Objective 3.1** Keep large tracts of land acquired for conservation purposes available for traditional outdoor recreation as described in Strategy 1.1.1.

**Objective 3.2.** Make the conservation of land with existing trails or the potential for new trails a high priority, as described in Strategy 1.1.1.

**Objective 3.3** Develop greenways that provide an interconnected system of open space areas throughout the community, as described in Goal 4.

**Objective 3.4** Keep conservation land open to hunting, so long as the hunting is conducted in accordance with local ordinances and state law.



*Trails and other amenities help increase the recreational value of open space.*

**GOAL 4: TO PROVIDE CONNECTIVITY BETWEEN OPEN SPACE AREAS.**

**Objective 4.1** Develop a system of greenways that link existing and new conservation lands.

**Strategies**

4.1.1 Acquire undeveloped land that provides trail and wildlife corridors between existing open space areas, as described in Strategy 1.1.1.

4.1.2 Explore options for leasing critical trail and wildlife corridors on private land, for use in those situations where landowners wish to keep the land undeveloped, but do not want to sell the property or grant a conservation easement at the present time.



*Large areas of unbroken forest provide essential habitat for area-sensitive wildlife species.*

# THE GREENING OF FALMOUTH

4.1.3 Work with developers, landowners, and the Town to ensure that the open space set aside in new subdivisions is the central design feature around which roads and buildings are organized. The open space should be contiguous with open space on adjacent properties and be permanently protected from development. Measures should be taken to prevent roads and other forms of development from dividing the open space into smaller fragments in the future.



Visual and physical water access points are both scarce and highly prized by Falmouth citizens.

## GOAL 5: TO ACTIVELY MANAGE OPEN SPACE TO BENEFIT ALL CITIZENS OF FALMOUTH.

**Objective 5.1** Coordinate the protection and management of public and private conservation land through a collaborative process involving the town, private landowners, the public, community organizations, private non-profits, quasi-public institutions, and other stakeholders in the conservation community.

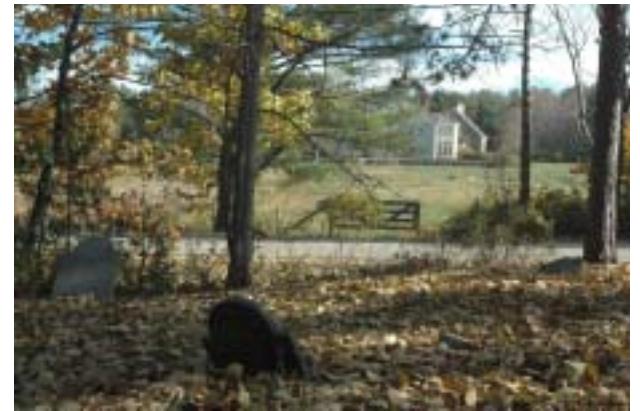
### Strategies

5.1.1 Assist the ongoing community decision-making process by taking the following steps:

- Maintain communication between town boards and committees and with community groups through liaisons.
- Invite members of the public with diverse skills, knowledge, and interests to participate on task forces or subcommittees, where most of the Town's work is done.
- Initiate regular contact with members of the Town Council in order to keep the Council informed of board and committee operations and to enlist the Council's advice and guidance on substantive issues of public policy.
- Operate in an open and transparent manner in all deliberations.
- Involve the stakeholders in the conservation community and the public in an ongoing process of fact-finding and debate as a way to clarify contentious issues, resolve conflicts, and develop broad agreement on courses of action.
- Seek adequate funding to carry out the open space program, possibly from a variety of sources that might include annual appropriations in the Town budget, sharing resources with other conservation groups within the community, and grants from private, state and federal agencies.

5.1.2 Initiate a public discussion concerning ways to improve communication and coordination within the conservation community. Some of the topics that deserve attention include the following:

- **Coordination.** The desirability of creating a standing committee, composed of representatives of the major stakeholders in the conservation community, that would meet regularly to coordinate the efforts of the member organizations and set priorities for open space programs.



Cultural features such as stone walls and cemeteries are a significant part of Falmouth's rural character.

- **Professional Oversight.** The desirability of hiring an individual to keep track of open space opportunities, to help the land acquisition process become more methodical, to assist in arranging financing, and to help the conservation community manage land more effectively. The individual hired to perform these functions would probably work for a community group as a professional staff person or as a contractor, rather than a Town employee.
- **Land Management.** Ways to improve the coordination of Town government, the Falmouth Conservation Trust, private landowners, trail clubs, and the public in the management of existing conservation lands.
- **Financing.** The role of a private, non-profit development corporation in helping to finance land acquisition and management, as described under Goal I, Objective B, Strategy 3, as well as traditional funding sources, such as private donations, the Town's land acquisition fund, the Land for Maine's Future Program, and other private and public sources.



### *Is This Your Vision of Falmouth?*

*Tell the Conservation Commission and  
Town Council what you think  
about this plan  
at a*

### **PUBLIC FORUM**

*Thursday, January 26, 2006  
7:00-9:30 p.m.  
Falmouth Public Library*

*Please bring a copy of this report*

Open space planning is critical in communities facing intense development pressure