

# GREEN SPACES

# GREAT PLACES

August 2018



**Bucks County's Open Space Program  
1997-2017**



# Bucks County's Open Space Program 1997-2017

## Bucks County Board of Commissioners



Charles H. Martin  
*Vice Chairman*



Robert G. Loughery  
*Chairman*



Diane M. Ellis-Marseglia, LCSW

Brian Hessenthaler  
*Chief Operating Officer*

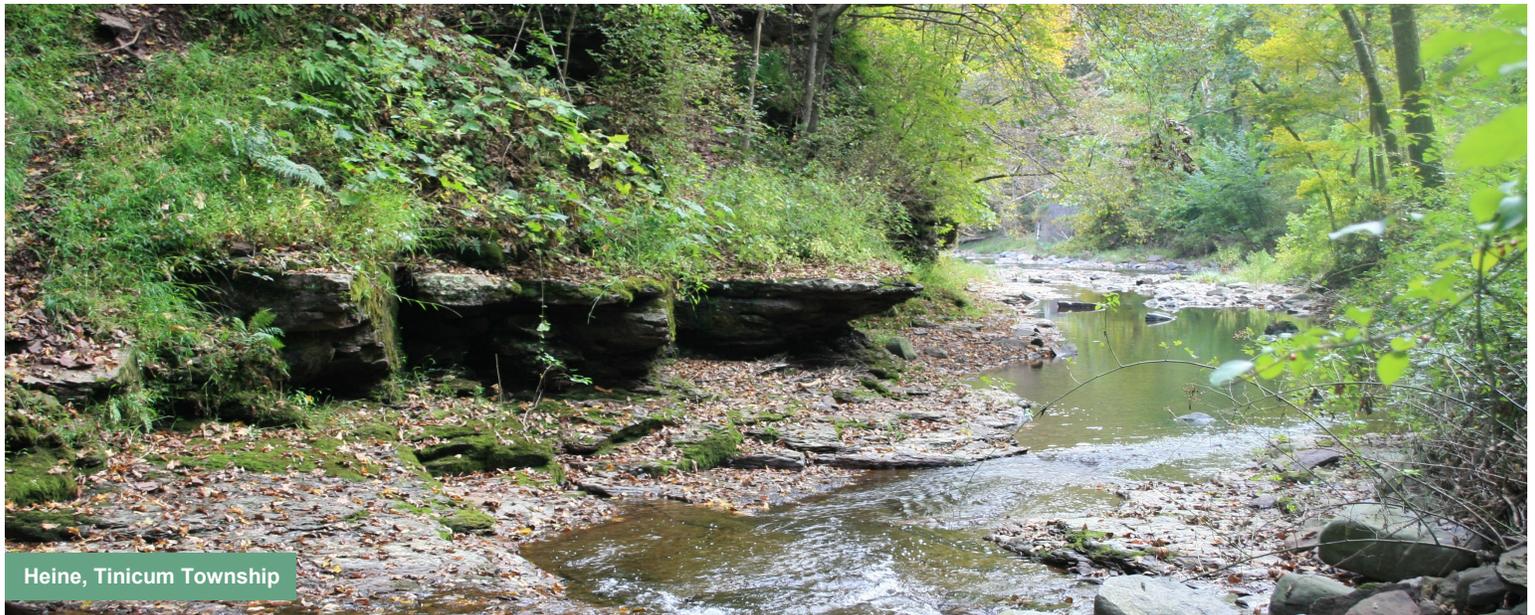


## About the Author

**Lynn T. Bush** was part of the Bucks County Open Space Program from its start in 1996 until its completion in 2017. She was appointed by the Bucks County Commissioners as a citizen member of the first Open Space Task Force and prepared the final report for the Task Force. In 1999, she became executive director of the Bucks County Planning Commission. She oversaw the open space program development and implementation of the program and, as an ex-officio member of the second Open Space Task Force, helped develop the second 10-year program. As a community planner in Bucks County, she has worked with many of the county's municipalities on their open space programs. She recognizes the importance of open space to the county, her home for 47 years, to the local economy, the environment, scenic character, and quality of life.

## Table of Contents

Bucks County Open Space, 1997-2007 .....	1
Roots of the Open Space Program .....	1
Farmland Preservation Program Started .....	3
First Open Space Task Force .....	4
Task Force Recommendations Supported by County Voters .....	5
Save Bucks .....	6
How the Open Space Program Worked .....	6
How Open Space Funding Enhanced the Farmland Program .....	9
Benefits to the County Park System .....	10
Second Open Space Task Force Appointed .....	11
Another Referendum, Another Success .....	13
How the Open Space Program Phase II Worked .....	13
Locations of Bucks County Conservation Landscapes Map .....	14
Program Successes .....	15
Challenges .....	17
What Makes Bucks County's Program Unique .....	18
What's Next? A Commitment for the Future .....	18
Open Space Task Force Members 1995 and 2007 .....	19
Program Leadership .....	20
2018 Bucks County Preserved Farms and Open Space Map .....	Back Cover



Heine, Tincum Township



Kinzler, Haycock Township

## Bucks County Open Space Program 1997-2007

The Bucks County Open Space Program (1997-2017) is, by any measure, a huge success. It encouraged each one of the county's townships and boroughs to examine the unique spaces that they value and act to protect them. It was a cost-effective program for taxpayers. It fostered partnerships with other levels of government. It preserved in perpetuity thousands of acres of land with environmental, farming, and recreational value in all parts of Bucks County. It was not inspired by short-term political gain but by a sense of stewardship for the richly endowed land and landscape of Bucks County and for its long-term prosperity.

This is the story of the foundations for open space preservation, how the program came to be, how it worked, and what the results are. Open space preservation is not unique to Bucks County, but this program is uniquely "Bucks County" in many ways.



Pennsbury Manor, Falls Township

## ROOTS OF THE OPEN SPACE PROGRAM

Bucks County as a place has been valued for its beauty, its natural areas, and its varied landscapes for centuries. William Penn selected land along the Delaware River in Bucks County for his summer home, Pennsbury Manor. During the early to mid-1900's, well-known artists, writers, and musicians, such as Oscar Hammerstein and James Michener, chose to settle here because of its character. The county is one of very few in the U.S. that is known by its county name. The name "Bucks County" carries meaning and identity.

Steps taken decades before the 1997 launch of the Bucks County Open Space Program provide a strong foundation for the 20-year program that followed. Bucks County's residents and leadership were aware of the value and character of its countryside. The county was the first in the Commonwealth to take advantage of laws and programs to protect land and to use land use tools that resulted in preservation.

County records from the 1950s reveal that the focus of public discussion and government actions was the building of community facilities to support and serve the rapid development that was taking place as U.S. Steel built its business in lower Bucks County. Levittown provided much-needed post-war housing in lower Bucks County, but it also transformed 5,000 acres of farmland with the building of more than 17,300 houses, making Bucks the fastest growing county in Pennsylvania by 1955 and the fourth fastest growing county in the nation.

It wasn't until the late 1960s that the county began to recognize that there was a chance that suburbanization of the Philadelphia area would change the landscape and that the areas that defined Bucks County might be lost.

The activities of the 1970s revealed four things about open space in Bucks County that formed the roots of the open space program

- ~ That there are many areas worthy of preserving in Bucks County for food production, environmental quality, and scenic beauty
- ~ That counties and local government had the authority to use public actions to preserve open lands
- ~ That there was support for saving open space
- ~ That there were landowners who wanted their properties preserved, not developed, in the future.

When Pennsylvania enacted a law (Act 442) in 1968 that allowed counties to purchase interests in land to preserve resource areas, Bucks County was the first to use it. This law, passed as a response to rapid development in southeast Pennsylvania, clarified that state and county government could use public funds to preserve land or acquire land for open space.

*“The Bucks County Open Space program has been a winner in many ways; preserving our scenic and productive farms, saving unique natural areas, adding to County parks, providing desirable projects in all of our 54 municipalities; slowing the growth of costly residential development and most importantly creating a legacy for future generations of Bucks Countians to enjoy!”*

*Charles H. Martin  
Bucks County  
Commissioner*

Bucks County was the biggest user of this law – and for years, the only user – through the Neshaminy Water Resources Authority (the NWRA). NWRA acquired hundreds of acres of land and built dams along the Neshaminy Creek and its tributaries for the purpose of flood control. By protecting land in the floodplain from development and constructing a series of dams, local flooding was greatly reduced. Two of the dams controlled floodwaters and also created lakes that serve as the centerpieces of the large, popular county parks at Peace Valley and Core Creek. The architect of this program was John T. Carson, at one time a county employee and Doylestown Township supervisor. Both state and federal program funds were used extensively for these flood control projects, resulting in the permanent protection of these areas.



Peace Valley Park, New Britain Township

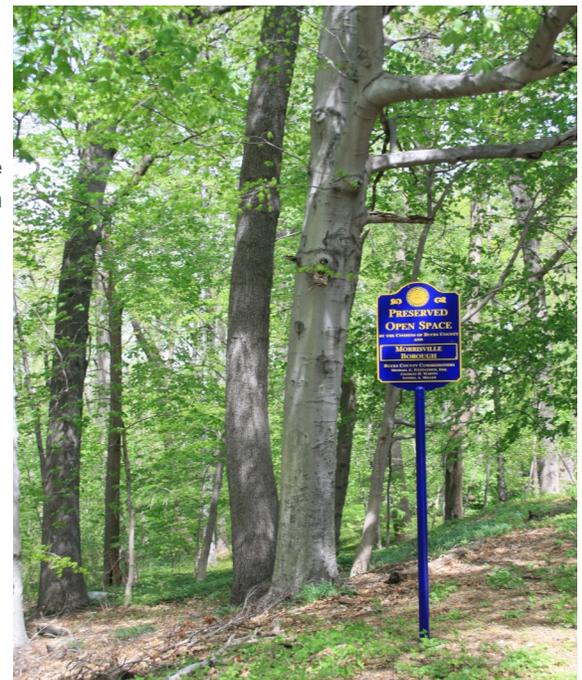
Although the NWRA was eventually dissolved and its land holdings turned over to the county, the legacy of this early response to preservation of important open lands was a foundation for open space protection in two important ways.

First, the county prepared and adopted a Natural Resources Plan in 1972, which was a requirement of the Pennsylvania law. It showed agricultural districts and scenic lands deemed worthy of preservation. (It is interesting to note that the extent of the areas deemed “worthy of preservation” in 1972 was much less extensive than the areas delineated 25 years later, when more thorough and sophisticated tools were used to survey the county.) In its 1986 update to that Natural Resources Plan, “important agricultural areas” were delineated and became the basis for the farmland preservation program founded by the county in 1988.

Second, the county looked at the use of easements for preservation. By distinguishing between the land and the value of land for development, the stage was set for the purchase of easements rather than outright purchase of land in fee simple. This became an important tool for the county’s agricultural land and open space preservation programs.

The county’s official interest in open space was matched by citizens and nonprofit conservancies. The county hired the Gallup organization in the early 1970s to do a poll of residents on open space and recreation, revealing a strong citizen interest in keeping land open. Eighty-three percent of residents surveyed favored spending tax dollars to protect farmland and scenic areas.

A citizens’ group called “Open Space” was formed in the 1970s and presented a Manual for Open Space Control to the County Commissioners. Chaired by Charlotte Dyer, a resident of Upper Makefield Township and owner of Diabase Farm, the group highlighted the importance of open space for food production, recreation, and conservation of water and other natural resources. Farmland, which occupied two-thirds of the county land area in 1950, had been reduced by half by 1970.



Graystones, Morrisville Borough

The Bucks County Conservancy emerged during the 1970s as a conservation leader. Now known as Heritage Conservancy, it started as the Bucks County Parks Foundation, a land conservation group, under the leadership of Buckingham resident Bob Pierson. The Bucks County Conservancy, with leadership from its long-time president, the Honorable William Hart Rufe III, and its successor Heritage Conservancy, were early preservation advocates and have fostered preservation of lands and historic sites. Judge Rufe, a judge on the Court of Common Pleas for the county, brought his expertise to the county program through his participation on the county open space board for many years.

The sense of the inevitable march of development led to a number of other actions by the county in the 1970s. Seeking to balance the growth of communities and businesses with the protection of farms and areas of natural beauty and environmental importance, the county adopted land use policies that encouraged (or required) preservation as part of the development process. "Performance zoning" was an approach invented in Bucks County and built on the notion that some land is good for development and some should be preserved for the benefit of the whole community. Floodplains, wooded areas, steep slopes, wetlands, and prime farmland would, by zoning ordinance, be protected from development because of the public benefit of keeping these areas intact. Development could then be clustered and concentrated on land that was more "buildable."

The reason for preserving these areas was not just to protect the scenic and aesthetic character of the county. It was based on the need to preserve groundwater quality and groundwater supplies, to protect air quality, to reduce stream and river pollution and runoff, and preserve local food sources. This concept took off, received national acclaim and application, earned Bucks County a reputation for being a national leader in environmental planning, and was adopted by most Bucks County municipalities in forms tailored to meet local conditions and preferences.

Bucks County was also in the forefront of enacting "preferential assessment" on farmland. Pennsylvania's law was changed to allow counties to tax farms for the value as farmland rather than on their value for development. When the county's Penn State Extension Service called a meeting in 1970 to explain Act 515 to landowners, more than 600 people crowded the auditorium at Central Bucks East High School. The county adopted Act 515, as well as the subsequent preferential assessment program under Act 319, which provided property tax relief for farmers willing to commit to the continuation of farming.

By the end of the 1970s, the rapid loss of farmland was causing a heightened sense of concern. Preservation of open space and growth management became a political issue in the 1975 county commissioner election, and in the following years, the county responded by seeking to find out what forces were causing farmers to sell for development.

The wide range of issues identified – from the high cost of farm equipment and inheritance taxes to the loss of the agricultural community and uncertainty of relying on rented land – were collected and published. There was a wide-spread interest in farming, but a conspiracy of issues that made it tempting to sell the farm. Not the least of the forces was strong development pressure and proposals in the mid-1980s for more than 13,500 new homes and 4.6 million square feet of commercial space in the county. No farmer wanted to be the last one standing, with development surrounding his fields.

The county had stated its commitment to preservation, especially to farmland preservation, when it adopted a county comprehensive plan with preservation as the cornerstone.

## **FARMLAND PRESERVATION PROGRAM STARTED**

The county took action in 1986 when the commissioners formed the Agricultural Retention Advisory Committee. This group put the county in a good position to act when the Pennsylvania Agricultural Conservation Easement Purchase Program was launched in 1988. Bucks County put together a board and a program and became the fourth Pennsylvania county to qualify for state funding for the purchase of development rights on qualifying farms.



**Hager-Haney Farm, Durham Township**

This led to the Bucks County Agricultural Land Preservation Program which has operated since 1989 and preserved more than 17,000 acres of farmland since 1991. It is worth emphasizing here that the Open Space Program is not the same as the Bucks County Agricultural Land Preservation Program, although there are strong links, and the Open Space Program supplemented the funding that went into the Agricultural Land Preservation Program, as we will see. The farmland program has worked in tandem with the Open Space Program since 1997 and continues to operate and preserve farms every year, even as the open space program concludes its twenty-year run.

## FIRST OPEN SPACE TASK FORCE

Shortly after their election in 1995, County Commissioners Charley Martin, Mike Fitzpatrick, and Sandy Miller announced the formation of an Open Space Task Force. The ethic of protecting the environment and supporting farming had been present in the county for 20 years, but addressing preservation as a front-and-center issue required a bolder approach. Behind-the-scenes lobbying by concerned citizens, from nonpartisan conservancies to politicians, supported an organized assessment of open space needs and preservation options. There was a sense of urgency due to the pace of development in the county and population growth during the 1990s.

By 1995, our closest county neighbor, Montgomery County, had started an open space program, and three Bucks County municipalities (Buckingham, Warrington, and Wrightstown) had voted to borrow money to preserve open space. The time was right for the county to look beyond its successful farmland preservation program and determine what else should be done.

The Open Space Task Force appointed by the County Commissioners was a bipartisan group that included members from government, business, land conservation, farming, and development. A chairman, Ted Evans, was selected by the Commissioners to lead the 24-member group. Ted, past president of Bucks County Audubon and a retired executive from US Steel, was one of the citizens who had approached the county about formalizing an open space preservation program.

The discussions at the task force meetings were wide-ranging. Some basic questions arose. Would landowners really be interested in preserving their land when offers from developers would be more profitable? Could we be confident that preserved properties would remain preserved in the future? And could we give taxpayers the assurance that preservation would be in perpetuity? What additional burdens and responsibilities might fall to local and county governments from an open space program? Would only residents of central and upper Bucks County be in favor of this?

The group became familiar with the county's successful farmland preservation program. There were examples of open space programs from other parts of the country. But none of these was quite right for Bucks County. After nearly a year of meetings, the group recommended a program that was not a carbon copy of any other program but which was uniquely Bucks County's. Hallmarks of the program are:

~ Open space was defined as three types of land: farmland, public parkland, and natural areas. While this now seems obvious, it was not in 1996. Discussions about cemeteries or golf courses or stormwater management areas or landscape buffers or historic sites all clouded the discussion until the group could focus on what was really important to Bucks County: saving open land that could be used for farming, for parks, or for the protection of important natural areas.

~ The program's highest purpose was to preserve land. This meant that there would be no money allotted for design or



Taddei Woods, Pennel Borough

engineering or legal work or for building ball fields or other improvements. The purpose was to save land.

- ~ The program would be collaborative and based on a cost-sharing approach. County dollars would be leveraged by contributions from others to broaden the impact.
- ~ The program had to address the need for preservation in all areas of the county. The county landscape is vastly different in the 60 miles from Durham to Bristol, but every municipality had areas that were worthy of saving – a small lot to be used for recreation or a patch of woodlands or a section of a stream corridor would all be eligible. The program would encourage and support local efforts to identify and meet open space needs. It would place the responsibility on each municipality to look at the land and needs of its own community and set local goals for preservation.
- ~ Like the farmland program, open space preservation would be voluntary and dependent upon a landowner who was willing and interested in preservation.

*“Of course development will continue; there is no way to prevent it. But a sound strategy to identify, acquire, and protect land—matched by a strong public commitment—will assure that much of the land cherished today will remain.”*

1996 Open Space Task Force Report

The task force issued its 16-page report to the County Commissioners in November, 1996. Commissioner Charley Martin later commented that the strength of the task force report was that it was simple, easy to understand, and had something in it for everyone. Here are its recommendations.

1. **Borrow \$59 million over a 10-year period to fund the Open Space Program. Divide the \$59 million among four areas:**
  - Farmland Preservation
  - County Parkland
  - Natural Areas
  - Municipal Open Space Program
3. **Allocate \$13.5 million for Agricultural Land Preservation Program.** This would greatly enhance the amount of money going into this program, which had already preserved 25 farms and 2,200 acres, and enable the preservation of many more farms on the growing waiting list of farmers seeking preservation. The program, partially funded by the Pennsylvania Farmland Preservation Program through the cigarette tax, could grow and yield more state funding with a higher county match.
4. **Allocate \$16.5 million for the county Parkland Program.** This would allow for the acquisition of additional land for the countywide park and recreation program.
5. **Allocate \$9 million for the preservation of Natural Areas.** This would be used in conjunction with municipalities or conservancies in a 50-50 match to protect areas of environmental or natural significance. The county would seek guidance from experts on what land would be worthy of preservation under this program.
6. **Establish a program to encourage and support municipal activities to preserve open space by allocating \$20 million for distribution to local governments.** Funds would be available for each of the 54 townships and boroughs to acquire open space important to their community. Open space preserved by municipalities would also fall into one of the three open space categories: farmland, parkland, or natural areas. Funding would be available to municipalities based on a formula accounting for physical size and share of the county's population. Municipalities would have to prepare an open space plan, and acquisition and preservation would be consistent with that approved plan.
7. **Design the program so County funding would be supplemented by matching funds from government and private sources.** The Municipal Open Space Program and the Natural Areas Program would require matches from other sources. The funding formula required a 25 percent contribution from municipal government, thus leveraging the county contribution to result in more than \$26 million committed to local preservation through the municipal program. Natural areas would require a 50 percent match from a conservancy or other level of government.
8. **All open space preserved must be restricted from future development.** All land preserved would be protected in perpetuity by easements, deed restrictions or other legally enforceable means. Using taxpayer dollars would carry with it the responsibility of holding and enforcing restrictions and of assuring taxpayers that they could rely on the county's word that land would be protected in perpetuity.

## TASK FORCE RECOMMENDATIONS SUPPORTED BY COUNTY VOTERS

The County Commissioners reviewed these recommendations and agreed to take the next step by placing on the May, 1997, primary election ballot a referendum asking voters for their approval on using county funds to preserve open space.

There was some optimism that this would be successful, but there were no guarantees. A few township referenda had already been supported here, but these had occurred in areas where there was lots of development pressure and remaining open space to preserve. The idea had not been tested in boroughs or in areas that were already heavily developed. Our closest neighbor, Montgomery County, had borrowed \$100 million for open space preservation – but without asking for the approval of their voters. They just did it.

There were also many reasons that voters might support this.

There was a discernible change in the attitude toward development and preservation. Development was no longer seen as the inevitable next phase for the county's farms. The success and popularity of the county's farmland preservation program revealed that many farmers were eager to secure their future in farming by selling all their rights to develop their land.

Pennsylvania land use law, which emerged from Bucks County court cases, declared that agriculture was a legitimate land use and that farmland should not be viewed as a holding zone for other types of development.

Farmers who had sold their development rights became ambassadors for the open space program. Leonard Crooke, the first Bucks County farmer to preserve his farm, served on the Open Space Task Force and was an effective spokesman for the value of preservation, not just to the community at large but to the farmer who could keep his land. Leonard understood and explained to other landowners that, even though it was preserved, he still owned and operated his farm – he could continue to farm, he could sell the farm, he could give it to his children. He just couldn't develop it.

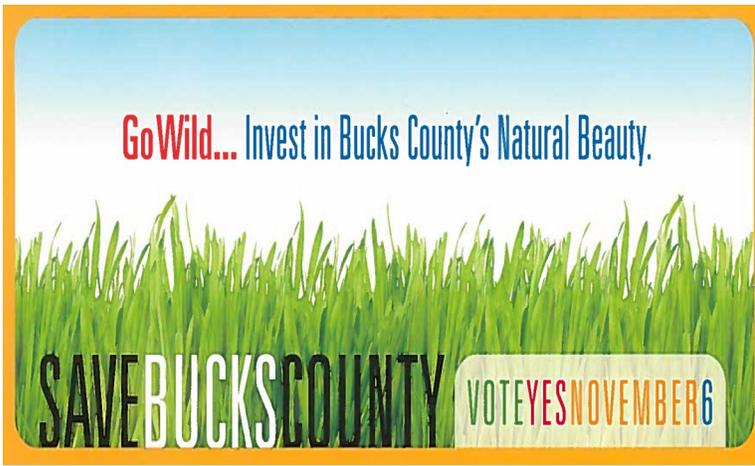
Preserving land was and would be voluntary. No land would be condemned, and no landowner forced to sell.

Environmental benefits, such as protecting clean water for drinking and in streams, were fortuitous side effects of limiting development in critical natural areas.

Clear criteria were stated on what constituted "open space" and that it would be preserved in perpetuity.

The land preserved would not be owned by the county (except where county parkland was acquired). Land would be preserved by buying and retiring all rights to develop the land, through easements, but the burden of owning and maintaining preserved land would remain with individual landowners who chose preservation.

Because it was funded with public dollars, public access in some form would be a requirement on all preserved properties, except for farmland.



## HOW THE OPEN SPACE PROGRAM WORKED

### Municipal Program

With the overwhelming support of the county citizens, the commissioners moved to set up a program to implement its plan. They decided that the program would be part of the County Planning Commission responsibilities and selected a county planning commission staff member, Michael Kane, to be the open space coordinator.

They assigned the deputy county administrator, Fred Groshens, to work with him. Fred, a former newspaper man, was a local elected official, county employee, and a knowledgeable and savvy guide who understood programs, county government, policy, and politics. His skills were so essential to putting together the nuts and bolts of the preservation program that the county commissioners in 2010 honored his contributions by creating the Fred Groshens Farmer of the Year award. Each year at the Grange Fair, Fred is remembered when the Bucks County Farmer of the Year is selected to receive the award.

The commissioners appointed a nine-member Open Space Review Board, a volunteer board made up of citizens who would scrutinize the open space applications and make recommendations to the county commissioners on open space funding.

Their first meeting was held on November 26, 1997, and all three county commissioners made remarks to the newly-created board. Tony Belfield, a member of the Open Space Task Force, local official in Bensalem Township, and a professional geologist, was elected chairman. Robert Moffett, a Quakertown lawyer, was elected vice-chair. Both Belfield and Moffett were part of the open space program from beginning to end and served on the Open Space Review Board through its entire 20-year history.

Their charge was to oversee two of the funding streams: Municipal Open Space and Natural Areas. The other two funding streams, farmland and parks, would be guided by boards already in place: the Agricultural Land Preservation Board and the Park and Recreation Board.

By the first meeting, guidelines on program requirements and applications for municipal funding had been drafted by county staff and were approved by the new board.

For the municipal open space program, each of the 54 municipalities would have to prepare an open space plan that met the Review Board's guidelines for planning. Having an approved and adopted plan was the first step in getting funding.

All 54 municipalities prepared open space plans that identified properties they wanted to preserve. Thinking about preservation was easy for the larger, less developed communities. But for small boroughs, especially in the lower part of the county, preservation was not on their radar until the county set up a program that everyone could benefit from. The program offered the exciting prospect of using a completely new tool to help them shape their communities.

After plan approval by the county review board, the next step was to begin the process of preserving land. The responsibility was on

### SAVE BUCKS

Perhaps the most compelling information on the benefit of open space to taxpayers was the fact that development often costs money through higher taxes. The detailed work done by Penn State University and by Heritage Conservancy focused on the increased tax burden and higher tax rates that new residential development brings. The notion of development as a "tax ratable" was shown to be true only for some types of commercial development. Residential development (with the possible exception of age-restricted senior housing) resulted in more municipal and school service needs and higher taxes. This new understanding of the financial benefits of preservation became a cornerstone of the effort to persuade voters that they could not only protect valuable scenic and natural areas but also save on future local and school taxes. "SAVE BUCKS" became the tag line used for the educational campaign on the referendum and carried the double meaning of saving Bucks County land and saving money.

The county government, which put the question on the ballot, could not lobby for or against the question. They needed to remain neutral. An educational group formed outside of county government to carry the message to the public and provide information.

The question posed to voters was:

*"Should debt in the amount of \$59 million dollars for the purpose of financing and preserving open space by authorized to be incurred as debt approved by the electors?"*

The referendum received solid support – 70 percent of voters voted "yes" to the question of borrowing money for open space preservation. Fifty-two out of fifty-four municipalities supported the program.

the local governing bodies – supervisors or borough council members – to identify an eligible property, contact the owner, hire an appraiser, reach an agreement, secure the required 25 percent match, and apply to the Open Space Review Board for the funding. The property selected had to be named in their open space plan, could not cost more than the appraised value, and would have to be farmland, parkland, or natural area.

The county had front-loaded the borrowing with most of the \$20 million for the municipal program, in order to meet local demands and to accomplish some preservation projects quickly.

The actual transactions to accomplish the preservation entail all the paperwork associated with any real estate transaction, such as agreements of sale, title insurance, closing documents, legal review, etc. But the preservation projects also required a more complicated appraisal, if the preservation was to occur by easement, as well as detailed surveys to exclude any buildings for the acquisition.

Buildings were not permitted to be acquired with open space funds. The appraisal had to determine a value for the property as a whole – the land and the right to develop it – and a value just for the development rights, or easement value. Municipal elected officials as well as appointed municipal solicitors at first needed guidance on all steps of preservation when the program started, but many soon developed citizen boards and skilled professional teams charged with responding to this new program.

It was hard to anticipate what to expect once the program was launched. Looking back at the first municipal open space projects approved reveals the broad range of open space opportunities and the quality of the preservation efforts from all parts of the county. All three types of open space – farmland, parks, and natural areas were preserved in the first applications. All three parts of the county – upper, central, and lower were represented.

**East Rockhill Township** acquired land for a park.

**Middletown Township** preserved Styer Orchard, an iconic 100-acre farm and orchard in a developed community where few farms remain.

**Newtown Township** preserved the Clark property with its historic farmhouse and woods as a nature education center.

**Silverdale Borough**, one of the county’s smallest municipalities, acquired four parcels for a park.

**Warrington Township** preserved a 41-acre farm.

**Wrightstown Township** preserved a 40-acre farm to add to an adjoining 60-acre preserved farm.

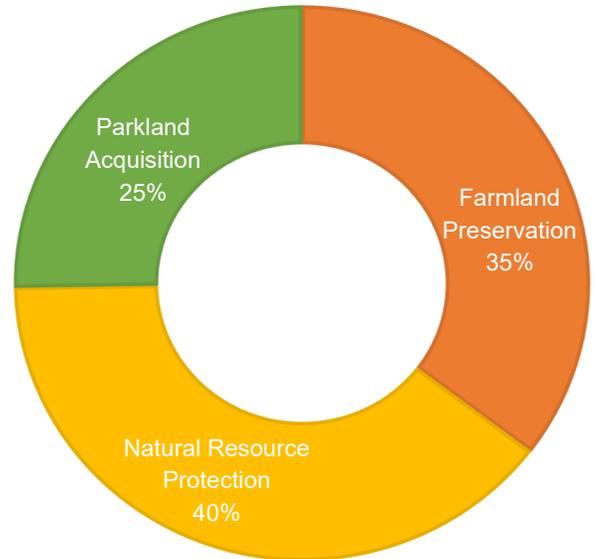
**Doylestown Borough** preserved a small wooded area near its main commercial street.

**Perkasie Borough** preserved four acres of floodplain along Pleasant Spring Creek, to add to the East Branch trail system.

**Upper Makefield** preserved 22 acres along the Delaware Canal in the area of Washington Crossing where a shopping center had been proposed.

The results after the 10-year municipal program showed a significant impact in all areas of the county and fulfilled the original vision of the first Open Space Task Force by adding preserved land in all three open space categories.

By the end of the 10-year program, 96 municipal open space projects had been approved, preserving 2,600 acres of open space. The types of municipal open space preserved were:



## County Program a Catalyst for Local Funding

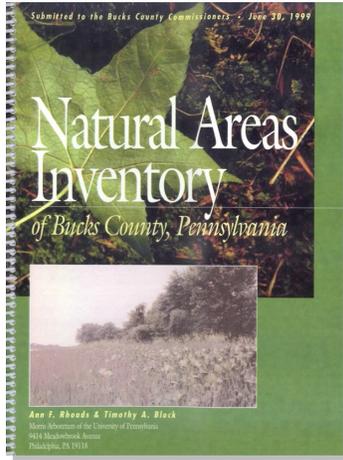
One remarkable outcome from the county program was the level of local open space funding it encouraged. Twenty-one municipalities raised their own funds to meet their county match. Eighteen municipalities issued bonds, not only to match the county funding but to expand open space preservation beyond the county program. An astonishing \$180 million in municipal funding for open space was borrowed during the first 10 years of Bucks County’s program. Eleven municipalities, some of whom also had borrowed open space funds, adopted an earned income tax dedicated to open space. No other county in our region can compare with this, making funding partnerships one of the ways in which Bucks County distinguished itself in open space preservation.

The match to the county funding could come from municipalities or from other sources such as conservancies. It could also come by way of a “bargain sale.” This worked in the following way. If a property owner agreed to sell the property or development rights for preservation, the county program would pay up to 75 percent of the appraised value for a municipal project, or 50 percent of the appraised value for a natural areas project, with a local match required for the remainder. The owner of the property being preserved could also donate some or all of the property rights for preservation to make up the 25 or 50 percent match. There are tax advantages to landowners to do this because the Internal Revenue Service considers this a charitable deduction and allows it to be credited over several tax years. During the 20-year history, the municipal open space and natural areas programs benefitted from 54 landowners who took advantage of this by foregoing a total of \$8.3 million in value by agreeing to bargain sales.

## Natural Areas Program

The natural areas program had a different structure. It was open to conservancies or municipalities as applicants. It required a 50 percent match. It was a competitive program, with two application rounds each year. There was a limit of \$250,000 of county funding per project.

The county commitment to preserving natural areas was based on the promise that they would define what natural areas were worthy of preservation. Assigned to this task was Dr. Ann Rhoads, a Doylestown Township resident who was a botanist with the Morris Arboretum of the University of Pennsylvania. Dr. Rhoads and her colleague, Tim Block, were hired to survey the county and, in 1999, published the Natural Areas Inventory of Bucks County. Their review of the physical, geological, and hydrological character of the county, along with an inventory of flora and fauna, became the basis for prioritizing natural areas.



The result was 115 sites prioritized in four levels of importance. Lower Bucks County has fresh water tidal marshes and coastal plain forest such as Delhaas Woods and the Silver Lake area. In Bristol's Black Ditch Park was found a plant thought to be extinct. Upper Bucks has continuous forest cover, the unusual diabase geology, and high quality streams. The limestone valley, Neshaminy Creek, and Buckingham and Solebury mountains are examples from Central Bucks. Sites with state-wide significance include the largest great blue heron rookery in eastern Pennsylvania located at Quakertown Swamp, and a bat hibernaculum in upper Bucks that is the second largest in the state.

Early concerns about lower Bucks County being left out of the open space initiative were greatly reduced when lower Bucks sites with natural areas value worthy of preservation outnumbered those elsewhere in the county.

To be eligible for preservation funding, a natural area project needed to be listed in the inventory and compete with other applications for funding. The early projects also represented the breath of interest in this program and the variety of landscapes in Bucks County worthy of preserving.

The earliest applications were for coastal plain forest in Middletown, a wooded stream corridor in Langhorne Borough, additional acreage for Neshaminy State Park in Bensalem, stream corridors in Springfield, and the bat cave hibernation area in Durham Township. Applications came from Tinicum Conservancy, Heritage Conservancy, Natural Lands Trust, and from many municipalities. The \$9 million allocated for this program was committed before the end of the 10-year program period and went to 64 projects, the protection of more than 2,600 acres, and matching funds of \$9 million from non-county sources. The matches came from Pennsylvania Department of Conservation and Natural Resources, from municipalities, or from conservancies.



Drescher-Lehman, West Rockhill Township



Bat Cave, Durham Township



Rieders, Warwick Township

## How Open Space Funding Enhanced the Farmland Program

The Agricultural Land Preservation Program budget was substantially increased by the county open space program. By allocating an additional \$13.5 million, the county increased its commitment to farmland but also leveraged its money to get a larger allocation from the Pennsylvania Agricultural Preservation program. This combination raised the amount Bucks County spent on preserving farms to \$10.2 million in 1999, from \$3.1 million that was spent in 1997. This increase in county funding has been sustained since 1999, yielding higher state contributions and accelerating the preservation of farms.

The Agricultural Land Preservation Board purchases easements on farms, paying not for the entire property but for the development rights on farmed land. Their selection of farms is based on fixed criteria – soils, stewardship of the farm, location, and livelihood that it would be developed if not preserved. They require appraisals of the easement value, but set a limit on the price per acre the county will pay, which has ranged from \$9,000 to \$12,000 per acre. When an appraisal exceeds this amount, they often work with the local officials to supplement the county and state contributions. The highest priced farms have been the Rapuano property (\$30,000 per acre) in Upper Makefield and the Wright farm (\$28,000 per acre) in Lower Makefield. In each case, funds in addition to the state and county grants were needed. Pennsylvania law was changed, at the urging of our farmers and legislators, to allow for local contributions to a farmland preservation project. This is another example of how the county approach has created partnerships and leveraged investments.



Haldeman Farm, Bedminster Township



## Benefits to the County Park System

The County Park system was already well established when the open space task force began its work. Beginning in 1952 with the donation of Stover Park in Tinicum Township, the park system had grown to 24 parks and more than 8,000 acres, located throughout the county. The philosophy of the park program, under the direction of executive director Bill Mitchell, has been to protect open spaces focused on natural features accessible to residents throughout the county. The local recreation needs – ball fields and playgrounds – would be met locally by municipal parks.

Bill Mitchell's knowledge of the county and expertise in recreation and parks were important in forming the open space program recommendations for parkland. County park leaders were ahead of the curve in understanding the appeal of walking trails, designating linear parks with trails along stream corridors as early as the 1970s.

When the additional \$16.5 million was authorized in the open space program, the Bucks County Department of Parks and Recreation was able to add 55 properties and 900 acres to the park system. These acquisitions added to preservation of greenways along stream corridors. Critical parcels adjacent to existing parks and nature centers were acquired, and the County added to its inventory. The Van Sant Airport in Tinicum Township, with its stunning vistas and grass air strip, provides another type of outdoor experience in beautiful upper Bucks County. The Bucks County Horse Park was acquired in Nockamixon Township, a unique component of the county park system, where equestrian events, polo, trail riding opportunities are offered.

The Park Board had defined its need for a growing county population when it adopted the 1986 Park Plan. Estimates of parkland required to meet the needs of the projected 600,000 county residents were made, and the open space program moved the county closer to that goal. But there were still areas worthy of preservation for parks and growing areas not served by county parks.

There was one other significant outcome of the 1997 open space program on the park program. With questions arising about the permanency of open space preserved with taxpayer dollars, it seemed prudent to make sure that all parkland in the county was protected by deed restrictions. Many county properties were already restricted because the acquisition funding came from the state or federal government, and this was reflected in the deeds. A separate board was appointed, with county representatives as well as nonprofit conservancy representatives, to place the necessary restrictions on all county parkland and to enforce these restrictions in the future if the need arose.



Bucks County Horse Park, Nockamixon Township

*The Bucks County Department of Parks and Recreation, established in 1953, is responsible for the acquisition, development, and preservation of open space in the county's regional park system. The Department seeks in every endeavor to improve the quality of life and environment for all Bucks County residents, by working to enhance existing and projected recreational and cultural needs for our County.*

## SECOND OPEN SPACE TASK FORCE APPOINTED

The popularity and success of the first 10-year program meant that there was enthusiasm to renew it for another period. The Open Space Review Board had enthusiastically met monthly for nearly 10 years and processed applications for 160 projects and preserved 5,300 acres. They knew that more could be done. A resolution from that board went to the County Commissioners in 2006, presenting the case for another open space program.

County Commissioners Charley Martin, Jim Cawley, and Sandy Miller appointed a second task force in 2006, which held its first meeting in September of that year, with Tony Belfield as chairman and Judge William Hart Rufe III as vice-chairman. Those appointed to the task force had experience with open space programs, conservancies, parks and recreation, development, redevelopment, and finances. Ex-officio members from the planning commission, parks department, and farmland preservation program rounded out the team.

### A RESOLUTION OF THE BUCKS COUNTY OPEN SPACE REVIEW BOARD

Whereas: On May 20, 1997 a \$59 million open space bond referendum was approved by over 71% of the voters of the County casting votes;

Whereas: The intent of the referendum was to provide funding for the preservation of open space county wide over a ten year period, and that ten year period will expire at the end of the current year;

Whereas: The Bucks County Open Space Program (the Program) and Bucks County Open Space Review Board were established to oversee the distribution of these funds;

Whereas: Through the Bucks County Open Space Program, over 10,000 acres of open space has been preserved;

Whereas: While the Program has been an unqualified success in both the quantity and quality of open space that has been preserved county wide, a clear need for the preservation of additional open space has been demonstrated by the ever increasing demands on the program to fund worthy projects;

Whereas: The overwhelming support for the Program demonstrated by the initial referendum is reaffirmed on a monthly basis, through the efforts of individual municipalities and private preservation groups which continue to petition the Program for funding and support; and

Whereas: Time is of the essence. Recognizing that the acquisition of development rights or title to properties for the preservation of open space is often a long term process, involving multiple funding sources including private, State and Federal funds, it is critical that provision for a dedicated funding source such as provided under the Program be made prior to the existing funding provided through the Program be exhausted in order to insure the long-term commitment to open space preservation efforts in the County.

Therefore: Be it resolved that the Bucks County Open Space Review Board recommends to the Bucks County Commissioners that the efforts undertaken under the Program be continued and that funding for the Program be funded for an additional ten year period, and that such re-authorization be accomplished as soon as possible.

Anthony S. Belfield, P.G.  
Chairman

The new task force approached its assignment with the knowledge that it would most likely recommend a renewal of the program. The question was then how it might differ from the 1997 program. Their charge from the county commissioners was to evaluate what had been done but also to look ahead at how the program should be changed in the future.

The task force members all had experience – and their own experiences – with open space programs, which were revealed as they discussed and debated about how to move forward. Unlike the first task force which had to create a completely new program, this second task force already had preconceptions and interests in what a successor program should look like. The meetings were lively discussions marked by the interjection of totally new topics – deer damage to open space, on-road bike routes, historic preservation, dwindling state funding, brownfield redevelopment, costs of appraisals – as well as by many split votes on how much money should be borrowed and how it should be allocated.

*“In its most basic form, open space is land that has not been developed for intensive human use; it has no (or very few) buildings, roads, or other structures. Open space can also perform many important ecological, economic, aesthetic, recreational, and agricultural functions.*

*The abundance of open space is one of Bucks County’s most attractive features. In fact, the farms, scenic vistas, parks, rolling hillsides, and stream valleys that we in Bucks County hold most dear are the very same qualities that attract individuals, families, and businesses to locate here. To maintain the quality of life that so many in Bucks County enjoy, a balance between development and preserved open space must be achieved.”*

*2007 Open Space  
Task Force Report*

Task force member Pete Krauss was outspoken about the importance of the Delaware River. Pete, a Bristol Township native, who was active in local, state, and federal government as well as in redevelopment efforts in Bucks County, presented a seven-page paper (with quotes from Walt Whitman, Theodore Roosevelt, Oliver Wendell Holmes, and Chief Standing Bear) called Protecting and Preserving Bucks County's Riverfront Corridor. It

*"We are beneficiaries and temporary stewards with an obligation to those whose future depends on the choices we make."*

*Pete Krauss  
Task Force Member*

recommended that a comprehensive study of the 60-mile riverfront be made and that a separate pot of funding be available for open space preservation along the Delaware. The discussion of the river's importance for scenic and historic value, tourism, water quality, recreation, and environmental protection was capped off with his conclusion, "We are beneficiaries and temporary stewards with an obligation to those whose future depends on the choices we make." It was compelling for the task force members, and they unanimously supported his idea.

A new component of funding available to the 17 riverfront municipalities was recommended, using the same approach as the natural areas, with a 50 percent match requirement and maximum grant of \$250,000.

Other new concepts were discussed. The task force discussed the economic benefits of preserving farms and open space for local food and plant production and for tourism and quality of life. They recognized the need to monitor and take care of the open space that we have protected through good stewardship.

With so many municipal officials on the task force, it was inevitable that the topic of allowing open space funding to be used for improvements to municipal parks would come up. The first task force and the county commissioners, even with the knowledge that open space programs in other counties paid for improvements, were adamant in their commitment to using the money to preserve land.



Edgely School Property, Bensalem Township

The second task force opened the door a crack by suggesting that improvements be allowed only if all preservation options had been exhausted and if the municipality could demonstrate that there was no more land available for preservation.

The task force initially favored a \$100 million program, then \$92 million, and finally, through discussions, votes, and debates, decided on \$87 million, to be allocated in the following way, over a ten-year period:

\$25 million  
**Farmland Preservation**

\$11 million  
**Natural Areas**

\$26 million  
**Municipal Open Space**

\$18 million  
**County Parkland**  
(including a new allocation of \$1 million for historic preservation)

\$7 million  
**Delaware Riverfront**

Both the farmland preservation and parkland allocations were based on calculations of needs. Sixty farmers were on the official county waiting list for preservation, so the farmland number took into account how much it would take to preserve all the farms on that list.

The parkland number was similarly based on park plans to meet the needs of the future population. The only new element for the parks effort was a \$1 million allocation for historic preservation. The parks department manages the care and restoration the county's historic properties, the most famous of which are the Moravian Pottery and Tile Works and the Stover-Myers Mill. It was felt that some funding may be helpful for other historic properties that would contribute to an open space project.

The municipal open space calculation was increased from the 1997 amount, reflecting demand from local governments. The natural areas allocation of \$9 million in 1997 was easily spent and was increased for the next phase to \$11 million.

The first task force operated more or less without press scrutiny – not deliberately but because it was not on anyone's radar. Not the second task force. Reporters regularly attended meetings, and the newspapers reported on the progress and weighed in on its recommendations.

What attracted the most attention was the riverfront program. It received both an uncharacteristically positive "Thumbs Up" editorial from the Bucks County Courier Times, and a "Jet Skis? Do we want to encourage them on the River?" editorial from the Intelligencer. The Courier editorial said: "We can't imagine why no one has thought of this sooner, and we hope the commissioners (and taxpayers) embrace the recommendations of the task force because we think this is the best idea that's come around in a long time." They did.

## ANOTHER REFERENDUM, ANOTHER SUCCESS

The recommendations went to the county commissioners in the spring of 2007. Again, an educational campaign by groups not part of county government was mounted. The campaign targeted a host of conservancies, sportsmens' groups, and environmental groups and urged them to support the proposal. A countywide mailer summarized the benefits and explained that the cost to each taxpayer would be less than 10 cents a day. A question was placed on the ballot in November of 2007. It read:

*“Shall debt in the sum of eighty-seven million dollars (\$87,000,000) for the purpose of financing the acquisition and preservation of open space, including agricultural land, municipal open space, county parkland, natural areas, and the Delaware riverfront be authorized to be incurred as debt approved by the electors?”*

Not only did the voters support this by a larger margin, but the question won in every one of the 304 polling places in the county – except for one where it tied – and in every one of the 54 municipalities. Countywide, 74 percent of the voters voted “yes.” Of the top ten municipalities supporting the question, six were boroughs, indicating that the strength of the program was not limited to townships with much open land. Even in the township with the least support, the question still passed by a 2-1 margin.

## HOW THE OPEN SPACE PROGRAM PHASE II WORKED

The Open Space Review Board had approved 54 open space plans and seen to completion 160 projects in its 10-year history. It was eager to continue the program.

There was some groundwork needed to address the changes approved in Phase II. Guidelines for the new Riverfront Program

were developed so that the 17 municipalities with river frontage could consider this new opportunity. The board decided that the municipalities would be required to update their 1997 open space plans and document how they had made progress using the county's Phase I open space program.

The 1999 Natural Areas Inventory was updated, to reflect what had been accomplished and to look at larger “conservation landscapes.” These areas were drawn based on large forested areas, stream corridors, wetlands, known sites of rare plants and animals, and areas of high natural biodiversity. All of the 19 highest priority areas from the 1999 Natural Areas Inventory were included within one of the conservation landscapes. The conservation landscapes focused on the following areas:

- Atlantic Coastal Plain
- Coffman Hill (Bridgeton, Nockamixon and Tinicum)
- Cooks Creek (Springfield and Durham)
- Delaware River
- Lake Galena and Pine Run
- Lower Tohickon Creek
- Mid-County Ridges (Buckingham, Solebury, Upper Makefield)
- Neshaminy Creek
- Nockamixon-Haycock
- Paunnacussing Creek
- Tinicum Creek
- Upper Tohickon Creek
- Upper Unami Creek

The new inventory guided the preservation of natural areas. The transition from individual sites to larger landscapes reflected a better understanding of the ecosystems in place and the desires of the Open Space Task Force to focus on both land and water resources.

**SAVE BUCKS COUNTY**

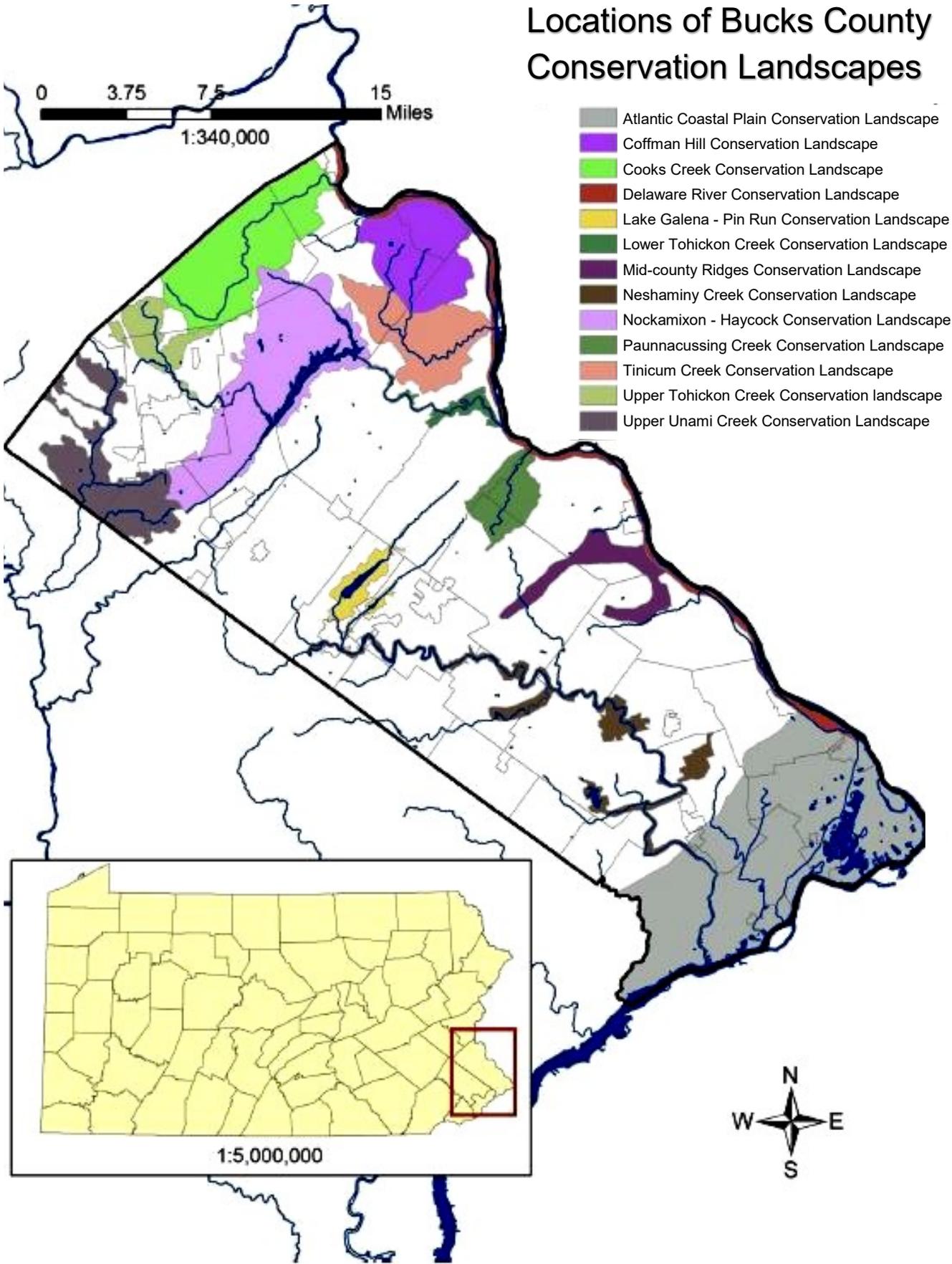
Bucks County's farms, scenic vistas, parks, rolling hillsides and stream valleys—they're the quality of life features we hold most dear. On November 6, you'll vote on whether Bucks County should borrow \$87 million to continue its Open Space Program. The yearly cost to residents is estimated at \$30 per household—less than 10 cents a day. What will the money buy? Farmland preservation. New parks. New natural areas. More municipal open space. And new projects along the Delaware riverfront. Get the facts at [www.savebuckscounty.org](http://www.savebuckscounty.org). Then, protect your quality of life—Vote YES November 6 on the Bucks County Open Space Bond.

**BENEFITS OF OPEN SPACE:**  
 Keeps taxes lower for residents  
 Reduces traffic  
 Protects groundwater resources  
 Enhances property values  
 Retains local character  
 Provides recreation opportunities  
 Helps mitigate flooding

**VOTE YES NOVEMBER 6**

PAID FOR BY SAVE BUCKS COUNTY

# Locations of Bucks County Conservation Landscapes



*“As Chairman of the Bucks County Open Space Board over the last 20 years it has been an honor to work alongside every municipality in Bucks County, the county administration and staff, and my fellow board members. The amazing success of the Open Space Program is a testament to the dedication and passion of all those involved in the preservation of land throughout the county.”*

*Anthony S. Belfield, P.G.  
Chairman  
Bucks County  
Open Space Board*

## PROGRAM SUCCESSES

The 20-year open space program was, as the local newspaper noted in an editorial at the end of 2017, “an undeniable success.” This success can be measured in many ways – acres preserved, partnerships created, economy strengthened, food produced, tourism fostered, and landscapes protected for future generations.

### MUNICIPAL OPEN SPACE

4,406 Acres in 142 Projects

Of the 142 land preservation grants approved, 50 were for parkland, 41 for natural areas, and 31 for farmland. Acres preserved in each category were:

741 acres	1,113 acres	1,637 acres
<b>Parkland</b>	<b>Natural Areas</b>	<b>Farmland</b>

Even though farmland and natural areas preservation had their own separate allocations of funding, it made sense for some projects to use the municipal open space program. This occurred with some large and expensive projects, such as the Styer Farm in Middletown, which came in with the highest price tag and used funds from several sources. It also happened if a farm to be preserved was not eligible under the farmland preservation program, because of size or ranking or soil quality, yet it was an important farm locally.

The municipal open space program allowed many small boroughs – Silverdale, Sellersville, Perkasio, Langhorne, and Ivyland – to acquire land for parks. An area for access to the Delaware River – the smallest of the municipal projects – was acquired by New Hope Borough. A Christmas tree farm was preserved in Doylestown Township, a Beagle Club in Haycock, sections of the Delaware Canal area, many acres of coastal plain forest in Falls Township, and the historic Grey Stones monument in Morrisville which was the starting point for the famous Walking Purchase. Delaware Valley College preserved its central farming area. A portion of the Patterson Farm in Lower Makefield, a highly visible and treasured open space, was preserved.

All of the 54 townships and boroughs were able to participate by preserving one or more properties.

Improvement projects were approved under the case-by-case guidelines established by the open space review board. These grants were dedicated to improving access and utility of existing open space by adding trails or other approved projects.

### NATURAL AREAS

5,001 Acres in 112 Projects

Using the Natural Area Inventories as guides, conservancies serving Bucks County began working with landowners on preservation projects. Heritage Conservancy, Tinicum Conservancy, and Natural Lands Trust all had goals for preservation. The advent of public funding for preservation changed their business model,



which relied on conservation easement donations before public dollars became available. With the funding stream changing, conservancies became advocates and agents to make the preservation program work. Twenty municipalities also took advantage of natural areas funding and submitted applications.

## RIVERFRONT

### 12 Acres in 3 Projects

The riverfront program, new in the second phase, was useful for several boroughs. Morrisville, Yardley, and Bristol boroughs were able to enhance open space opportunities by the river. Morrisville received a grant to restore an 8-acre area to its natural condition and provide public access to the river. Yardley preserved a riverfront parcel adjacent to their downtown area. Bristol's Riverfront Park project contributed to a major waterfront development program with new docks that allow for river access to the revitalized Bristol town center.

The county approved in concept a riverfront project in Bensalem, but it was dependent on a developer's plans moving ahead, and the township did not pursue acceptance of the grant. The project would have provided a connection between State Road and the river, as part of a large residential development project.

## FARMLAND PRESERVED SINCE 1997

### 14,953 Acres in 116 Projects and 215 Farms

The open space program allowed the agricultural land preservation program to more than double the farms preserved. The program gained momentum, as more farmers understood the value of preservation. Adding the farmland preserved before 1997 brings the total to 17,054 acres. The farmland preservation program continues as a strong program. The county open space program completion does not end the farmland preservation program, nor will it diminish the county financial contribution. It is the goal of the program to preserve the farms on the waiting list.

## PARKLAND PRESERVED SINCE 1997

### 1,126 Acres in 69 Projects

The land acquired by the county through its Parks Department was purchased to add to existing parks or to preserve areas that contribute to natural areas that may become park area in the future. Land is purchased in fee simple, not by easement, because parkland will be used for passive or active recreation and must be open to the public and publicly owned.

Parkland additions were made to Ringing Rocks, Tohickon Valley, Falls of the Delaware, Churchville, Playwicki, the Horse Park, and Dark Hollow parks. Land on Buckwampum Mountain in Haycock and Springfield townships was preserved, as was additional acreage along Neshaminy Creek. The Neshaminy, Bucks County's major waterway, has been designated as a natural recreation corridor, and much of the floodplain has been preserved by townships and the county for trail linkages and stream access.



Calhoun, Upper Southampton Township



Beer Farm, Hilltown Township



Ringing Rocks Park, Bridgeton Township

## CHALLENGES

Anyone who feared in 1997 that the program would not meet its primary goal of preserving land was soon proved wrong. Applications came in at a steady pace and continued until the designated program end in 2017.

Any challenges encountered came in the implementation of the program components and the need to continue to protect what has been preserved.

### Easement Language

The language and procedural aspects of the conservation easements have been refined over time, and the earliest conservation easements have been strengthened during the 20-year period. Some of the early easement models were drafted for land conservancies, not for governments, and had to be modified to reflect the difference. County government takes seriously its responsibility to the taxpayers who funded the preservation program, knowing that residents placed their trust in county officials to protect what was preserved. The county in every case has the right to enforce the easement, along with other easement holders, if for any reason it has been violated.

### Inspections and Monitoring

Part of the county responsibility includes making sure that the easement and the permanent preservation rules are being followed. The county does not own the land that has been preserved – it still belongs to a private landowner who has the maintenance and care responsibilities. But the county has the right to periodically check on the preserved lands to make sure no buildings have been built, or vegetation removed where it should be preserved. Farms are inspected to ensure that proper soil conservation plans are followed and that no ineligible building or land disturbance has occurred. This requires staff time by knowledgeable county employees who set up appointments with the landowner, visit the property, review the easement language, and examine the past and present property conditions.

Lacking from many of the municipal applications for natural areas preservation was an understanding of natural resource management. Conservancies accustomed to management of natural areas understand the issues of controlling invasive plants, stabilizing stream banks, woodland management, and protection from intrusions. A management plan became a requirement as part of the natural areas applications.

One of the lessons learned is the need for a “baseline report” showing the condition and features of the land preserved, especially for natural areas projects. The county now routinely requires baseline documentation for each project so that, when inspections occur at a later time, there is a record of what the conditions were at the time of preservation.

There have been a few instances where the property owner has encroached on land meant to be preserved or where unexpected uses of land have been discovered. The county then must determine how to handle these. Most property owners comply with the easement, but if they do not, it leads to challenges for enforcement.

## Changes in Ownership and Requests for Changes

The baseline documentation is especially important as ownership of preserved properties changes. There is a good market for preserved properties – farms and natural areas – and many properties have changed hands in the past 20 years. But new owners may not be familiar with the rules associated with the easement. Typically this arises when there is a request by a landowner to modify an easement to build a house in a location that is preserved and no building permitted. This does not occur often, but the county commissioners must address the requests when they are submitted, always honoring their promise to taxpayers that preservation is in perpetuity.

It will be important, as boards of commissioners change, to carry forward the promise of preservation that is embodied in the program and recorded documents.

### Using Open Space Funds for Improvements

The open space task forces provided clear guidelines limiting the use of open space funding for improvements. Yet there were requests to use the municipal open space allocations for building parks, playing fields, trails, parking areas, tot lots, skate parks, and so forth. The improvement funding modification allowed by the Phase II program was designed for communities – typically boroughs – that had no open space left to preserve or that had contacted owners of eligible open space and found them not to be interested in preservation. As the end of the program drew near, municipalities who had not used any or all of their municipal allocation came in with applications to spend the money on park improvements.

### Historic Preservation Component

The idea of allocating funding for historic preservation did not gain the traction it needed to result in any projects. Initial ideas were to use the \$1 million to do studies of historic areas and file paperwork for National Register of Historic Places designation. Using open space funding for costs not directly resulting in preservation seemed inconsistent with the program philosophy. The results needed to be visible and lasting.

*The County Commissioners, Robert Loughery, Charles Martin, and Diane Ellis-Marseglia, have made a commitment to continue the preservation of open space. The Agricultural Land Preservation Program will continue to operate as it has since 1988. With the strong and steady commitment by the current Board of County Commissioners, funding from the county will be made annually to preserve the farms seeking preservation. They have committed to continue the protection of critical areas of Bucks County by considering other unique and important preservation projects as they may be presented in the future.*

## WHAT MAKES BUCKS COUNTY'S PROGRAM UNIQUE

**Strong partnerships** — Bucks County has always fostered strong municipal partnerships and cost-sharing arrangements. This approach worked for open space. The program was set up to leverage other contributions, and it did, from local governments, citizens, charitable organizations, the Commonwealth, and the federal government. The soft costs of developing a plan and implementing open space projects came from local governments and not from county funds. (The single exception to this is that a municipality could use part of its allocation for open space preservation, up to \$10,000, to reimburse the cost of preparing an open space plan. Bucks did not do what its neighboring counties did, which was to give a grant of \$20,000 for plan preparation to each municipality in addition to preservation money.) Conservancies were effective in applying for state grants to get required matches.

**Municipal borrowing for open space** — The partnership approach resulted in municipal borrowing not seen in any of the other county programs. Municipalities have been fully engaged in open space on their own, and the county program provided a significant boost to what was already happening. Use of other techniques, such as transfer of development rights and farmland preservation developments, only helped to create a stronger program by employing all available preservation tools.

**Laws Changed** — The Commonwealth law changed on farmland preservation to allow Bucks County townships to participate in the

state farmland preservation program by contributing their own money to the state and county totals. This is the result of the preservation of None Such Farm, in Buckingham Township, where all three levels of government were needed to make the preservation option work.

In *Heritage Building Group v. Plumstead Township*, the Commonwealth Court denied Heritage's challenge to the Plumstead Township zoning ordinance by finding that farmland is not vacant land but is land being used for a viable and legitimate use. This clarification of farming as a primary use of land strengthened the Bucks County position on preservation of farmland.

**Focus on preserving land** — Open space programs in other counties built into their programs from the beginning the idea that money could be used for things other than preserving land: playground equipment, tree planting, streetscape improvements, rehabilitation of derelict buildings, and green infrastructure.

The guiding principle for Bucks County was that this was the time to preserve land, while we still can. We will always be able to put in playing fields later, but only if we have acted now to save the land.

**Preservation Network Established** — The network of committees and organizations that grew up around the open space program will continue. Many municipalities have formed open space preservation advisory committees. New groups, such as the Land Trust of Bucks County (formerly the Bedminster Land Conservancy), have formed and joined Heritage Conservancy and Natural Land Trust as ongoing advocates and stewards in conservation.

## WHAT'S NEXT? A COMMITMENT FOR THE FUTURE

There are immeasurable valuable results from the protection of open space: farm economy strengthened, tourism fostered, partnerships created, and environmental quality protected. The successes of the Bucks County Open Space Program can be quantified in the amount of land permanently preserved by county programs.

Agricultural land	17,054 acres
County Parkland	9,127 acres
Natural Areas	5,001 acres
Municipal Open Space	4,406 acres
Riverfront	12 acres
<b>TOTAL</b>	<b>35,600 acres</b>

This total is nearly 56 square miles of land protected in perpetuity, almost 10 percent of Bucks County's total land area. When the addition of land preserved by other levels of government, by individuals, and by townships and boroughs outside of the county program are added to this total, one-fifth of Bucks County's total land area has been preserved.

The program continues toward the conclusion of its 20-year term as applications submitted are reviewed and preservation projects completed. Bucks County will continue to monitor and be good stewards for the preserved farms and properties and will work with other conservation groups to ensure perpetual care and preservation of the thousands of acres of Bucks County that have been protected.

# OPEN SPACE TASK FORCE BOARDS

## MEMBERS OF THE FIRST

### OPEN SPACE TASK FORCE, 1995

Anthony Belfield  
Steven H. Benner  
Donald A. Borden  
Lynn T. Bush  
John Carson  
Honorable Joe Conti  
Leonard J. Crooke  
Robert F. Emery  
Edward "Ted" Evans, Chairman  
Scott I. Fegley  
Michael P. Fournier  
Joan Garb  
Dr. Vail P. Garvin-Unterberger  
Robert W. Gundlach  
Penrose Hallowell  
Darrin Hoffman  
David Knipe  
Linda Mead  
Honorable Anthony J. Melio  
Robert Moffett, Esq.  
Noble Smith  
Michele Smyser  
Honorable Katharine M. Watson  
Elaine Zettick

## MEMBERS OF THE SECOND

### OPEN SPACE TASK FORCE, 2007

Kenneth Beer  
Anthony Belfield, Chairman  
Peter Boor  
Susanne Curran  
Darren Eppley  
Jim Ewing  
Nicholas Forte  
Michael Fournier  
Frank Froio  
Frederick S. Groshens  
Susanne Hewitt  
Marilyn Jacobson  
Nancy Keenan  
George Kirakidi  
Jordan "Pete" Krauss  
Barbara Lyons  
Norman MacArthur  
Jane Magne  
Jeffrey Marshall  
Honorable William Hart Rufe III, Vice Chairman  
Michele Smyser  
James Walsh  
Honorable Katharine M. Watson  
William Wert

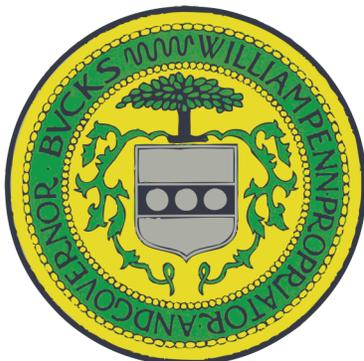
#### *Ex-officio County Staff Members:*

Lynn T. Bush, Executive Director  
Bucks County Planning Commission

Richard B. Harvey, Director  
Bucks County Agricultural Land Preservation Program

Kristine S. Kern, Coordinator  
Bucks County Open Space Program

William M. Mitchell, Director  
Bucks County Park and Recreation Department



# PROGRAM LEADERSHIP

## BUCKS COUNTY BOARD OF COMMISSIONERS

Six Bucks County Commissioners were in office during the 20-year open space program.  
Only Charley Martin was a commissioner during the entire program.

Charles H. Martin  
Michael G. Fitzpatrick, Esq.  
Sandra A. Miller  
James F. Cawley, Esq.  
Diane M. Ellis-Marseglia, LCSW  
Robert G. Loughery

## BUCKS COUNTY OPEN SPACE REVIEW BOARD MEMBERS 1997-2017

Det Ansinn	2011-2016
<b>Anthony Belfield, <i>Chairman</i></b>	1997-2017
George Dranginis	2008-2013
<b>Dr. Joshua Feldstein</b>	1997-2017
Michael Fournier	1997-1998
Frederick S. Groshens	2001-2010
Karen Helsel	1997-1999
Gard Holby, Esq.	2013-2017
Marilyn Jacobsen	2006-2017
James Jenkins	1999-2005
Charles Klein	1997-2006
Norman A. MacArthur	2011-2017
Donna McCloskey	1997-2006
Linda Mead	1997-2003
<b>Robert Moffett, Esq.</b>	1997-2017
Michael W. O'Neil	2014-2017
Honorable William Hart Rufe III	2000-2011
Shawn Touhill	2015-2016
Andrew L. Warren	2008-2009
<b>Robert Wharton</b>	1997-2017

Names in Bold served the entire 20-year Open Space Program period.

## OPEN SPACE COORDINATORS, 1997-2018

Michael P. Kane	1997-2001
Kent A. Baird	2001-2004
Lynn T. Bush (acting)	2004-2006
Kristine S. Kern	2006-2013
David P. Johnson	2013-2018
Richard B. Harvey	2018-Present

# 2018 Bucks County Preserved Farms and Open Space

- Agricultural Preservation Program
- County Parks & Open Space
- Natural Areas Program
- Municipal Open Space Program

