

Land Use Evaluation Study

January 1986

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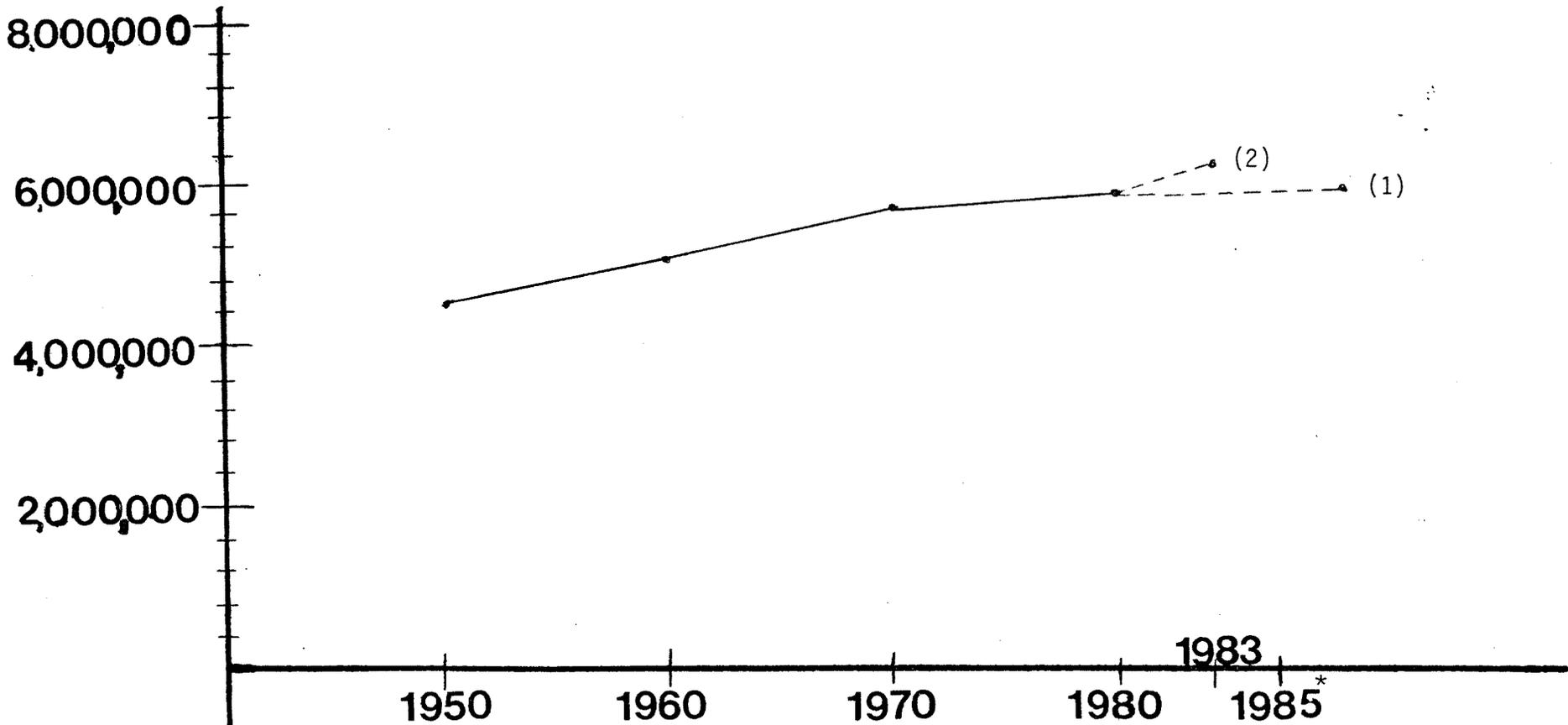
# **INTRODUCTION**

## INTRODUCTION

Characteristically, Wilbraham has been known as a rapidly growing bedroom community. In 1950, it had a population of 4,003, and because of the tendency for people to move out of the city, the population grew. It increased eighty-five percent from 1950-1960, sixty-two percent from 1960-1970, and then virtually stopped with an increase of one-half percent between 1970-1980.

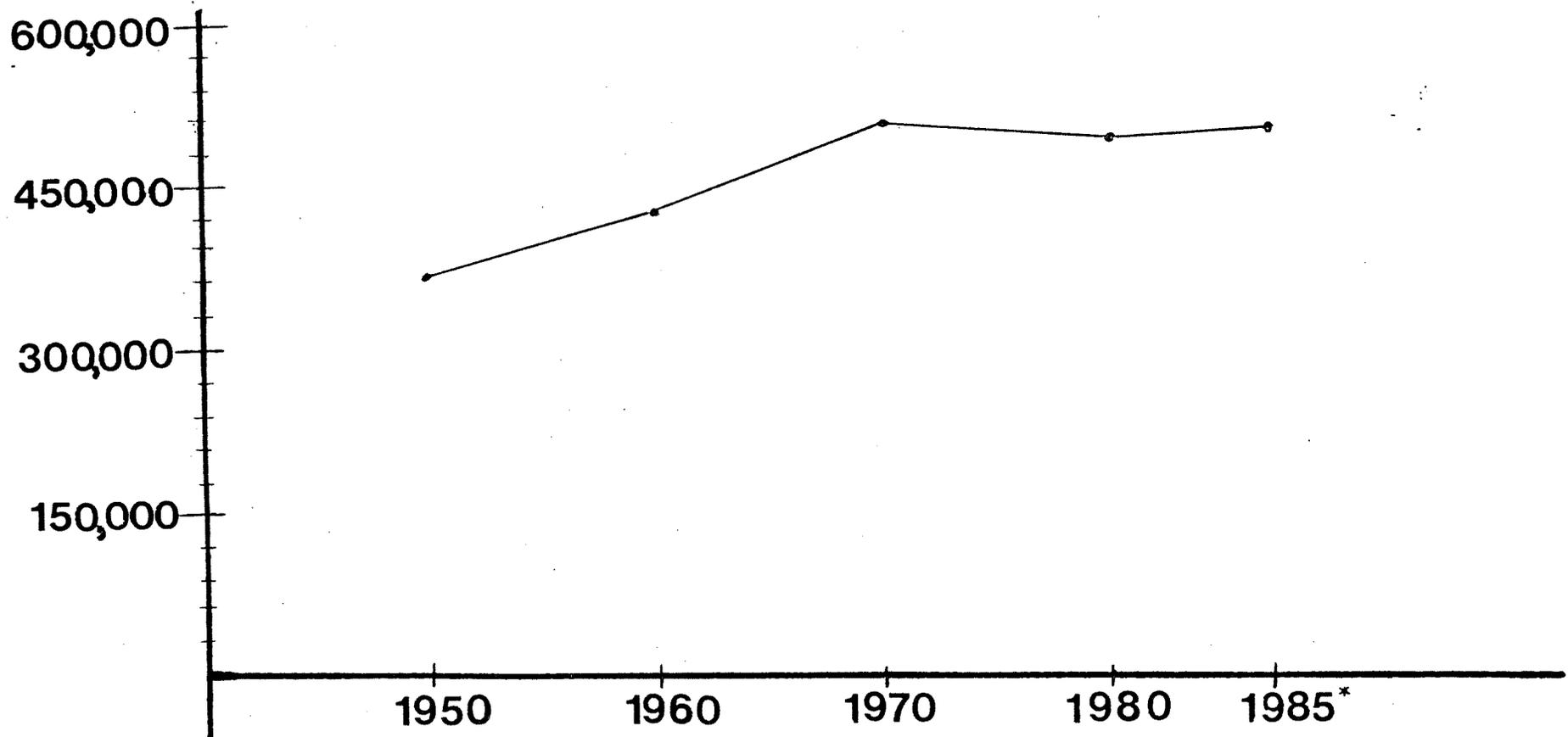
The percent growth rate between the Federal Census count of 1980 and the State Census of 1985 has not increased from the one-half percent and in fact decreased by .8%. There are, however, approximately 500 students that are not included in the population of Wilbraham because they attend schools outside of the Town. If they were to be included in the census, the Town would show an actual increase of 3.6% between the years of 1980-1985.

# Population of Massachusetts



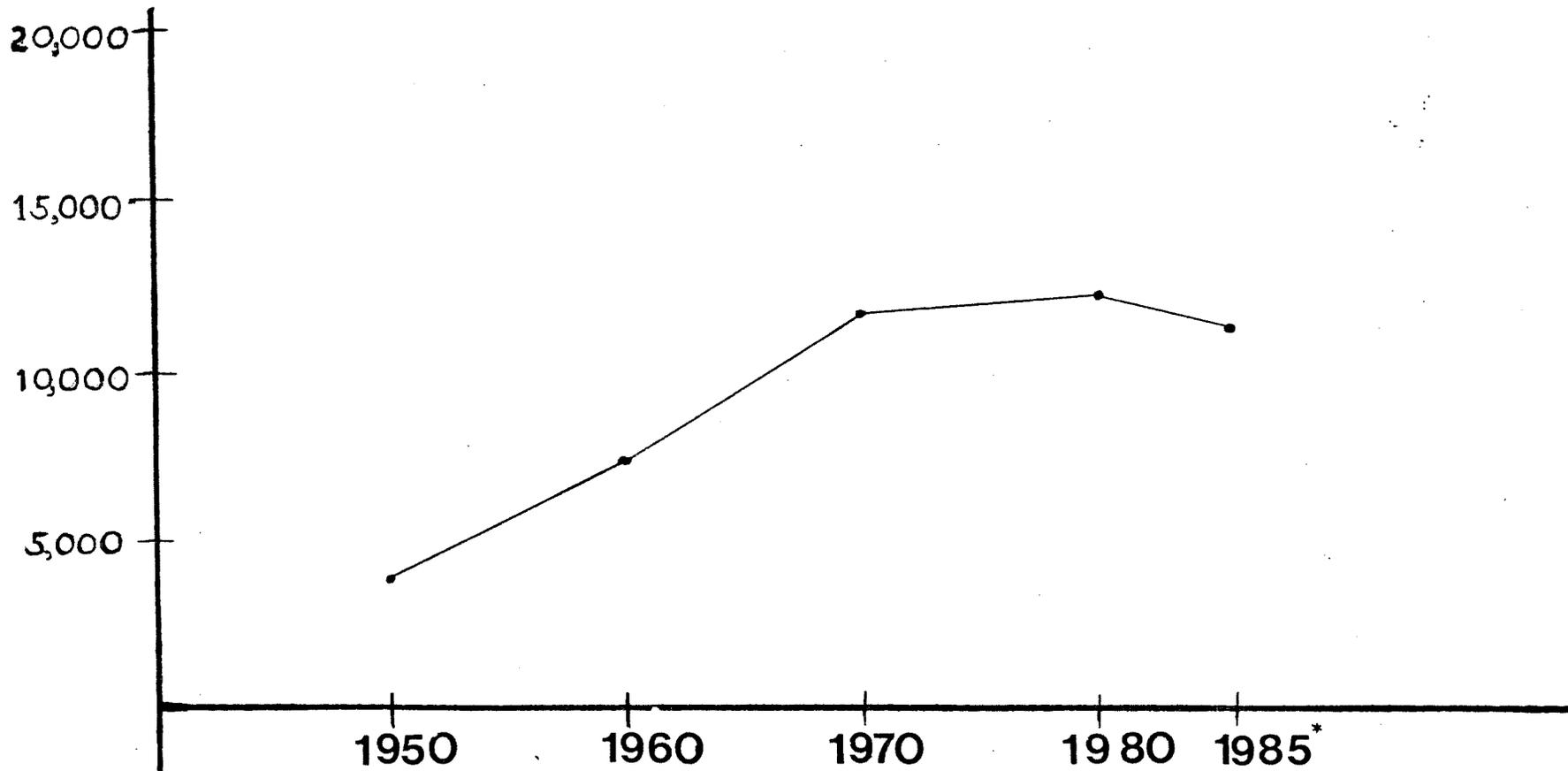
\*No actual count was available, therefore the two figures given are estimates from:  
(1) The State Department of Public Health (conservative estimate),  
(2) The State Census Department (estimates until 1983)

# Population of Hampden County



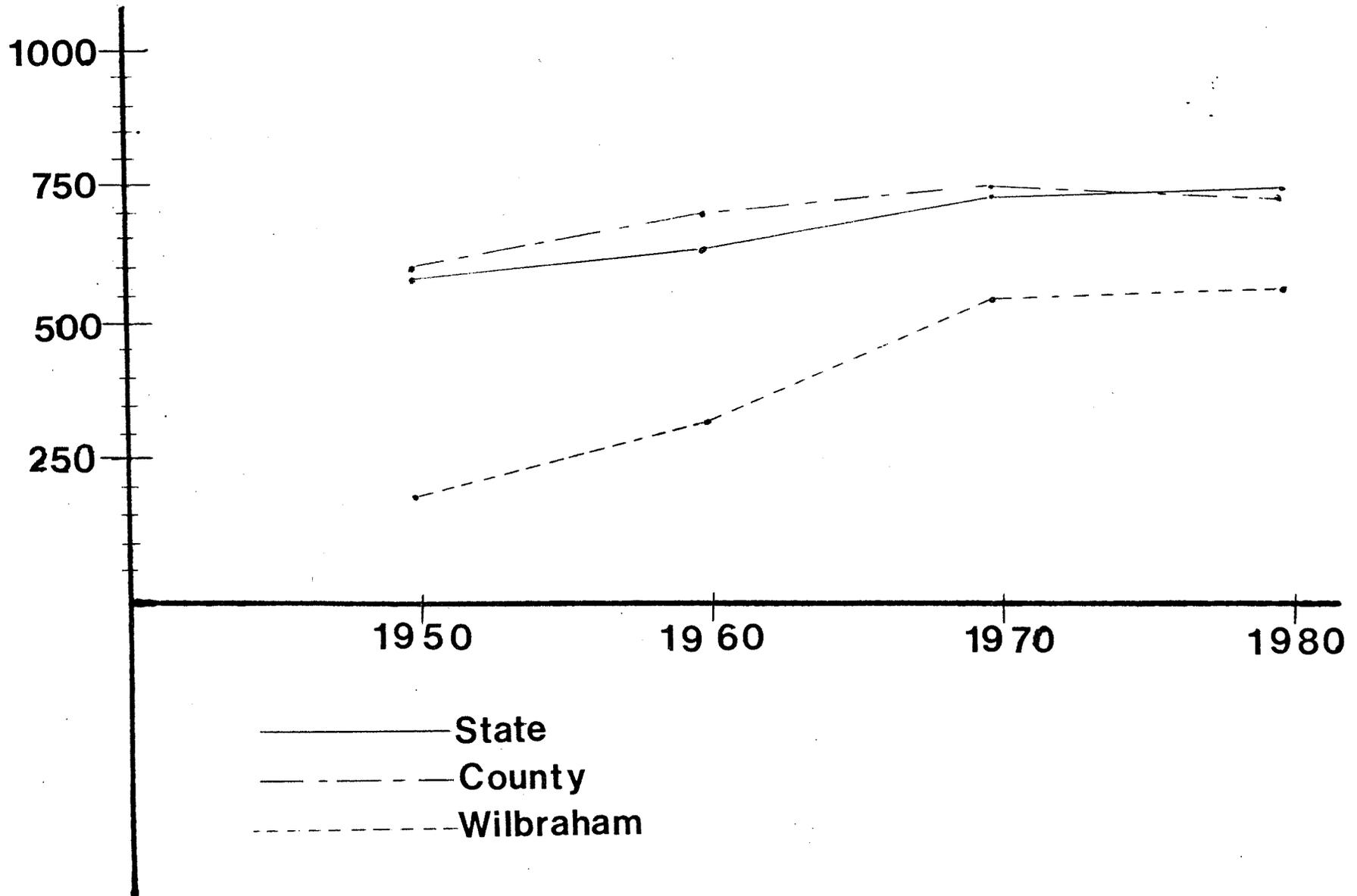
\*Projected Count : 1984 BASE DATA REPORT, PVPC.

# Population of Wilbraham



\*Because approximately 500 students left Wilbraham for college, they could not be included in the State Census count and the population appeared to decrease.

# Population Density /mi<sup>2</sup>

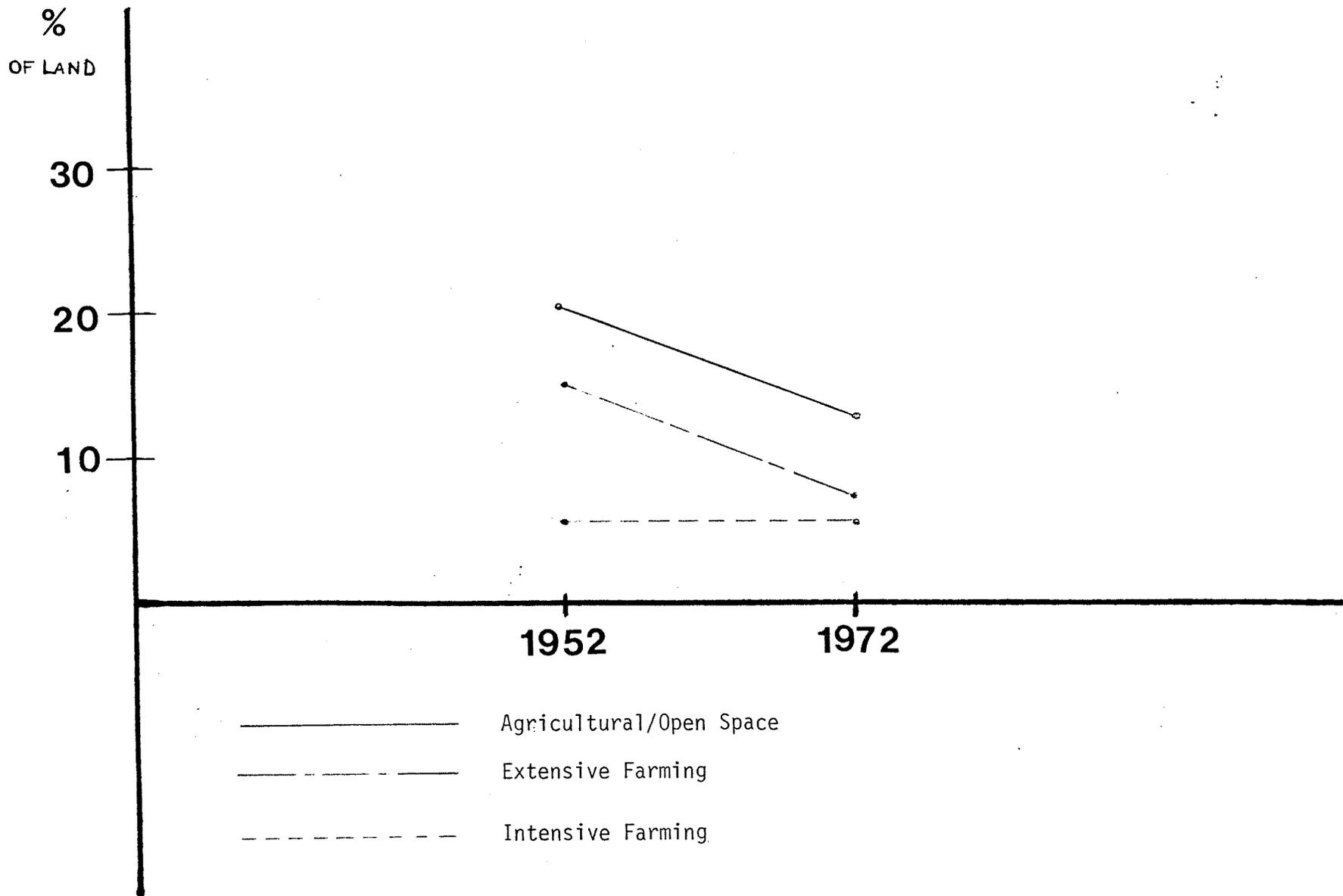


The increase in population stimulated the construction of large, single family homes on large parcels of land. There was little or no development of small or moderately priced homes within the thirty year period.

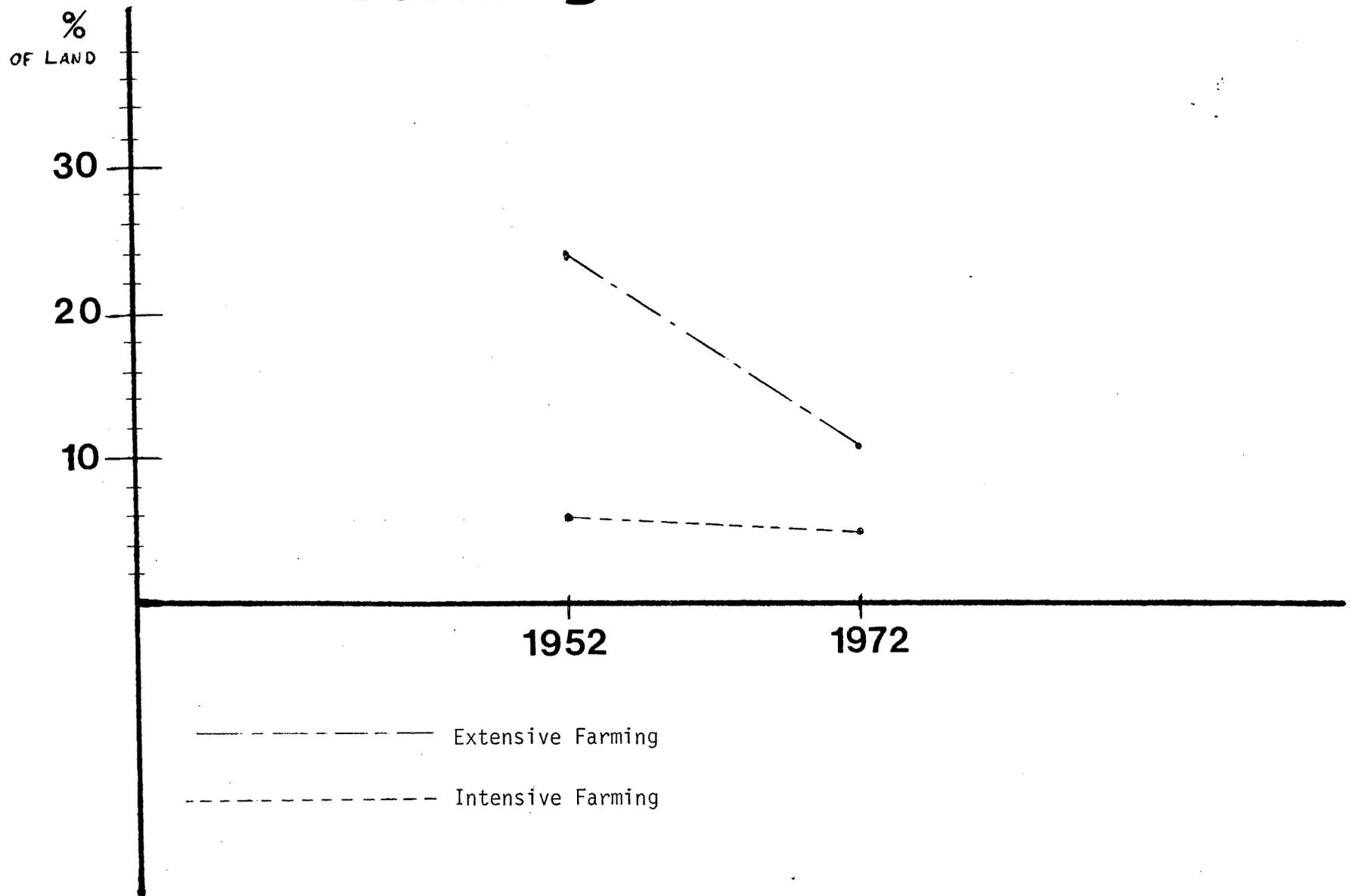
At present, land in the Town is being sold to developers and open space is becoming scarcer. Farmland, the most valuable land is being bought and cleared for subdivisions.

Because of development, existing farmland has decreased over one-half since 1950. This has resulted in a loss of food and fiber production capacity, scenic vistas, valuable wildlife habitat, and educational opportunity for the urban child.1

# Farming in Hampden County



# Farming in Wilbraham



The development of open space has resulted in a lower amount of quality land for residents to enjoy.

Quality land, that which does not include wetlands, is now hard to find. With the recent burst of growth, consideration must be given to protecting aquifer recharge areas, wetlands, and other valuable water supplies.

Land that can be used for parks and recreation and conservation areas should be purchased by the Town. Purchases should be made by the Conservation Commission, the Recreation Department or a Land Trust Fund.

In the past, land acquired by the Conservation Commission has tended to be wetlands or land in areas of the Town that is not easily accessible to all.

Land given to the Town through Cluster Zoning has tended to be undevelopable and/or wetlands.

Cluster Zoning uses "special permits authorizing cluster development and, that open land for cluster development shall be conveyed to the city or town and accepted by it for park and open space use, or be conveyed to a nonprofit organization, the principal purpose of which is the conservation of open space, or be conveyed to a corporation or trust owned by the owners of lots or residential units within the land.<sup>2</sup>

Any commission that accepts land should be sure that the land is suited to general public use (such as bordering on town land) or sensitive natural areas. Provisions for access should be included in deeds to the accepting commission.<sup>3</sup>

This report gives a listing of all Town-owned properties, a chronological chart of when the land was accepted or bought by the town, evaluations of the land, recommendations for the land and also suggestions for future acquisitions of land.

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# **STATISTICS**

## STATISTICS

## Town of Milbraham:

Population:	12,053	
Land Area:	22.21 sq.mi.	14,259 acres
Waterbodies:	253 acres	

Municipally Owned Property: 1,685.906 acres

## Breakdown of Town Property:

## Cluster Zoning:

Land given to the Town to remain as open space when a cluster housing subdivision was built,

166.552 ac.

## Local Schools:

Consists of seven buildings. The first three are presently being used as public schools, the next three buildings are presently being used as: the Senior Center; a Counseling Center; and a private grammar school. The seventh is the old school building which is now the Children's Museum.

138.670 ac.

## School Purposes:

Land to be used as school ballfields and for school functions.

89.220 ac.

## Regional School:

138.280 ac.

## Pumping Stations:

1.500 ac.

**Benevolent:**

Land used for non-profit organizations such as the Boy Scouts, the Grange, and the Masonic Building.

58.998 ac.

**Public Cemetery:**

9.900 ac.

**Civil Defense:**

.160 ac.

**Country Club:**

170.190 ac.

**Landfill:**

The present landfill is expected to last until the year 2000 because it was converted into a brush dump.

21.120 ac.

**Municipal Land:**

Land designated for municipal purposes and/or classified as such. Refers to public land parcels under the jurisdiction of the Selectmen's Office.

119.130 ac.

**Parks:**

41.050 ac.

**Conservation Land:**

Public land parcels under the jurisdiction of the Conservation Commission.

855.888 ac.

## Departments:

This is property that is owned by individual departments within the Town.

Fire:	2.050 ac.
Highway/Water:	2.250 ac.
Historical Commission:	.513 ac.
Hosinig Authority:	13.167 ac.
Library:	6.540 ac.
Police:	.750 ac.
Sewer Treatment Plant:	24.400 ac.
Town Hall:	4.810 ac.
Water:	4.943 ac.
TOTAL:	59.432 ac.

## Commonwealth/State:

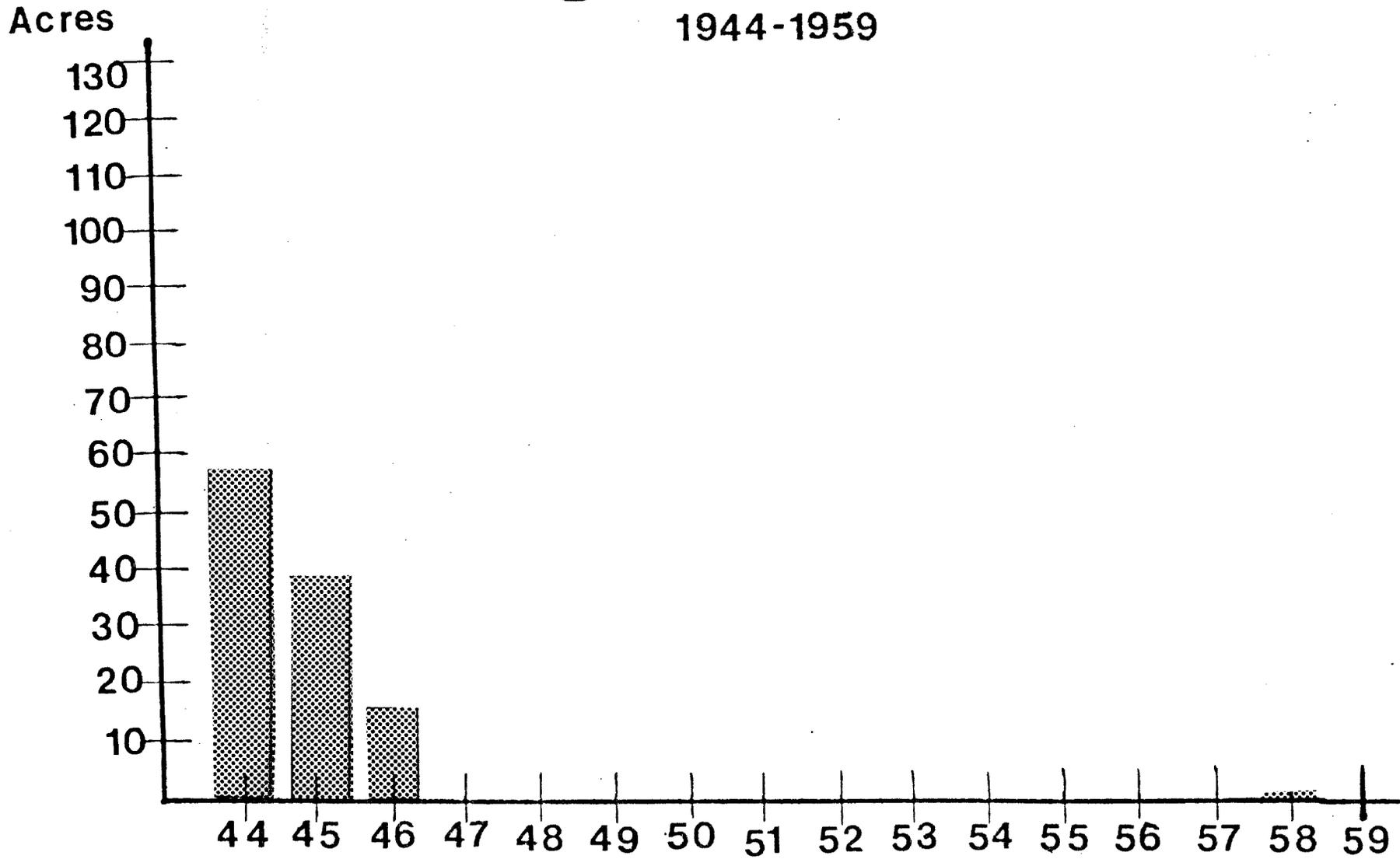
Includes the areas of the Mass Turnpike, land along the Chicopee River, the State Game Farm, and Nine Mile Pond.4

243.510 ac.

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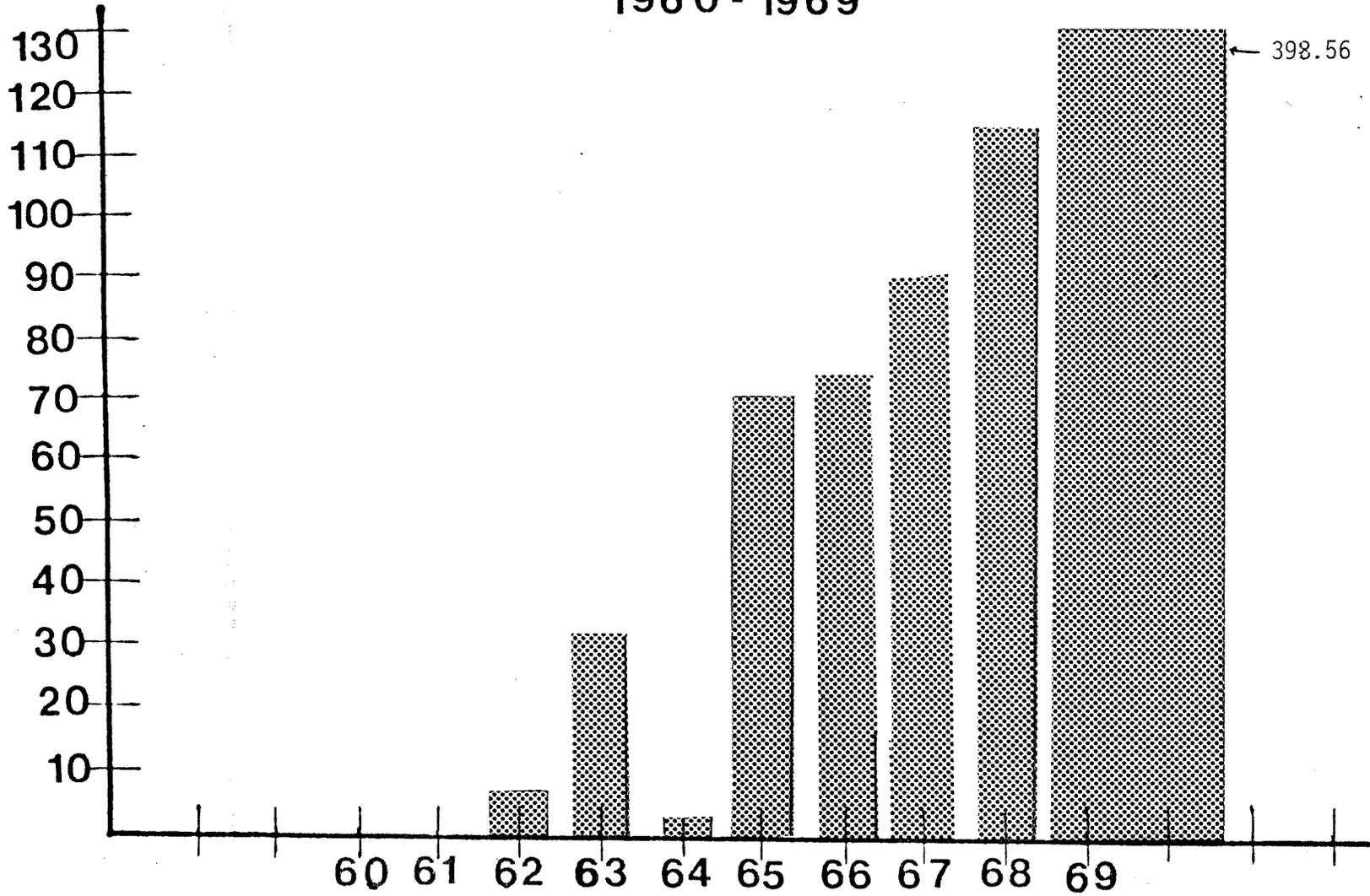
**CHRONOLOGICAL**  
**CHARTS of I AND**  
**ACQUISITION**

# Chronological Acquisition of Land 1944-1959

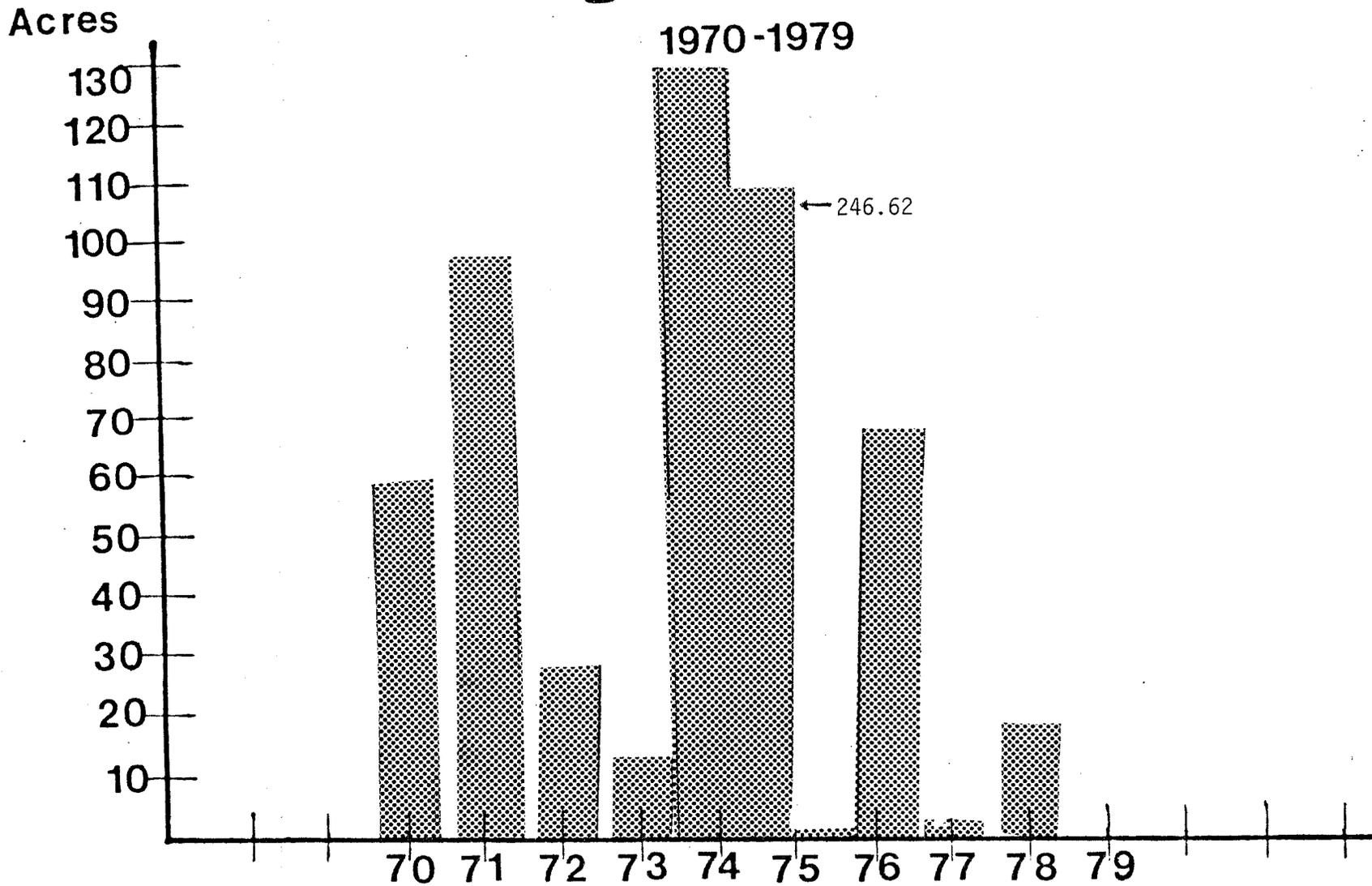


# Chronological Acquisition of Land 1960 - 1969

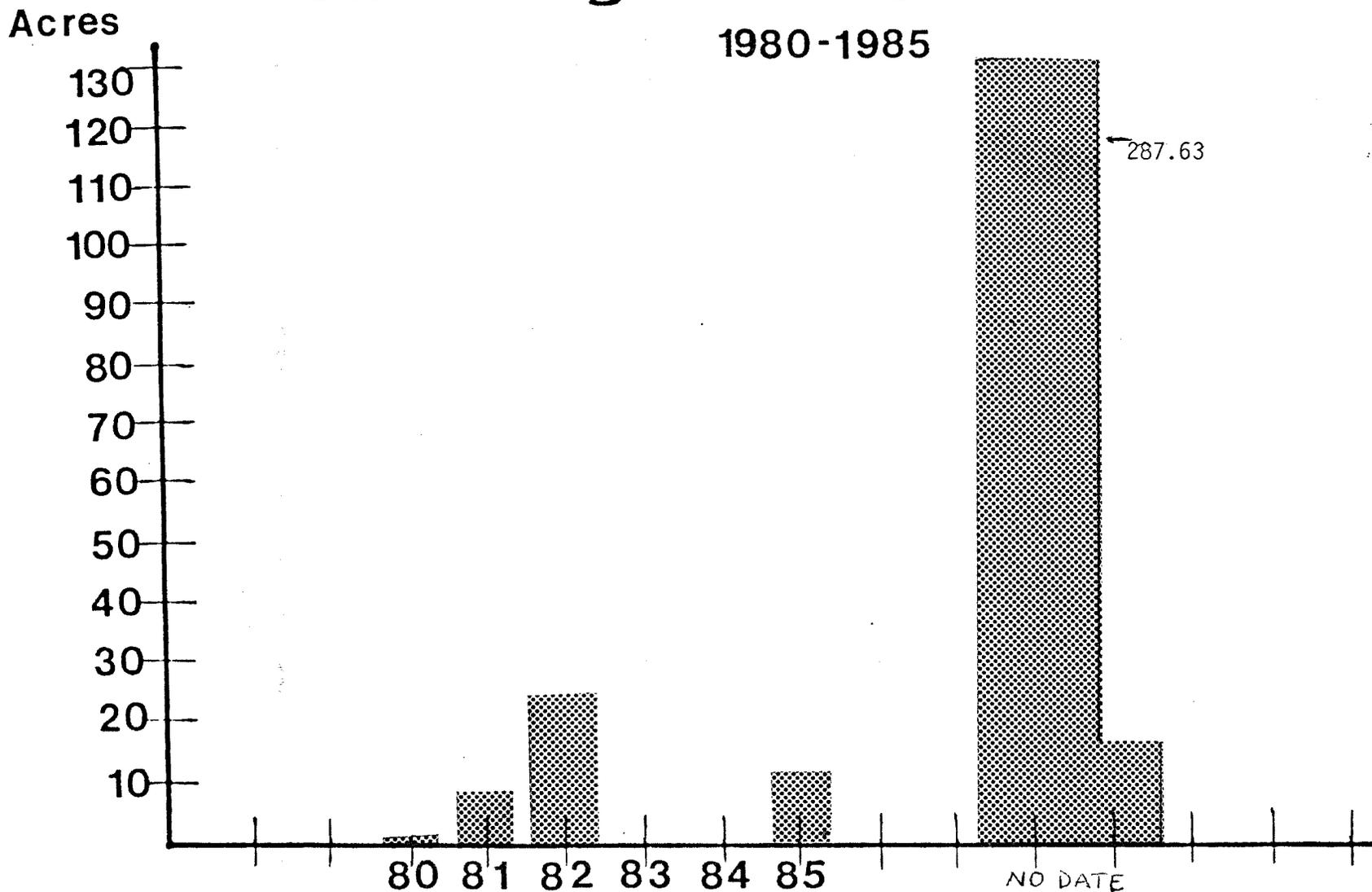
Acres



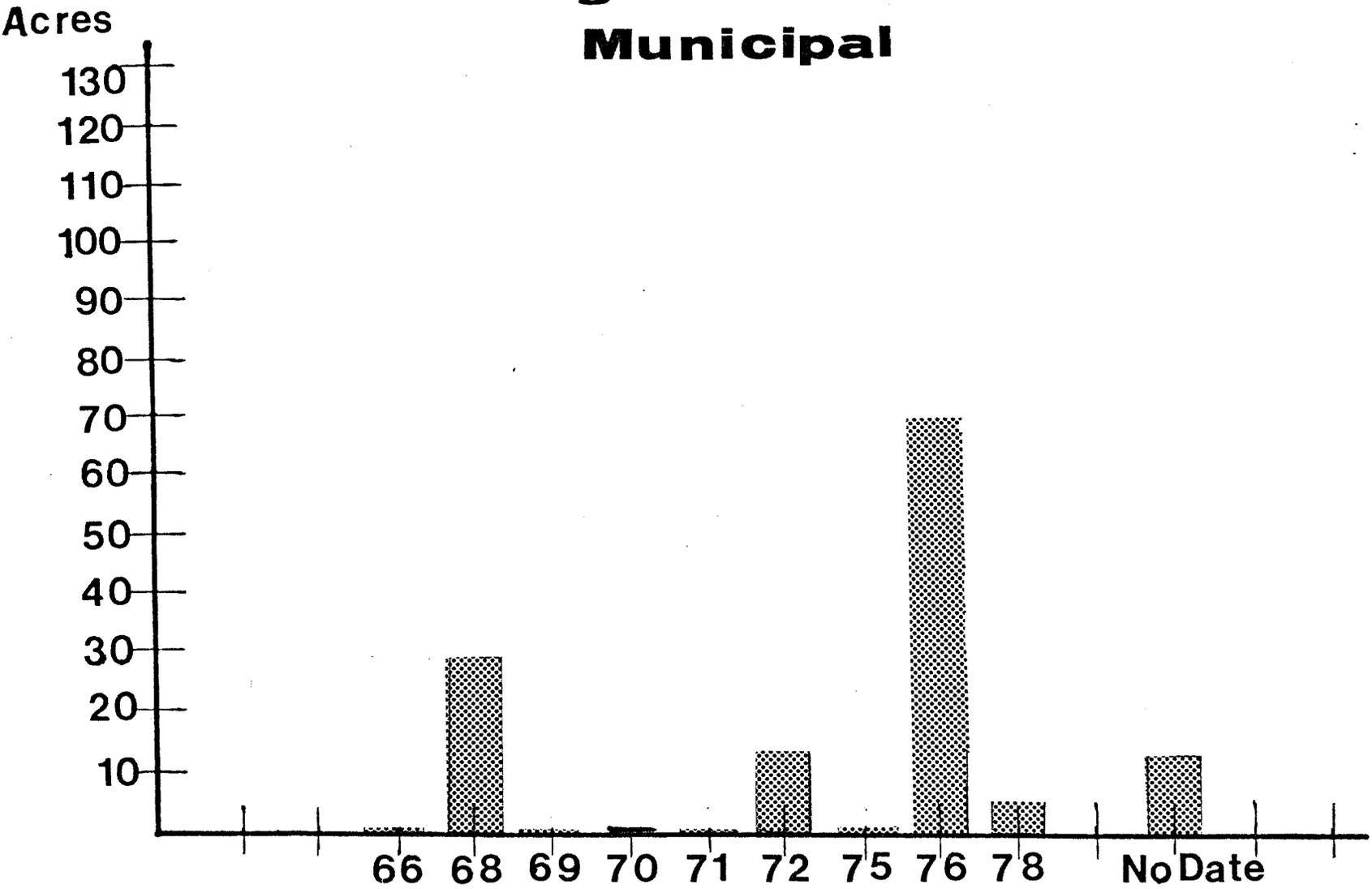
# Chronological Acquisition of Land



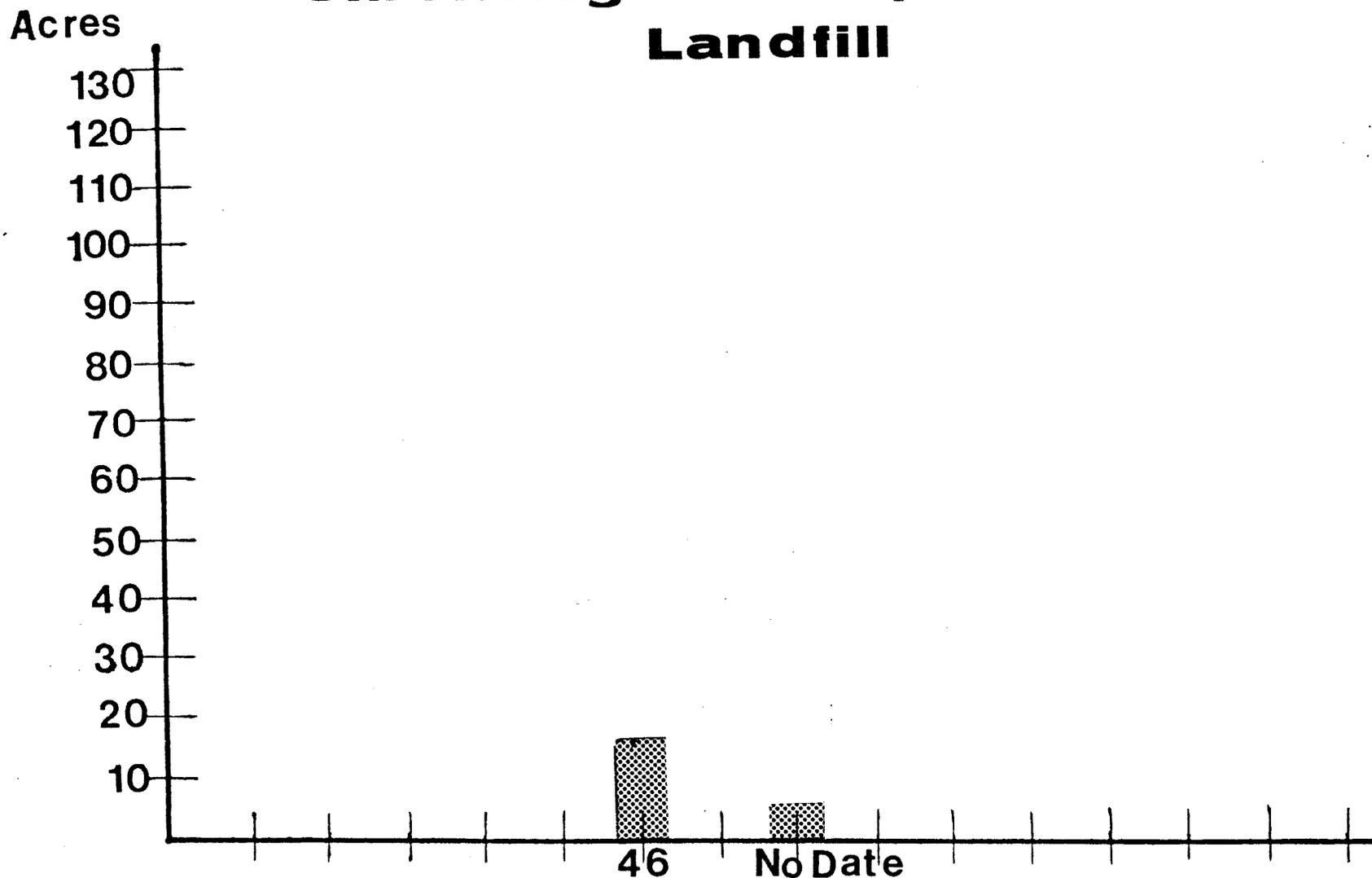
# Chronological Acquisition of Land



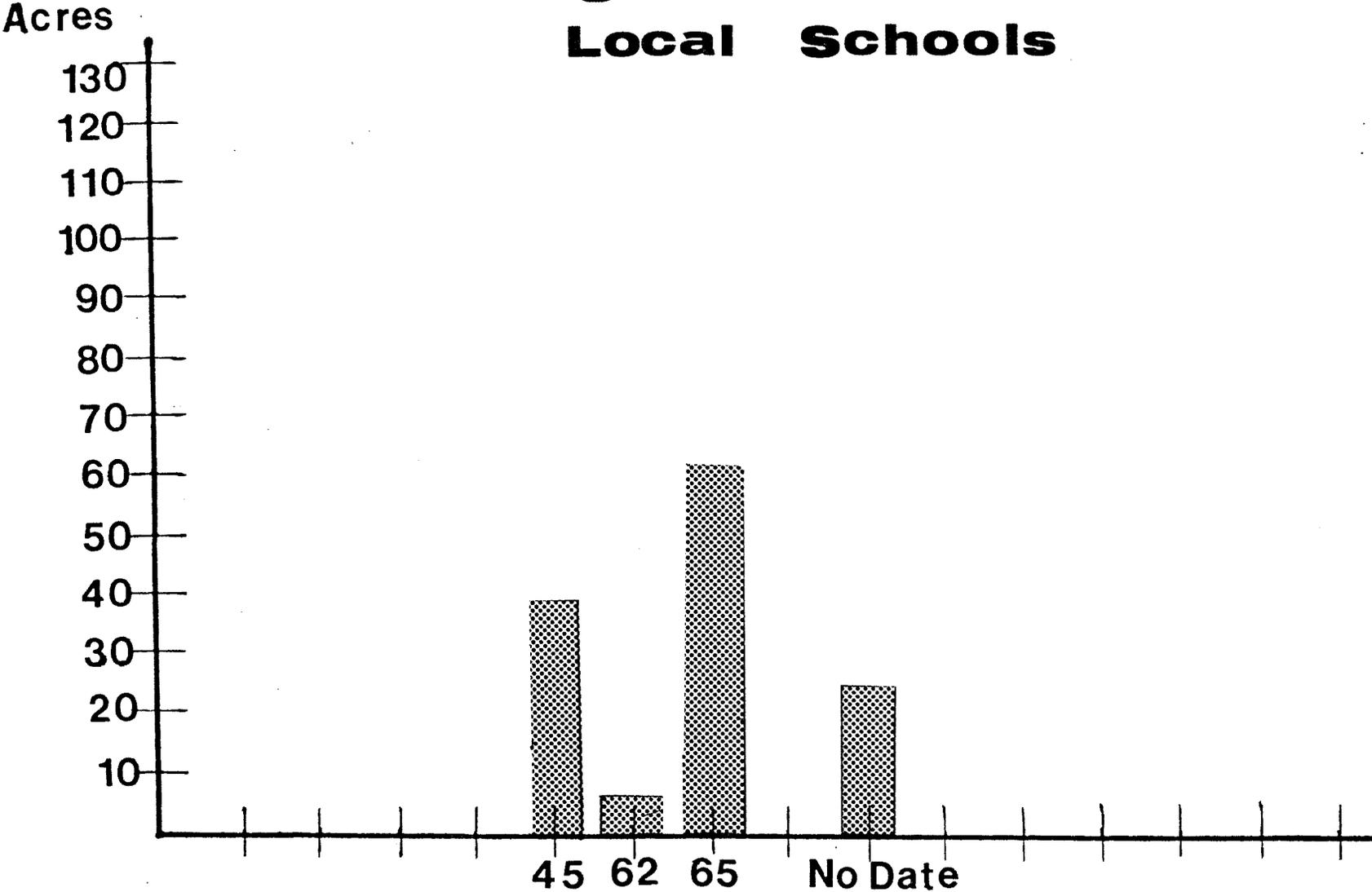
# Chronological Acquisition of Land Municipal



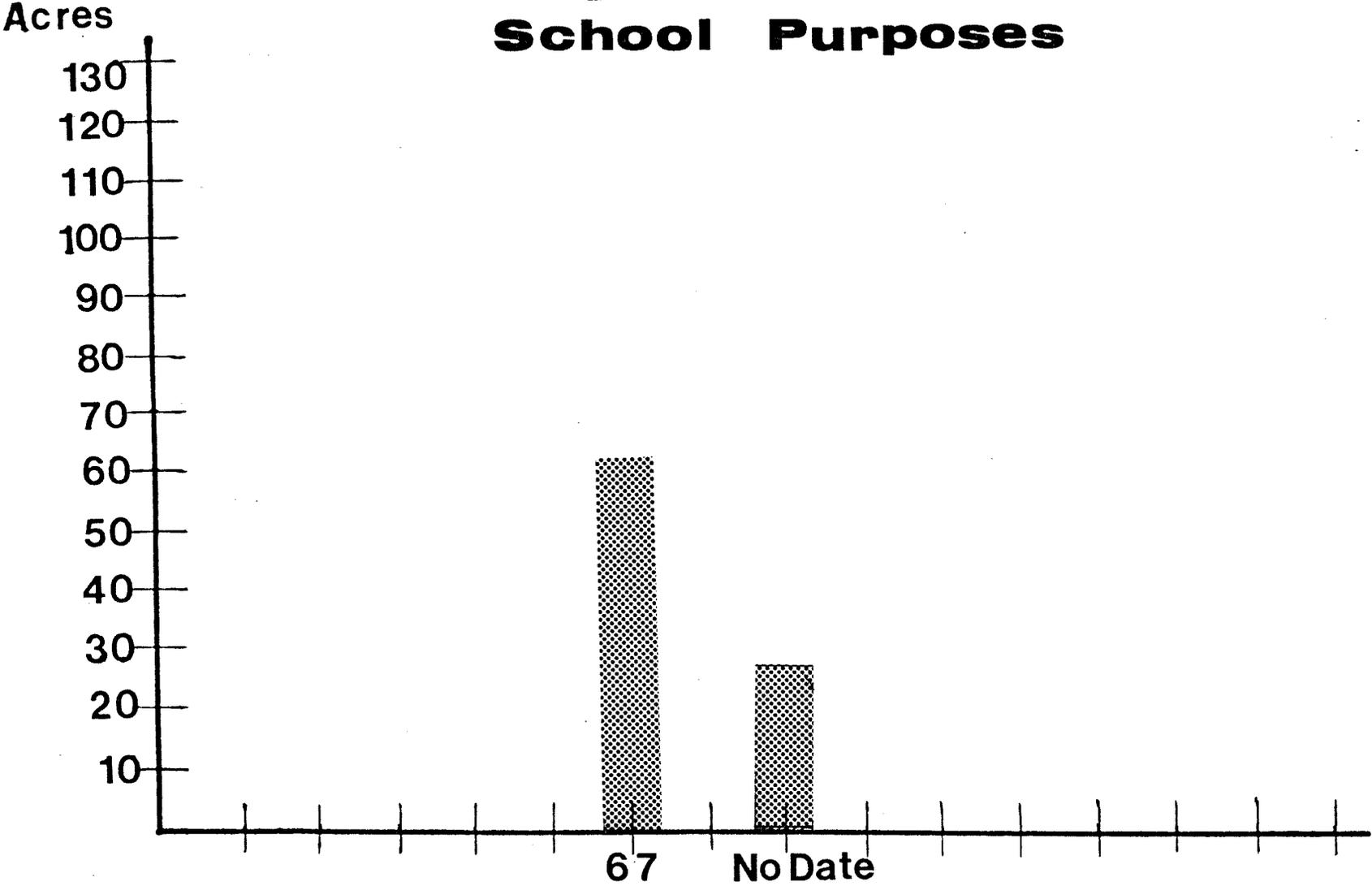
# Chronological Acquisition of Land Landfill



# Chronological Acquisition of Land Local Schools



# Chronological Acquisition of Land School Purposes



# Chronological Acquisition of Land Country Club

Acres

130

120

110

100

90

80

70

60

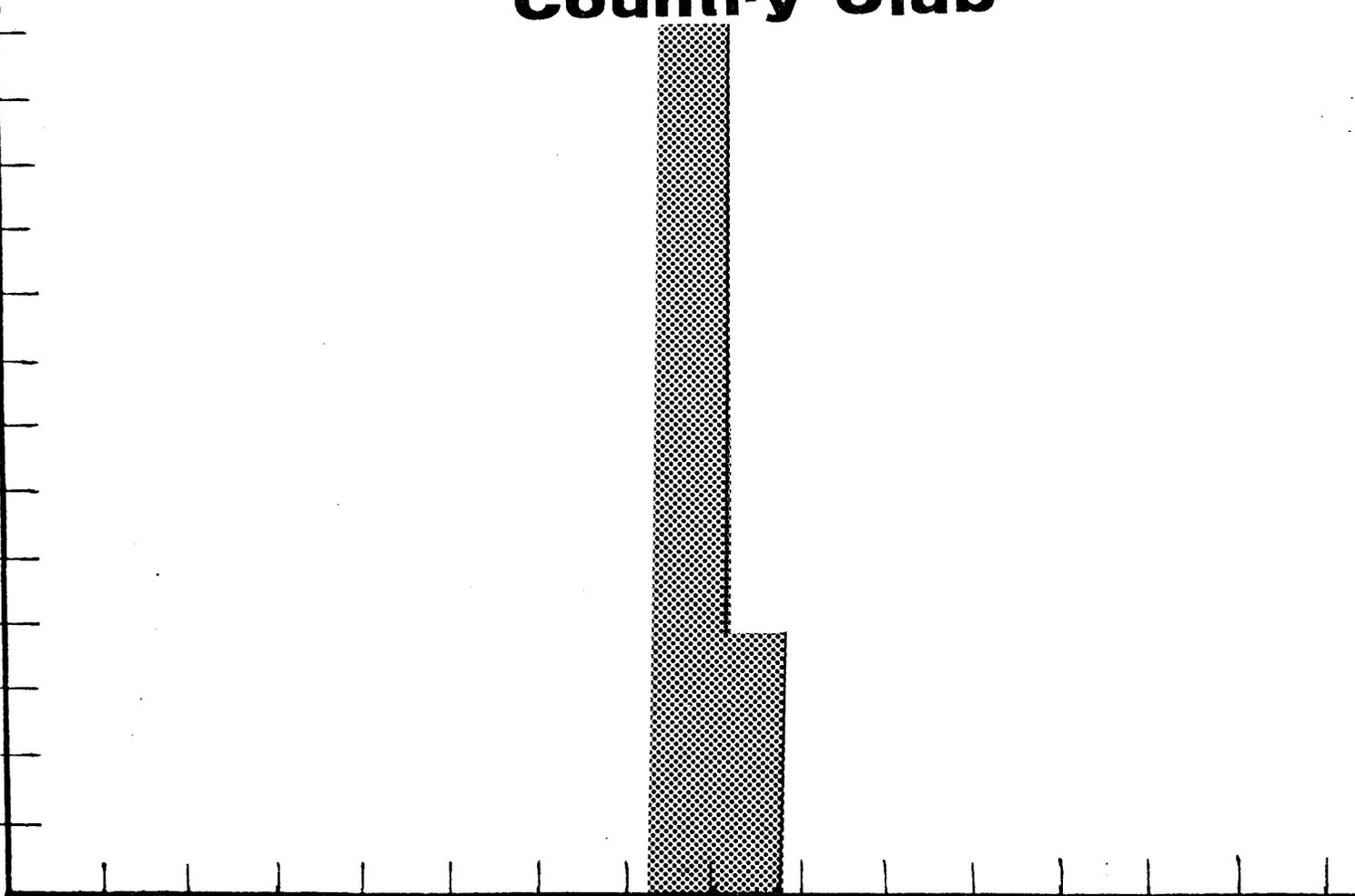
50

40

30

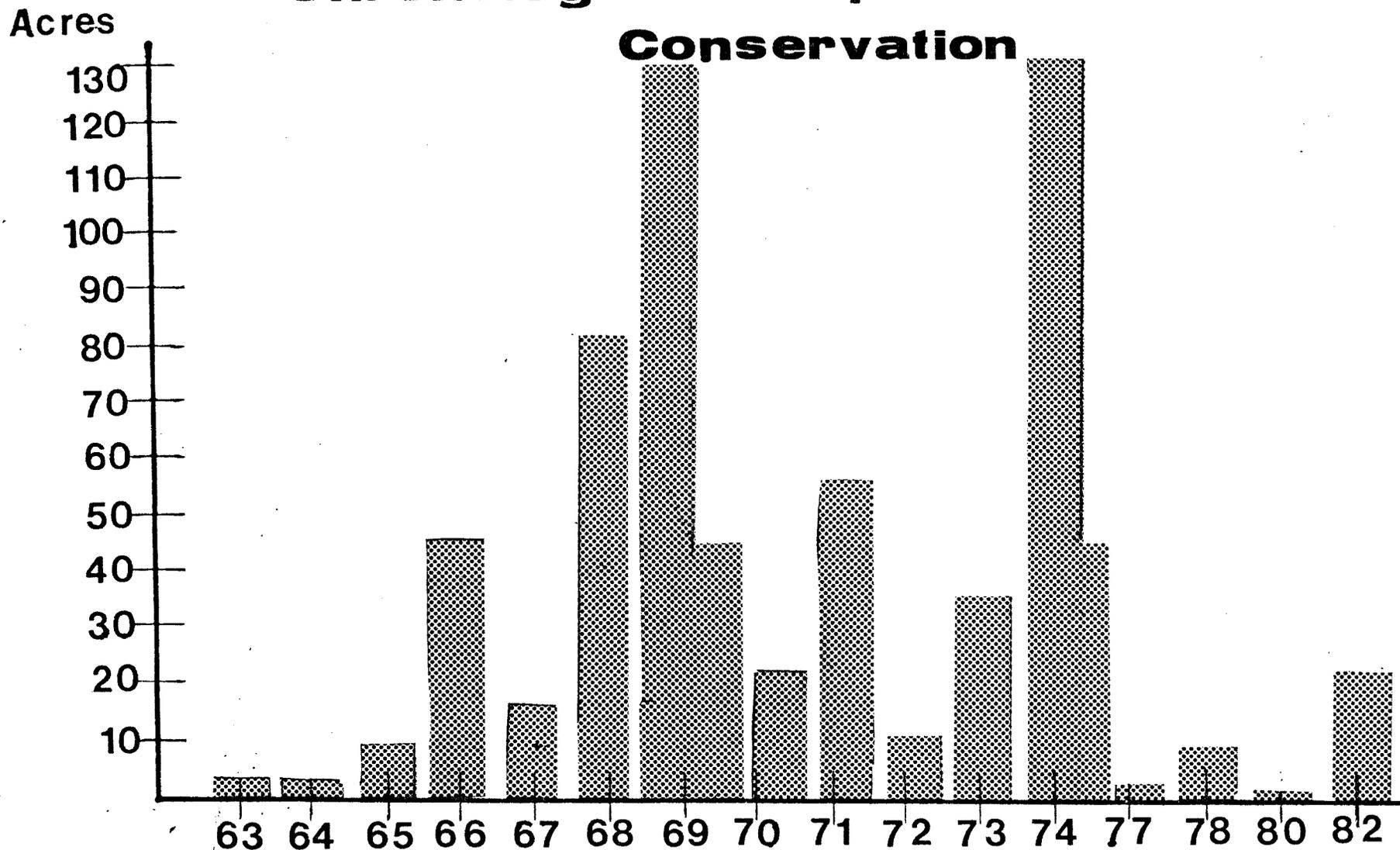
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10

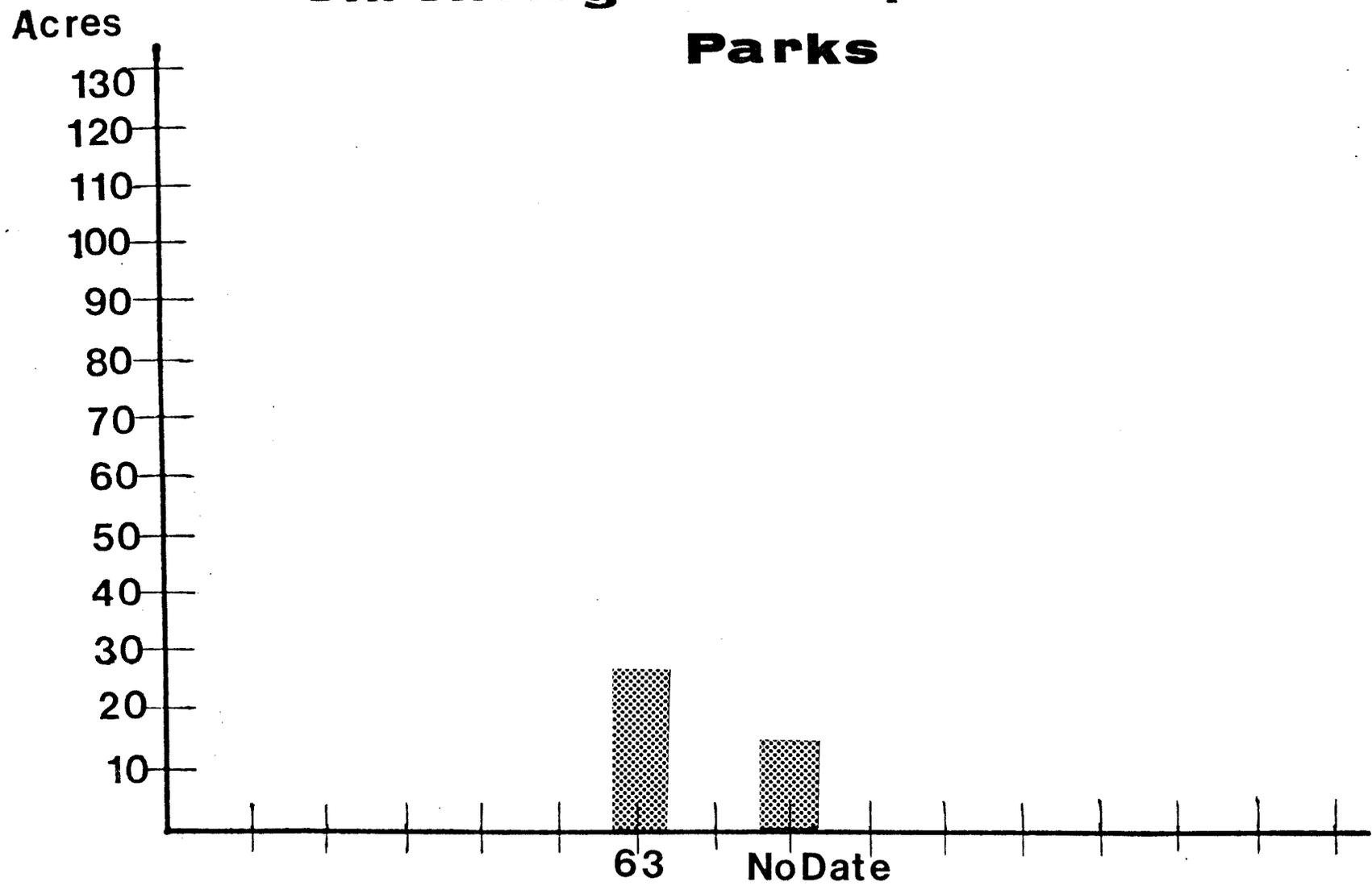


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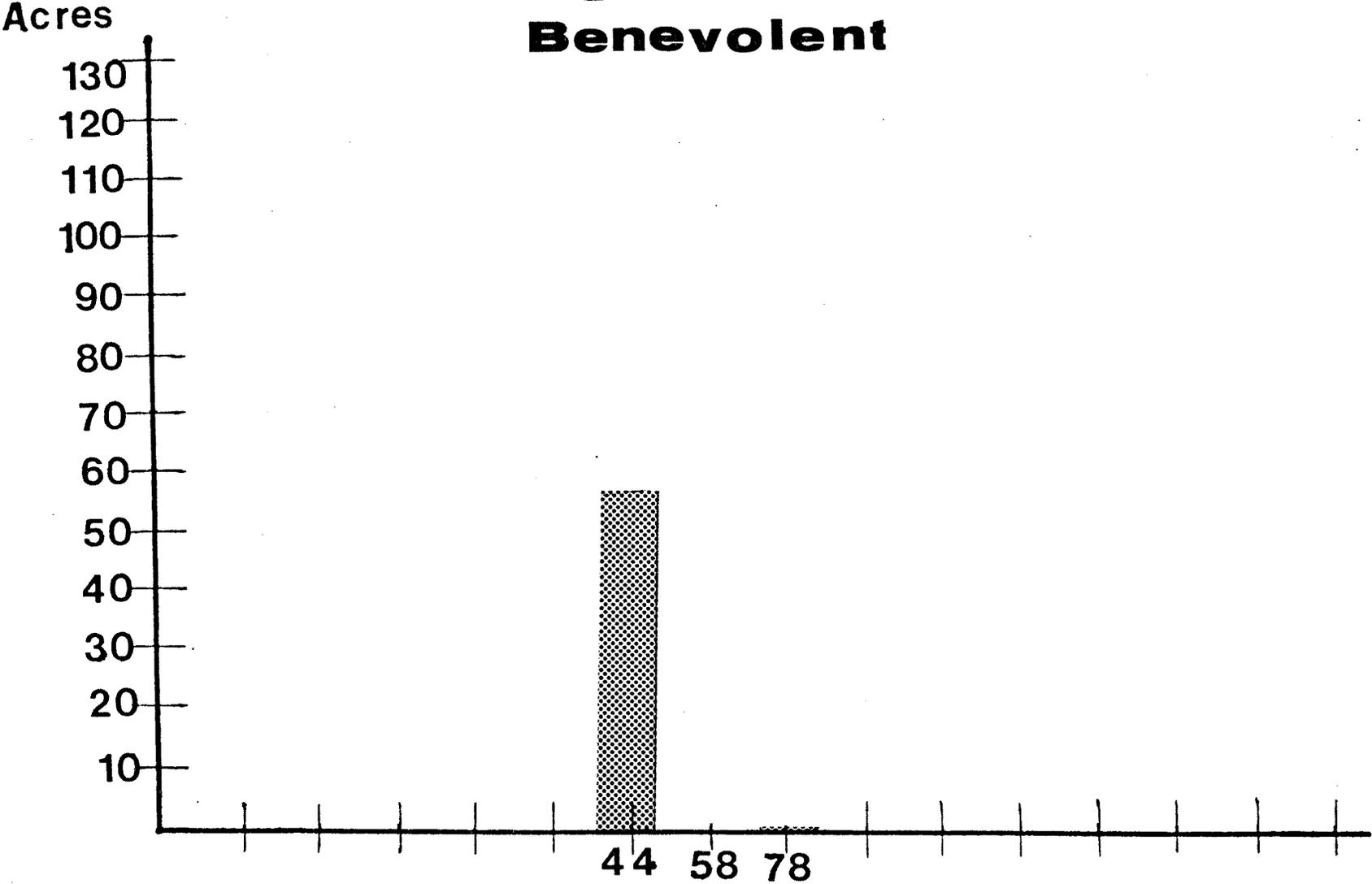
# Chronological Acquisition of Land Conservation



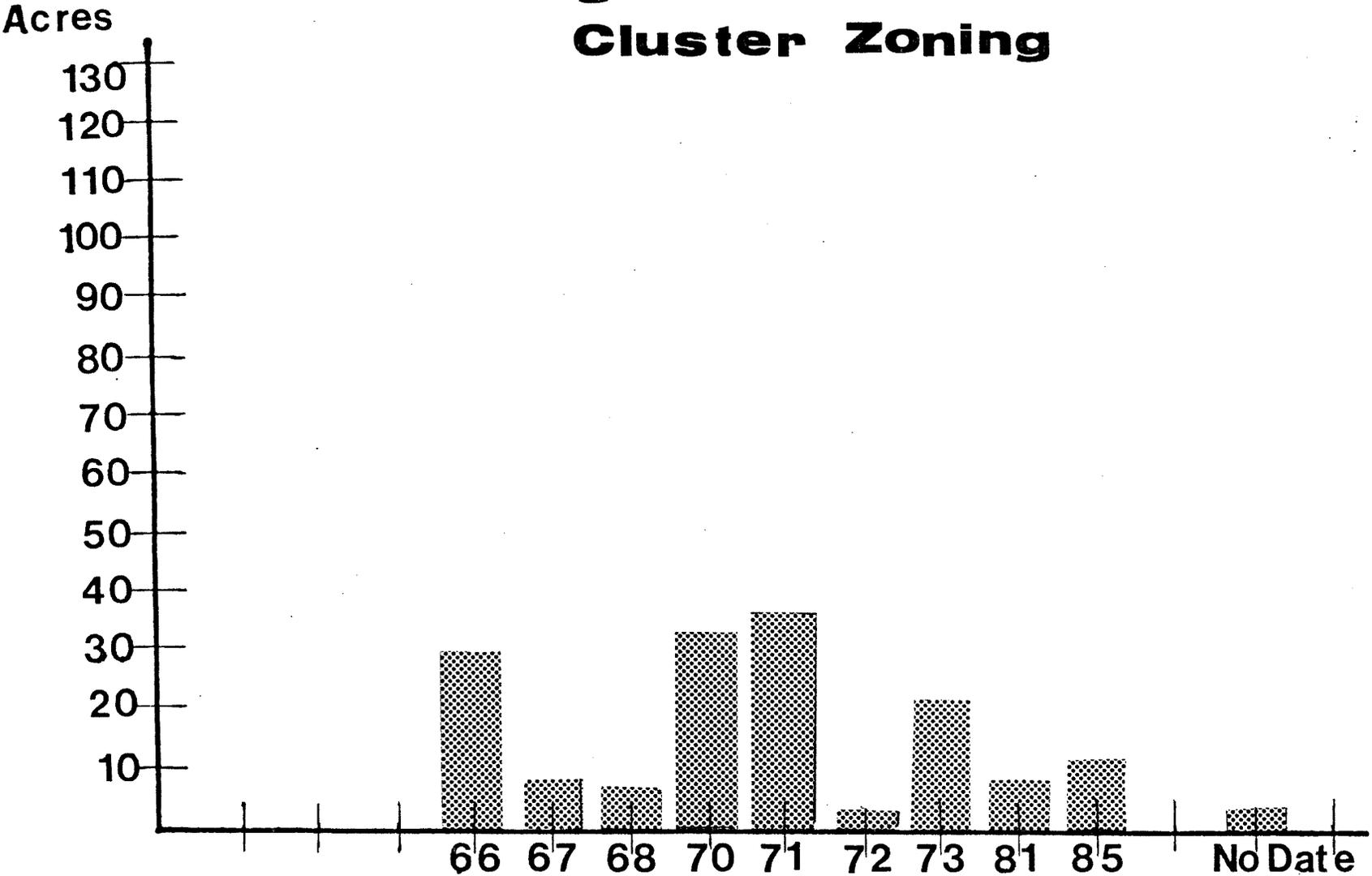
# Chronological Acquisition of Land Parks



# Chronological Acquisition of Land Benevolent

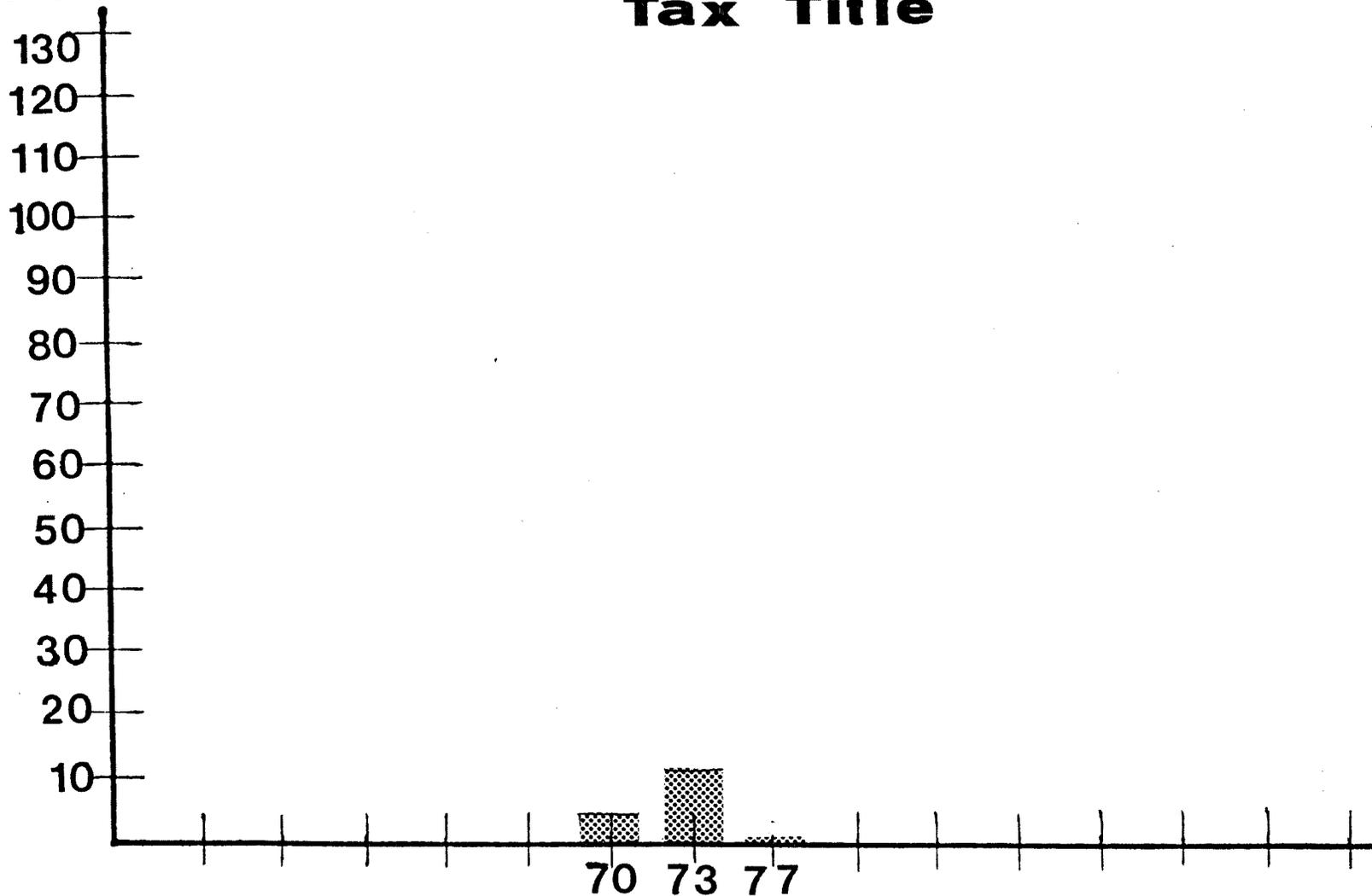


# Chronological Acquisition of Land Cluster Zoning



# Chronological Acquisition of Land Tax Title

Acres



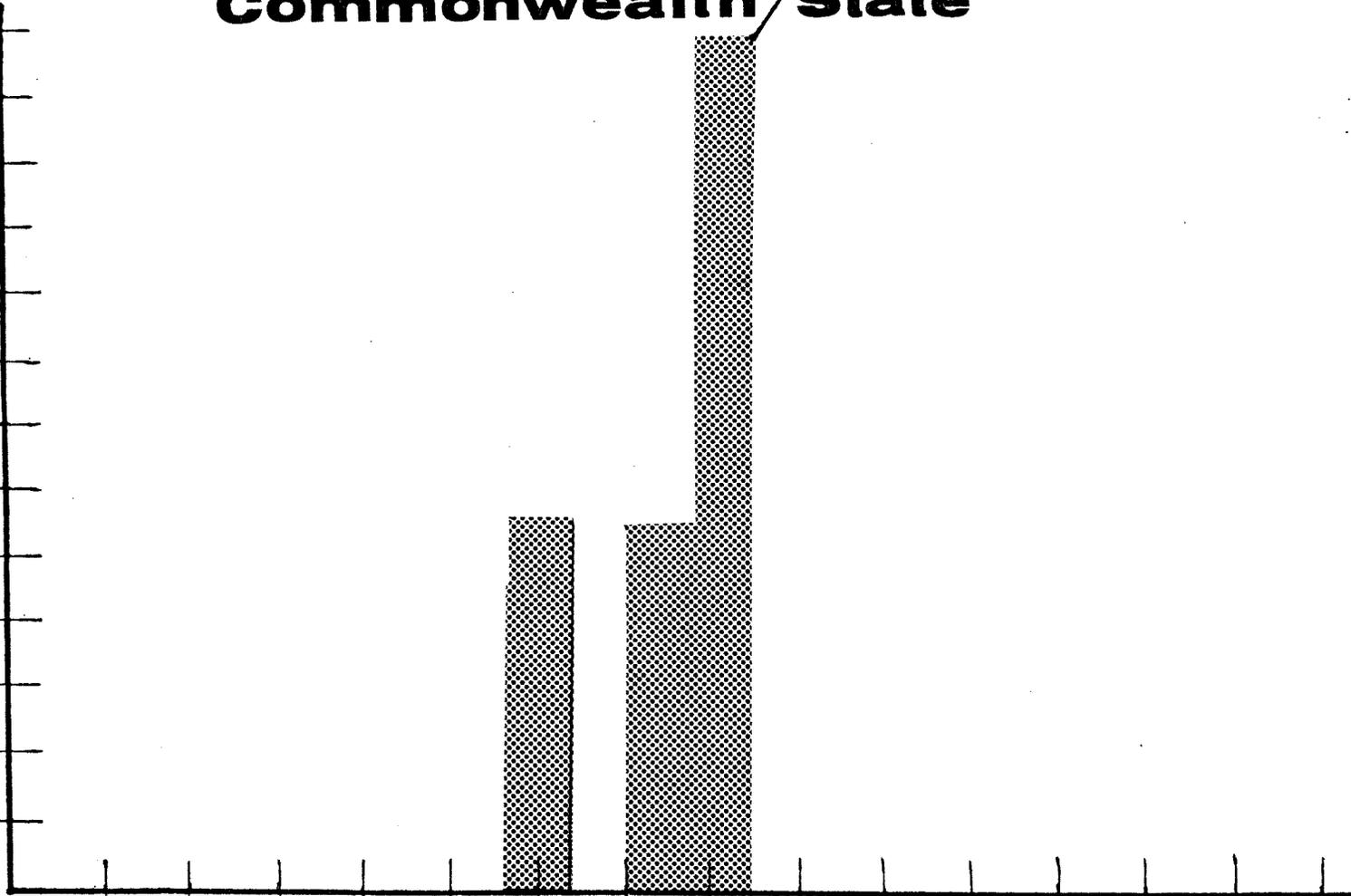
# Chronological Acquisition of Land Commonwealth/State

Acres

130  
120  
110  
100  
90  
80  
70  
60  
50  
40  
30  
20  
10

73

No Date



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**CURRENT QUALITY &**

**SITE REVIEWS OF**

**TOWN LAND**

## CURRENT QUALITY OF TOWN LAND\*

## CONSERVATION LAND:

## Positive

Collection points for drainage/runoff

Some have signs/sign holders

Few have paths/trails

Two have fire lanes

Some have signs:

"Name" of area

No Parking - Fire Lane

Motor Vehicles Prohibited on Conservation Land

\* Based upon site review of land between 10/01/1985 and 10/25/1985.

## CONSERVATION LAND:

## Negative

Excess of dead wood - fire hazard

Barbed wire fences aren't used - dangerous to children and animals

No fire roads

Not accessible

No signs

Fallen trees blocking access

Building materials dumped

Cement dumped along edges

Trash/partying materials dumped

People have infringed upon the land.

Fire lanes blocked

Grass/weeds from areas have grown into the street.

Piles of grass clippings and tree branches

Some culverts blocked

Boundries not marked

Rusted barrels left to rot

Dirt bike paths

Signs missing

Culvert drainage paths not clear.

No paths

Wood/timber has been cut from the land

## SITE REVIEW OF CONSERVATION LAND

CRANE HILL ROAD (Twelve Mile Brook) 10/25/85 - Entrances to the area are lined with stone walls. There is much dead wood. It appears to be a collectionpoint for runoff. Some of the trees are islanded. Outcrops of rocks abound. The high amount of dead wood could prove to be a fire hazard. There are no fire roads. The soils are dark. A stone wall runs throughout the center of the property. A barbed wire fence used to run along the stone walls but now is lying along the side of the road.

CRANE HILL ROAD (Mill Pond) 10/25/85 - North of school-owned property (the ballfields). The area is not in bad shape. It is a densely grown area and could prove hard to open up. Might be better to leave in a "natural" state, and possibly clean it up. There is a clearing where a sign formerly hung. Suggest a replacement for it. Area near the railroad has a steep drop-off and is now fenced; this should be maintained carefully.

THREE RIVERS ROAD (Tomokos) 10/25/85 - Lower piece. This piece has a fire road and a sign that says "Tomokos", but does not say that it is conservation property. The road is not accessible because two trees are down, blocking the road.

Upper area - Has a sign but does not appear to have an access road. The land seems to be in fairly good condition. There is however, no place for vehicles to park, if residents wished to take advantage of the area.

POWERS ROAD 10/25/85 - Old fence and building materials have been dumped here. Beer bottles and trash are all over and there are piles of grass and tree branches that have been dumped. There is a pile of cement that is approximately ten feet long and three feet high that was deposited there. Approximately thirty feet into the area is open water and trees are islanded.

APPLE HILL ROAD 10/25/85 - (odd numbered side) Brook flows through the property. People residing at 3 Apple Hill Road should be notified because it appears that they have infringed upon conservation land. From the maps, their property lines go straight back but when looking at the property, it seems that they have extended their property to the left.

HOLLOW ROAD/PEAK ROAD (Sunrise Peak) - Back area: Fire lane is blocked from the road with boulders and a few logs. Further in, two trees are down, blocking access to the fire lane. Conservation land is blocked from the road by a barbed wire fence. Overall, the land is nice, undisturbed property with many white birches. The boundaries are not clear.

Front area: This land is in the same condition as the rear of the land. There is one problem, a person would not know that this is indeed conservation land because there is not ant signs that mark the front area.

BENNETT ROAD/MONSON ROAD (Thayer Brook) 10/25/85 - Upper area: Heavily wooded and wet. Seems that many dead trees have fallen. Land overall does not appear to be abused. Culverts are clear. Lower area seems to be a ponding area.

Lower area: Open meadow. There are signs along the road that say "No Parking". Does not appear to be too disturbed of an area. It should have a sign. The weeds have started to grow along the side of the road/curbing.

TINKHAM ROAD 10/24/85 - People to the left of the property seem to have taken advantage of the land and have dumped leaves and grass onto the abutting side. Approximately thirty feet from the road, there is water. The trees are islanded. There is much dead wood that should be removed. The trees are surrounded by a thick/rich muck/soil that is approximately 1' - 1 1/2' deep. Would be nice area if it was cleared-up. Culvert at the right end is half blocked with rocks and debris. The right end seems to be a place for throwing trash from the road.

MAIN STREET (Bruuer Pond) 10/24/85 - Open water along Hunting Lane. Dead trees along the edge of the water should be removed. People along the back of the property should be informed that no dumping is allowed along the edges of conservation property. Boundries should be marked to protect the rights of abutters. Back pond should be dredged so that it connects to the front pond. Inlet stream bed should be cleaned out. Bridge leading to the bird house should be replaced because parts of it are rotting. Culvert leading to the East side is three-quarters blocked. Stream bed along the North side is blocked with debris and rocks. Branches are still down along the open area near Main Street.

WOODLAND/SOULE ROAD (Sawmill Pond) 10/24/85 - Woodland area is OK because it is a dead-end street. There are only two piles of leaves that have been deposited there. Only a few houses are on that street and they do not appear to be having an impact upon the land.

North side of Soule Road: Vehicle path leads into the area. There is an old rusted barrel to the right of the path. There appears to be a jeep or dirt bike path that leads into a "party" area near the center of the land. It has the potential for development into a nice passive recreational area. Along side of the road, near the entrance, there appears to be a place where a sign might have been.

LOWER MAIN STREET (Pesky Sarpent) 10/24/85 - Nice piece of land. The northern section is wooded. There is not a lot of underbrush. The property is bordered on the front side by a stone wall. It is extremely hard to gain access into the area. There are not many places available for parking. Houses bordering to the right do not seem to be taking advantage and dumping trash, etc. onto the land.

FOXHILL ROAD 10/11/85 - Pine branches have been dropped by the culvert. This area seems to serve as a catch basin because it is very low compared to the surrounding land. It is a red maple swamp, with alders and low bushes. The drainage path should be cleared.

PEASE STREET (Old Spring Hill) 10/11/85 - As you enter, there is a steep incline and a rusted trash can on the left. Paths lead throughout the area. There is a large outcrop of rock. Behind the outcrop, there are quite a few downed trees. There is some evidence that trees have been cut and removed (one foot high stumps). All things considered, it is a nice piece of property.

DELMORE AVENUE (White Cedar Swamp) 10/11/85 - Basically wet. People are throwing brush over the edge because there is a drop. This area is a red maple swamp. Sedge grass borders the edge, and it appears to be a catch basin. The ground water is now covered by a heavy layer of leaves.

DIPPING HOLE ROAD 10/09/85 - North section: Basically wetland in the form of a wet meadow, and a red maple swamp. Across the street there is a pile of boards and pine branches were left from the storm (Hurricane Gloria). The culvert is clear and leads into the wet meadow. Trees by the edge of the road are down. People have dumped sticks/brush and grass into the area. There is a thick brush cover.

STONY HILL ROAD (Hardwood Hill) 10/09/85 - Boundries are not clear along the road. There appears to be an electrical fence that runs horizontally into the area. Land is "spongy" and the trees are islanded.

## CURRENT QUALITY OF TOWN LAND\*

## CLUSTER ZONED LAND:

## Positive

Valuable wetlands

Pine forests

Clear open water

Resource areas

Discharge areas/catch basins

\*Based upon site review of land between 10/01/85 and 10/25/85.

## CLUSTER ZONED LAND:

## Negative

Boundries are not marked

Abutters tent to overtake

Current building areas have left "trash" there.

Branches and fallen trees are scattered around

Grass clippings were dumped

Some culverts are blocked

Bike paths

Some area have exposed or broken pipes

Trash has been dumped

Dead wood - fire traps

Leaves dumped

Remnants of hay bales have been left.

## SITE REVIEW OF CLUSTER ZONED LAND

WINTERBERRY 10/24/85 - Land should be marked off and abutters (lot #'s 13 & 15) should be notified that their lots do not connect. Land should be leveled and cleaned-up. There are piles of logs that have been placed there possibly due to the development of the land. "Trash" from the subdivision should be removed, the boundaries should be marked or flagged.

BRENTWOOD 10/24/85 - Person abutting to the left has cut the grass and was parking a car on the land. There was a lump of cement that was dumped there. The land leads into a stream therefore most of it is wet.

CAPTAIN ROAD 10/24/85 - (North side) Culvert is clear. There is a large area of open water. The trees are islanded. There are a few cement blocks that look as if they were boundary markers. Overall, the area is OK.

South side: Culvert is partially blocked. There is a sign that states: "ENJOY WHITE CEDAR SWAMP - WILBRAHAM CONSERVATION COMMISSION". This sign was misplaced. Underneath the sign there is an old rusted sink. Quite a few trees have been blown over and the roots are sticking out of the ground. Area is very wet.

BLACKSMITH/BELLOWS 10/09/85 - Culvert creates a streambed that was dry when the site was visited. It runs along the southeasterly side of the land, then it swings back across the rear of the property. To the left of the ditch there is a pine forest. From either natural deterioration or from the storm (Hurricane Gloria), there are many branches down, and fallen trees. Also there are many old boards, grass clippings tree cuttings and some trash that was deposited there.

BLACKSMITH TO DIPPING HOLE ROAD 10/09/85 - Culvert is half blocked by sediment. Various bushes and trees (wetland species) are growing. Definite evidence of trail bikes. There are grass clippings that were dumped and a few large sink holes. There are some nice spruce, then the area opens into a wet meadow.

MAPLEWOOD DRIVE: 10/09/85 - Grass has been dumped. An edging, approximately 6 feet wide has been cut and is being maintained as lawn along the side of the road. It joins the two pieces of land that abuts the Town's land.

PRIMROSE LANE 10/09/85 - There is an exposed pipe here that has approximately 3 feet eroded from underneath it. Approximately 10 feet of the pipe that is exposed. The end of the pipe appears to have broken off and should be removed or replaced. Abutters have eliminated the right-of-way into the area. It is seeded and being maintained as a lawn.

OLDWOOD 10/01/85 - Area is wet. The culvert that runs under the street is somewhat blocked by stumps which forces the water to collect and pool and then drain. Left of the area are pines and alders. The ground is covered by a heavy carpet of pine needles. There is a lot of dead wood.

End of the circle: Path leading into the area is lined with grass clippings and branches. The piles that are established are beginning to encroach upon the wetlands. The culvert is clear, but the area surrounding it contains beer bottles/cans and the area has the odor of a leach field. There is a clearing and it looks as if the area collects water. There is an old rusted trash can and an old "fort" also.

BONAIR TO DEEPWOOD 10/01/85 - This is a grassy right-of-way that is maintained but is blocked by boulders.

SOULE ROAD 10/01/85 North side: Trash and grass clippings have been dumped here. Trees are down and block access. Further in it appears to be wet.

South side: Land is wet. It acts as a collection basin. The culvert has had it's mouth separated from the end of the pipe. Otherwise the area is OK.

CENTERWOOD 10/01/85 - There are paths that lead throughout the area. They lead to the powerlines. All along the paths are grass clippings and branches. There is some trash also.

SOUTHWOOD 10/01/85 - There are some dumpings of grass clippings and tree branches. Otherwise, the area is OK.

PEARL DRIVE 10/01/85 - All wetland. Area appears to act as a catch basin for the runoff. Heavy litter of underbrush and dead trees.

LADD LANE 10/01/85 (Northwest) - It is an open field that has a line of trees approximately 100 feet behind the back line of the house lots. There is not any trash on it.

Northeast: -Good except for the initial 15-20 feet. There is some evidence of trash behind the house lots in the form of beer cans and papers.

TINKHAM GLENN 10/01/85 Northwest - There is a question as to the delineation of the lot lines. The house to the left appears to have started to use the land for storage of firewood. There is an orange tag on a tree along the side of the road, and it appears that people on both sides of the land have taken over part of it for their own property.

Southeast: Paths lead into the area. There are approximately 5 trees that were cut and are now lying there. The land looks OK.

STONY HILL ROAD 10/01/85 South end - Water is visible throughout, except behind the corner property and the front area along the road. The land is dry for approximately 125 feet.

OAKLAND STREET 10/01/85 - Pine forest. No trash has been dumped but it appears that people have been depositing raked leaves onto the property.

North side: There are remnants of haybales that have been left and should be removed. The stakes that formerly held the bales should be removed also.

## CURRENT QUALITY OF LAND\*

TAX TITLE LAND: Classified as such with the Assessor's Office, but it is not the correct terminology. The land should be titled "Land of Low Value". Land of low value is any land with an assessed value of \$5,000, or less. The amount of land presently recorded is subject to change because the classification amount has been changed to \$10,000 or less. This land is usually land that is not buildable and in order to be "gotten rid of " must go to public auction.

## POSITIVE

Preserves tree belt  
Water resource area  
Haven for different birds  
Few "No Dumping" signs  
Few have paths  
Fairly clean areas.

## NEGATIVE

Not buildable  
Tree and lawn cuttings have been dumped  
Trash has been dumped  
Heavily traveled paths.  
No clearly marked boundaries

\* Based upon site review of property between 10/01/85 and 10/25/85

## SITE REVIEW OF TAX TITLE LAND

BOSTON ROAD 10/24/85 - This piece of land is located between the railroad tracks and Boston Road. It should be held onto or bought by the Town as it preserves the tree belt. The slope is too steep for development.

GARY DRIVE 10/24/85 - People are using it as a dumping ground. Notifications should be sent out. The land is low and grassy.

BARTLETT AVENUE 10/24/85 - The edge near the street has had branches and trash dumped there. The other land consists of open water and the trees are islanded. People have dumped leaves there also.

OXFORD 10/11/85 (end of it) - When you first enter, it is low land that collects water. There is a small body of water near the back edge and it seemed that there was a crane(?) that flew out of the area. Otherwise the land seems to be fairly dry. There are many oaks, a few pine and maples. There are a few paths that lead around the area but they are not well-defined.

LAKE DRIVE 10/24/85 - The exact location of the property is not determinable because the majority of the land around it is not developed. If it is in the location that was looked at, it should be bought by the Conservation Commission as it abuts conservation land.

MOHAWK STREET 10/24/85 - This land is cut-off because Mohawk does not connect with Manchonis. There is a "No Dumping" sign that seems to be adhered to. Land is covered predominantly with oaks, maples and alders. There is a heavily traveled foot/bike path connecting Mohawk with Manchonis and there is relatively low damage off of the path.

LISTING OF TAX TITLE PROPERTY AS OF 1/31/86

167 East Longmeadow Road

636 Stony Hill Road

3	Hellenic Way	Lot #	46
4	Hellenic Way	Lot #	34
7	Hitchcock Road	Lot #	25
9	Hitchcock Road	Lot #	24
10	" " "	" #	26
11	" " "	" #	23
12	" " "	" #	27
13	" " "	" #	22
14	" " "	" #	28
15	" " "	" #	21
16	" " "	" #	29
17	" " "	" #	20
18	" " "	" #	30
19	" " "	" #	19
20	" " "	" #	31
22	" " "	" #	32
24	" " "	" #	33
26	" " "	" #	35
28	" " "	" #	36
30	" " "	" #	37
32	" " "	" #	38
34	" " "	" #	39
No #	" " "		11.54 acres

16 Delmore Avenue 2.00 acres

9	Horseshoe Lane	Lot #	12
10	" " "	" #	11
11	" " "	" #	13
12	" " "	" #	10
13	" " "	" #	14
14	" " "	" #	9
15	" " "	" #	15
16	" " "	" #	8
17	" " "	" #	16
18	" " "	" #	7
19	" " "	" #	17
20	" " "	" #	6
21	" " "	" #	5

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**ROLE OF THE**

**CONSERVATION COMMISSION**

**& PROPOSED USES FOR**

**CONSERVATION LAND**

ROLE OF CONSERVATION COMMISSION AND  
USES OF CONSERVATION COMMISSION LAND

The basic standards under which the Conservation Commission holds land are summed up in the phrase "maintain, improve, protect, limit the future use of or otherwise conserve and properly utilize open space land and water areas."<sup>5</sup>

As part of it's control, a conservation commission may remove vegetation, plant vegetation and any other operations that may improve the health, aesthetics and wildlife potential of commission land.<sup>6</sup>

Forest management should be preformed under the direction of a professional forester, public or private. The forester should prepare a management plan to insure continuity and review the plan periodically. An acceptable plan would emphaize aesthetics, wildlife protection, watershed protection and recreation potential.

If the Recreation Department wants to manage baseball games on a Conservation Commission field, a legislative transfer is not necessary. Many commissions simply arrange by letter for the Recreation Department to run it's programs on conservation land on an annual basis.

## USES OF LAND

Various uses that may be acceptable for Conservation Land are:7

Leave in natural condition, except for trails  
 Creating a beach  
 Picnic area  
 Earth ramps for canoes to enter or leave the water

Other options may include:8

Bird watching and nesting boxes  
 Boating  
 Camping and backpacking  
 Canoeing  
 Community gardens  
 Cross-country skiing  
 Fishing  
 Geologic study  
 Horseback and bridle trails  
 Nature photography  
 Nature Education center  
 Orienteering  
 Picnic areas  
 Physical fitness trail system  
 Sailing  
 Sledding and tobogganing slopes  
 Sitting benches  
 Roadside reststop area  
 Swimming  
 Trail system network  
 Snowshoeing  
 Wildlife observation

Before any work can be done on Conservation/Town land, the following must be considered:

1. Purpose of the site: preservation/conservation
2. Does it allow community access
3. It's use: as a resource area or for human activity
4. Interesting features
5. Current management plan
6. Future management plan
7. Changes that are permitted

An activity focus must be established. The present use patterns, the access to neighboring property, and the level of maintenance are important considerations also.

The management method must be considered, whether it is reactive, regular maintenance or improvement to the area in question.

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## **CONCLUSIONS**

## CONCLUSIONS

A major problem that is seen on almost all Town land is that abutters believe that they can use the land for their personal purposes. To handle the problem of abutters and contractors dumping debris on Town property, letters should be drafted and sent out. Land that is Town property should be marked by either stakes or fencing. Examples of letters that could be sent out are on the next few pages:

DATE

Dear Mr/Mrs

This letter is to inform you that land abutting your property at:  
(location of land) is Town property. It is illegal to  
dump leaves, grass, tree clippings and trash onto the land. It is also  
against the law to plant grass and maintain land as part of your  
personal property.

If you have been responsible for contributing to the  
deterioration of or altering the land, we ask you to cease. At present,  
there is a designated area at the Town Landfill that is exclusively for  
compost. If you choose not to follow our recommendations, then further  
action may be warranted.

(Department responsible for  
mailing the letter.)

DATE

Dear (Builder/Contractor),

It has come to our attention that land designated as Cluster Zoning and/or Conservation land, and owned by the Town of Wilbraham has been illegally used as a dumping ground for excess building materials and trash.

The piece of land in question is located at (list location) , and is within close proximity to the area which you are now building.

If you or your company are in any way responsible for contributing to the deterioration of the land, we ask that you cease dumping and remove any items that may have been deposited by your company. If you choose not to follow our recommendations, further action may be warranted.

Dept.

Other letters could be more explicit and mention the value of the land as wetlands and what the consequences could be should the land ever be filled in (flooding, loss of resource/recharge area, etc.).

## CONSERVATION

Land that is under the jurisdiction of the Conservation Commission and land that has been specifically designated to Cluster Zoning has not been maintained. This has been attributed to the lack of manpower with conservation and no department being given the responsibility for upkeep with Cluster Zoning land.

For Conservation land, serious consideration should be given to obtaining one or two people during the summer months to design trails for and maintain the land areas. This is an important function, because if left to sit, the land would continue with the process of succession and eventually change it's appearance completely.

Although this process of change would take many years, it should be noted that once the process of change has begun, it is hard to return the land to what it once was. That is why continuing maintenance of the land is importance.

Qualified personell should be hired to maintain the various tracks of land. Two places where qualified people may be found include the University of Massachusetts' Agricultural School, and Springfield College's Recreation Department. The students involved in these projects may be able to use the summer months for internships and special projects.

If interns are chosen for the various projects, it should be made clear that they would not have "free reign" over the land, and that any designs or major maintenance projects would first have to be approved by whichever department has designated authority. This process would allow a department to be aware of the changes to and the advantages that may be created for the residents of Wilbraham.

Other groups that might be considered include: local scout groups and organization. While they may be harder groups to oversee/supervise, it is still an option that should be considered.

## CLUSTER ZONING LAND

Where Cluster Zoning land is concerned, the first step to consider is designating a specific department for the maintenance of the land. At present, most of this land is wet and it may be wise to transfer responsibility of the land to the Conservation Commission through a written agreement. An example of this form of an agreement was given on page 102 of the Environmental Handbook for Massachusetts Conservation Commissions, 1985 edition, and follows:

**16.31 TRANSFER OF MUNICIPALLY OWNED LAND TO  
CONSERVATION COMMISSION**

The undersigned, being the board or officer having control of the following property in the city/town (describe), hereby vote to transfer to the Conservation Commission the care, custody, management and control of said property (or, the portion thereof shown on the attached sketch map). The Conservation Commission will manage the property for conservation and passive recreation in accordance with the Conservation Commission Act. (G.L. Ch. 40, §8C) and will not make any major improvements or erect any structures without the permission of the undersigned.

This transfer shall terminate (as of \_\_\_\_\_ or by mutual agreement of the undersigned and the Conservation Commission, or by thirty days' written notice by either party to the other).

\_\_\_\_\_  
Officer or majority of Board

If a transfer of land is not acceptable, then there is the possibility of "lending" for use and maintenance. A definition of what is meant by "lending" the land to another department is given on page 13 of the MACC Environmental Handbook and states:

"Other municipal departments such as Water Commissioners may own wild land available for conservation/recreation use. The care, custody management and control, of such land may be transferred to the Conservation Commission/Recreation Commission by a two-thirds vote at a Town Meeting or by the city council under G.L. Ch. 40, sect.15A, providing the department assents to the transfer. Land held for "general municipal purposes" is in the custody of the Selectmen(Ch. 40 sect.9). If a department having custody of open space land will not formerly approve a transfer of the land, an informal working arrangement should be negotiated. The commission cannot bind it's members years hence to return the land to the other department if it wants it back. "Control" is not a very active matter as to woodlands or wetlands. Commissions are authorized to establish rules and regulations for land under their control (sect. 6.02)."

When areas are being considered for acquisition by the town through Cluster Zoning, it would be advisable that all boards and/or commissions have the opportunity to comment on the proposed land. This would allow a more active involvement between the boards and departments and would open up new areas for resource information.

## GIFTS OF LAND

Before any land is given to the Town as a gift or part of open space in a subdivision, a maintenance fund or source for fiscal management must be considered. Accepting land without first considering the maintenance or control of the land is not advisable. This is the point that the Town is presently at.

Consideration should be given to establishing a maintenance fund and it would be helpful to inform residents who wish to leave an endowment to the Town that a fund has been established as a viable option.

## FUTURE LAND ACQUISITIONS

Land to be aquired in the future may include the State Game Farm, and various tracks of land that is not wet. This land could be used as conservation/recreation areas. Money to acquire these parcels could be found in the setting-up of a Land Trust Organization Fund. By establishing this organization/fund, the Town could receive up to 80% funding from the state.

After a Land Trust Fund is established, the Town may consider auctioning off Tax Title Land or possibly selling land that is owned by the Town but under various departments jurisdictions. Land that may fall under this category is Municipal and School Purposes.

The purpose of establishing a Land Trust may include the upkeep of the properties.

Because of the extent and the amount of property owned by the Town, all properties have not been evaluated. A continuation of the evaluations and and update will happen in the Spring of 1986. Land reviewed will include Municipal and School Purposes.

## FOOTNOTES

1. Remote Sensing 20 Years of Change in Hampden County Massachusetts, 1952-1972, William P. MacConnell, Massachusetts Agricultural Experiment Station, 1975.
2. Chapter 40A, Zoning Act, Massachusetts General Laws
3. Ibid. Section 9
4. Memo regarding responsibility of Nine Mile Pond, from Town Planner to the Executive Secretary on 10/21/1985.
5. Environmental Handbook for Massachusetts Conservation Commissioners, Fourth Edition, Alexandra D. Dawson, J.D., Counsel, Met. Area Planning Council, Inc., etc. Medford Massachusetts, 1985 edition. page 24
6. Ibid, page 25.
7. Ibid, page 23.
8. Land Use Aspects of Conservation Areas, Gary P. Alicandro, Wilbraham, Massachusetts, 1978, page 31.

