

January 24, 2025

To: New Canaan Planning and Zoning Commission

From: New Canaan Land Trust

Regarding the proposed subdivision on Brookwood Lane, The New Canaan Land Trust encourages the Planning and Zoning Commission to require a “fee-in-lieu-of-open-space donation”, be made to the town’s open space fund, as provided for in the Town of New Canaan Subdivision Regulations, Article 3.04, Open Space (hereinafter “Open Space Regulation”).

The submitted subdivision proposes 4 conservation easements and 1 open space area that are slivers of land which are noncontiguous and oddly shaped.

The Open Space Regulation clearly states the objectives for requiring every subdivision to provide open space. The objectives include to “establish greenbelts or other linkages that connect open spaces”, “supplement existing open space areas”, “provide, protect, or enhance local trails”, and “implement the open space and other recommendations in the Plan of Conservation and Development.”

The proposed subdivision is suggesting slivers of land which will not establish a greenbelt or provide other links to open space, it will not supplement existing open space, and it will not provide or enhance local trails. Therefore, the Proposed Subdivision does not meet the stated objectives of the Open Space Regulation. However, the Open Space Regulation does provide an alternative to requiring a land set aside which is to require a “fee-in-lieu-of-open-space donation”.

Due to the nature and location of the proposed subdivision, we assert that requiring a “fee-in-lieu-of-the-open-space donation” be made to the town’s open space fund as a better method to achieve New Canaan’s overall objective of protecting valuable open space. New Canaan may subsequently use the open space fund (and historically has used the open space fund towards the purchase of the Silvermine-Fowler preserve and a land parcel adjacent to the Brown Sanctuary) as a catalyst to raising additional funds to purchase and protect parcels of land which are both accessible to the general public and provide more meaningful protection to New Canaan’s natural resources.

Please also note that in addition to the Proposed Subdivision not meeting the stated objectives of the Open Space Regulation, the Proposed Subdivision does not align to the priorities of New Canaan residents who recently ranked protecting open space as the third highest priority in the 2024 POCD survey.

As a result of the Proposed Subdivision not meeting the objectives of the Open Space Regulations and not meeting the priorities of New Canaan residents, we strongly encourage the Planning and Zoning Commission to use its authority to require a “fee-in-lieu-of-open-space donation” be made to New Canaan’s open space fund instead of accepting the Proposed Subdivision as is.

Sincerely, New Canaan Land Trust

