

**WEST BRANDYWINE TOWNSHIP**  
*Open Space Protection Priorities Plan*

Prepared by:

**West Brandywine Township  
Open Space Review Board**

March 2007

**WEST BRANDYWINE TOWNSHIP**  
***Open Space Protection Priorities Plan***

**Table of Contents**

<u>Section</u>	<u>Page</u>
Overview	3
Goals and Objectives	5
Currently Protected Lands	7
Open Space Opportunities and Property Prioritization	9
Implementation Methods	18

**List of Figures**

Figure 1 – Existing Protected Lands and Pending Development	8
Figure 2 – Evaluation Criteria Used for Open Space Priorities	10
Figure 3 – Individual Criteria Score for Open Space Priorities	15
Figure 4 – Overall Criteria Scores for Open Space Priorities	16

**List of Tables**

Table 1 – Evaluation Criteria Scores for Open Space Priorities	17
--	----

## OVERVIEW

This Open Space Protection Priorities Plan (the .Plan.) describes West Brandywine Township's open space protection opportunities and priorities for preservation, pursuant to Act 153, Open Space Preservation by Local Governments. This Plan, and any actions taken to implement it, provides a two-part definition for West Brandywine Township's open spaces and the benefits they provide.

First, open spaces are land and water areas that have little or no development. Currently, West Brandywine Township's open spaces include working farms; ecologically significant watersheds; scenic vistas; historic sites; and, other natural and cultural resources. Open spaces facilitate the recharge of drinking water supplies and provide wildlife habitat through greenways. Further, open spaces can or will allow for active (e.g., parks, tot lots) and passive (e.g., trails) recreation opportunities. Detailed information regarding the previously cited open spaces and their benefits are found in a subsequent section of this Plan, as well as in the current versions of West Brandywine Township's Comprehensive Plan (October 2005) and its Open Space, Recreation and Environmental Resources Plan (October 1993). Both the Comprehensive and Open Space Plans provide detailed information concerning the Township's setting, history, and location in Chester County that is not repeated in this Plan. The Township's criteria for open space benefits as cited in this paragraph are consistent with the definitions in Act 153.

Second, this Plan defines open spaces as permanently protected. While 5377 acres or 63% of West Brandywine's total 8540 acres are land or water areas with little or no development, less than 1.1% of those acres are permanently protected (i.e., 89.4 acres). As previously noted, the Township's open spaces are valuable for economic, ecologic, historic, cultural, and social reasons, but less than 1.1% of them are permanently protected. Accordingly, the West Brandywine Township Board of Supervisors sought voter approval of a tax increase that would fund permanent protection, pursuant to Act 153. In November, 2003, a 0.125% increase in the earned income tax was approved.

Open Space Preservation by Local Governments has a number of requirements for Municipalities to follow, insuring a technically accurate, public, and financially responsible approach to expenditure of public funds for open space protection. Three of these requirements are directly satisfied by this Plan, documented as followed:

1. Planning. A municipality cannot expend funds collected pursuant to Act 153 unless the land proposed for protection has been designated for open space uses in a municipally approved resource, recreation, or land use plan. This Plan, as well as the afore-mentioned Comprehensive and Open Space Plans, collectively meet this criterion. The Act requires that the resource, recreation, or land use plan be recommended for adoption by the municipality's Planning Commission, and then adopted by its governing body (i.e., Board of Supervisors). West Brandywine Township's Planning Commission and Board of Supervisors must act accordingly on this Plan. The Comprehensive and Open Space Plans previously received municipal approval.

2. Ranking. Act 153 requires that the Township establish the relative desirability of open spaces worthy of protection. The OSRB will establish a ranking system based on evaluation criteria set to meet the goals and objectives of this Plan.

3. Funding. The Act also requires the Township establish the maximum dollar amount to be paid to protect high priority open spaces. This amount will be determined through an appraisal of the rights to be purchased for the specific property to be protected conducted by a qualified professional. Further, if applicable, this amount will be reduced by any donation by the landowner, negotiations with the landowner that lead to a lower price or other funding that may be available.

## **GOALS AND OBJECTIVES**

The Citizens of West Brandywine Township have expressed a strong desire to preserve the agricultural heritage of the Township as well as the natural, cultural, historic and scenic resources within the Township. In addition, it has been noted that the Township is in need of linkages between existing open space and recreational facilities throughout the Township.

### ***Goal 1. Farmland Preservation***

Since the early 1970's West Brandywine Township has lost a considerable amount of farmland. A number of large farms are currently in the land development process. West Brandywine Township can use Open Space funds to purchase conservation easement from existing farmers who want to continue farming. Without funding the pressure from development will cause the beauty and productivity of these farms to be lost, negatively impact groundwater recharge and storm water runoff, and the nature and character of the Township will be irrevocably altered. The relatively low cost of municipal service versus other land use also makes preserving farmland a key issue in future planning.

#### ***Objective:***

The OSRB recommends preserving farmland as a priority to preserve open space helping maintain adequate groundwater recharge and assuring the future of agricultural activities in the Township

### ***Goal 2. Natural Resource and Watershed Protection.***

Since West Brandywine Township has only limited public water and sewer areas, it is important that there will be sufficient groundwater recharge to satisfy the community's needs. This was recognized by the recent revision of the Township Comprehensive Plan and is an important feature of open space planning in West Brandywine. The best way to protect drinking water supplies is to protect the land that surrounds our streams and aquifer recharge areas. The resource inventory of the Township Comprehensive Plan has categorized these resources as primary and secondary resources based on their level of protection which should be emphasized. Unless these lands are permanently protected, water supplies may be degraded by development.

#### ***Objective:***

The OSRB recommends protection of lands that provide flood control, filtration of surface water, groundwater recharge, and lands surrounding the headwaters and water supply streams.

***Goal 3. Community Trails and Greenways.***

Greenways, or connecting pathways and waterways between open spaces, give the opportunity for people and wildlife to travel longer distances among changing landscapes and habitat types. Greenways make it possible for more people to enjoy popular recreational activities such as hiking, biking, bird watching, etc. Parks can be linked together by trails and eventually wander far into the most rural areas of West Brandywine Township. Wildlife need corridors so they can move between nesting areas and forage areas. Plants species also need a variety of environmental conditions to survive and regenerate. Integrating a linkage system to open spaces would aid in preserving the natural conditions which both plant and animal species rely.

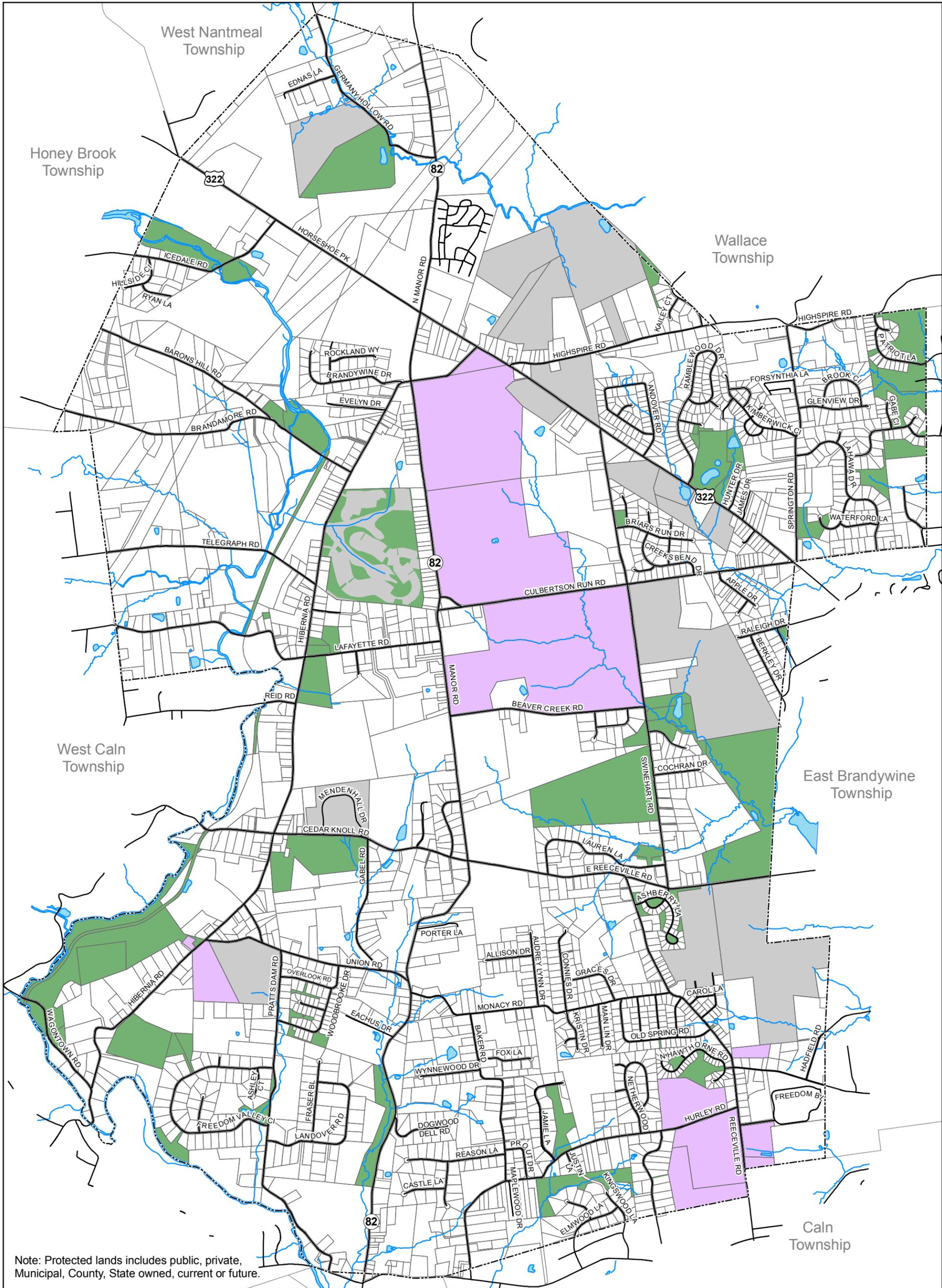
***Objective:***

The OSRB recommends that the creation of additional greenway linkages through preservation of open space or purchase of trail easements or rights-of-way throughout the Township be explored. The Township is encouraging the development of trail networks both within and between subdivisions to allow residents to get to adjacent or nearby open space without the use of cars and to provide passive recreation opportunities on a larger scale than can be accomplished within a single subdivision.

## **CURRENT PROTECTED LANDS**

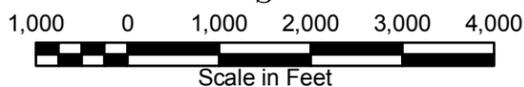
According to the West Brandywine Comprehensive Plan updated October 2005, there are a number of properties which are owned by various entities which are protected from future development. Included in this category are lands still in private ownership but subject to a permanent agricultural or conservation easement; those properties owned by the Township, County or State government; or, lands that are owned by a Homeowner's Association (.HOA. lands). In addition, the Comprehensive Plan notes some areas which will be dedicated in the near future as open space. Figure 1 show the location of "protected" properties, "institutional" properties as well as large tracts land which are already in some stage of the land development process. Institutional properties include church organization, schools, and medical facilities.

These protected properties are notable because they further highlight the importance of remaining open spaces in West Brandywine. Preservation of currently unprotected farmlands, environmental sensitive lands, and greenway corridors and trails, will provide Township residents with appealing scenery, stable ecological resources, and the means to appreciate them on foot or bicycle (for example).



**LEGEND**

- Protected Lands
- Institutional
- Development Pending



*Open Space Protection Priorities Plan  
West Brandywine Township,  
Chester County, Pennsylvania*

**FIGURE 1  
EXISTING PROTECTED LANDS  
AND PENDING DEVELOPMENT**

## **OPEN SPACE OPPORTUNITIES AND PROPERTY PRIORIZATION**

As previously noted, an evaluation system will be used to rank or prioritize properties based on criteria set up to meet the goals and objectives of this Plan. Figure 2 shows the evaluation criteria and location of specific geographic themes which were compiled as required during the Comp Plan update. The following section describes each of the three evaluation criteria used to rank individual properties

### **1. Farmland Preservation Criteria**

Farmlands are shown on Figure 2 as light green over top of prime agricultural soils in light brown; these are important for two reasons. First, this category includes properties that have been farmed for many years in the Township, lending both food production and historic values. Second, they meet two of the primary criteria of Chester County's Challenge Grant Program for farmland protection. This Program is a primary funding source for West Brandywine to stretch its open space revenue since the County's Program will match the Township's funds dollar for dollar. In addition to Chester County's recognition, prime agricultural soils are acknowledged by the USDA Natural Resources Conservation Service and the Commonwealth of Pennsylvania as having very high value for crop production, due to their inherent fertility, texture, and lack of steep or moderate slopes.

### **2. Natural Resource/Watershed Protection Criteria.**

In addition to parcel size, natural resource and watershed protection evaluation criteria includes primary and secondary environmental and cultural resources. This reference is from the Comp plan which lists the following features as worthy of protection:

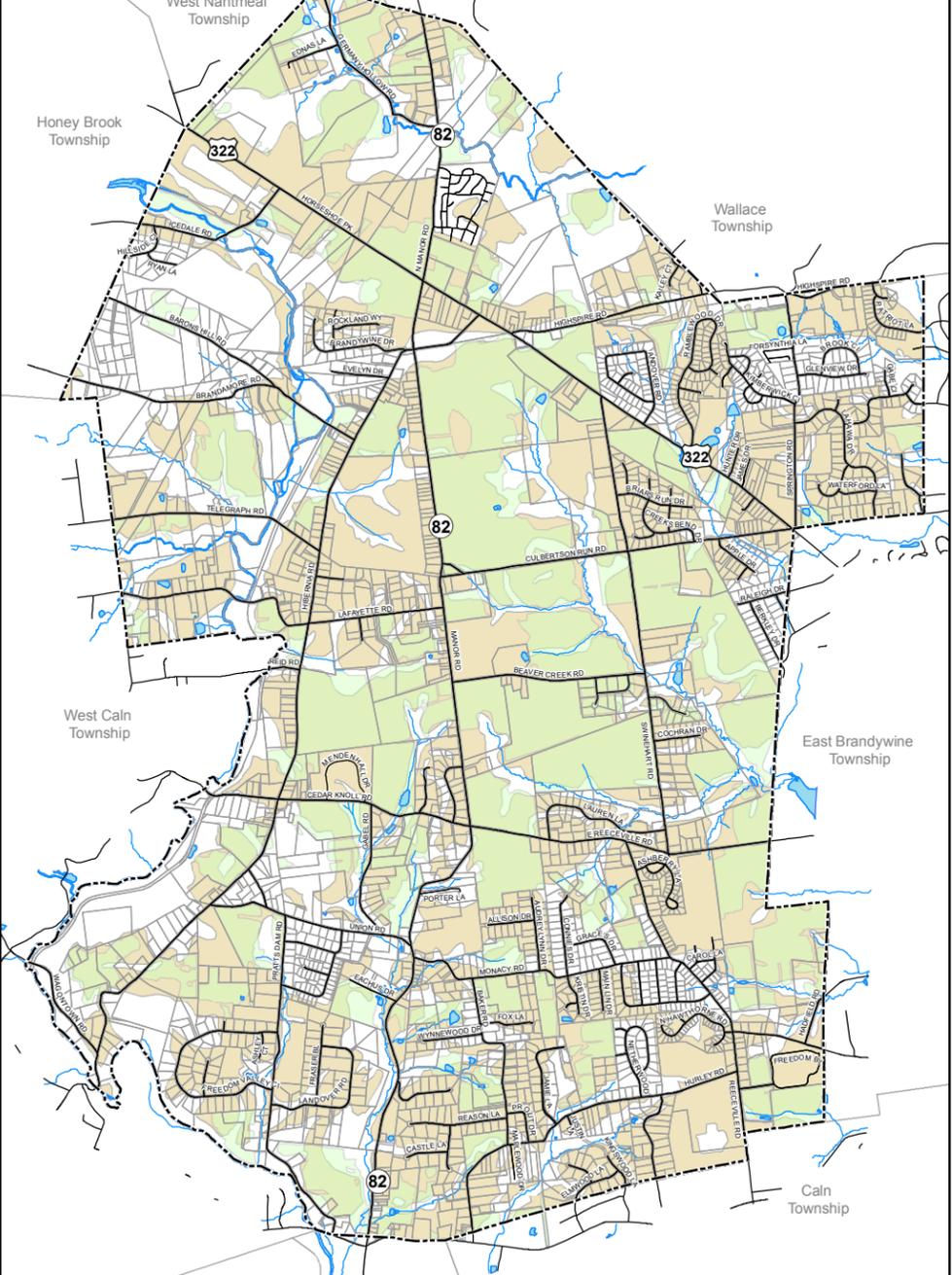
#### *Primary Resources:*

Forested interior habitat  
Woodlands – Class I  
Slopes > 25%  
Floodplains  
Riparian buffers  
Wetlands  
Headwaters to first order streams

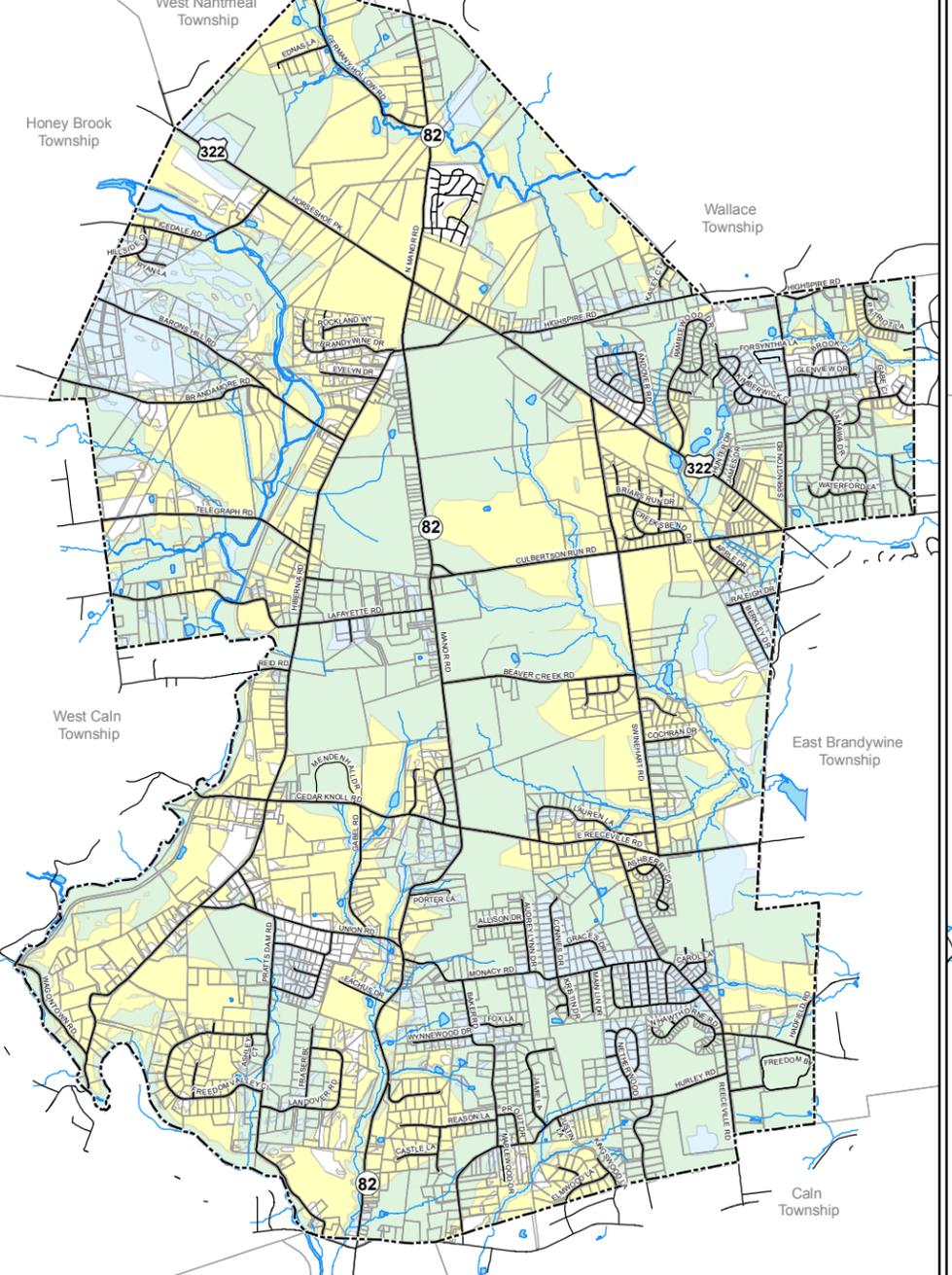
#### *Secondary Resources:*

Soils – hydric and prime agricultural  
Scenic roads, vistas, and open landscapes  
Historic resources  
Woodlands – Class II and III  
Slopes 15-25%

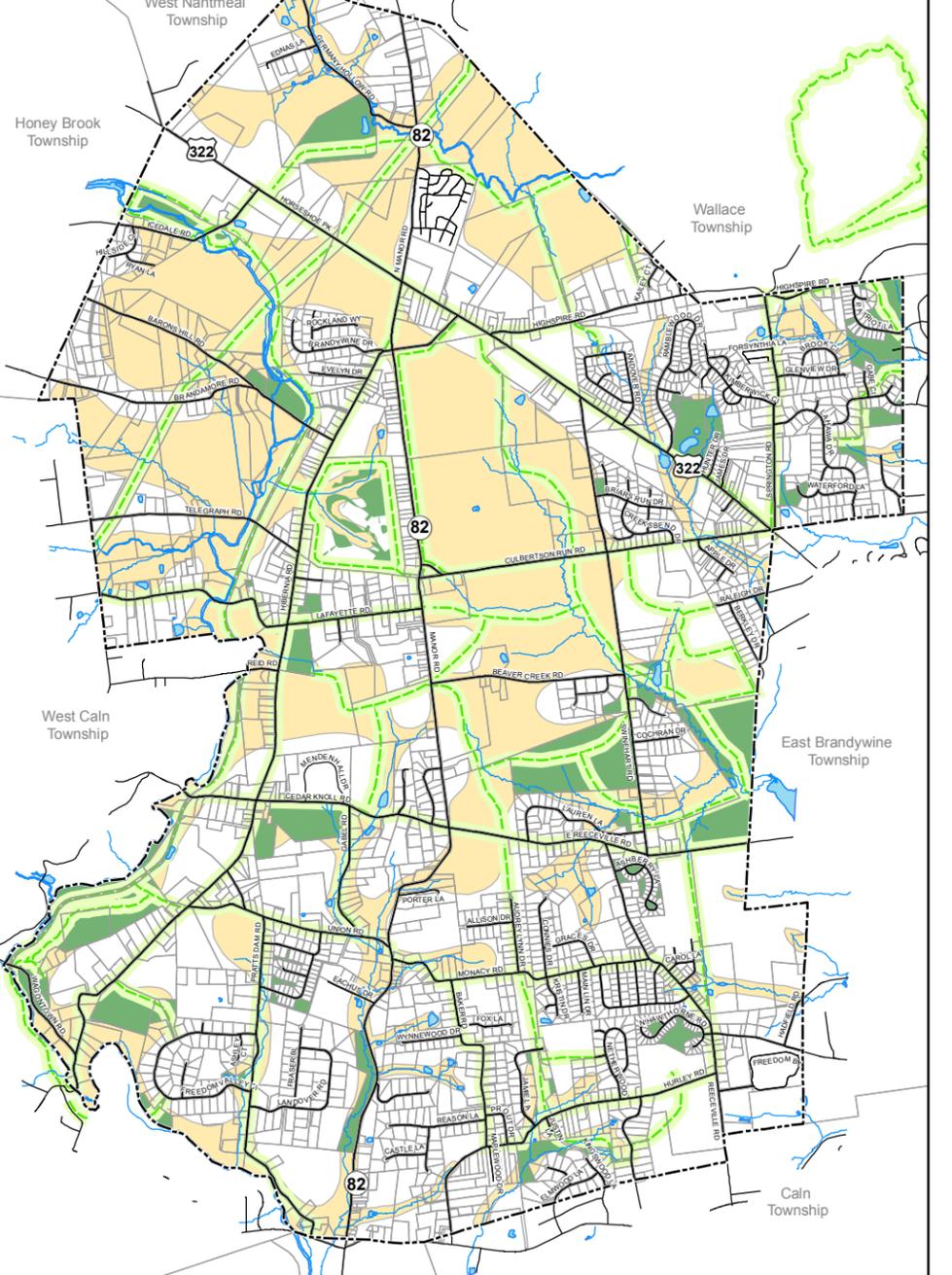
### Farmland Preservation Evaluation Criteria



### Natural Resource Protection Evaluation Criteria



### Trails and Greenways Evaluation Criteria



Note: All Geographic Information System (GIS) themes from West Brandywine Comprehensive Plan dated 2005 as part of the "Focused Regulatory Review" process.

#### FARMLAND LEGEND

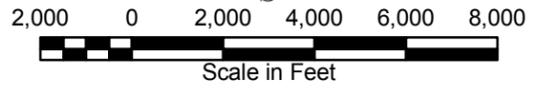
-  Prime Ag Soils
-  Ag Lands

#### RESOURCE PROTECTION

-  Primary Resources
-  Secondary Resources

#### TRAILS/GREENWAYS

-  Trail Opportunities
-  Focus Area
-  Protected Lands



*Open Space Protection Priorities Plan  
West Brandywine Township,  
Chester County, Pennsylvania*

**FIGURE 2  
EVALUATION CRITERIA USED  
FOR OPEN SPACE PRIORITIES**

### **3. Trails and Greenways Criteria.**

Greenways are ecological corridors that allow for movement of people and animals and habitat for a variety of wildlife species. They are largely comprised of floodplains, woodlands, and steep slopes. Due to their composition, these corridors are typically situated at a relatively safe distance from many types of human activity, benefiting wildlife. And due to their interconnected nature, wildlife can readily move while mating, feeding, or seeking nesting areas. Greenways are also important for other ecological and public health reasons, for example, floodplains serve to hold and gradually release floodwaters during major storm events; woodlands are one of the more efficient land covers for recharge of groundwater/drinking water supplies; and, steep slopes that remain undisturbed do not lose their topsoil to erosion and adversely affect down gradient stream and floodplain functions. The Comp Plan suggests using the Open Space/Resource Protection Focus Area presented on the Future Land Use Map to define areas for consideration. These areas are shown on Figure 2 in light orange.

Trails are linear open spaces which provide opportunities for recreation uses such as walking, jogging, horseback riding, and bicycle riding. As greenways are important for wildlife connection and movement, trails are important for human interaction and recreational uses. The trails shown on the Figure 2 in green are those that are currently shown in the Comp Plan on the Community Trails Concept Map.

### **Land Priority Evaluation**

In order to rank properties, the GIS layers developed for the Comp Plan and focused regulatory review process will be used to generate a priority score for each parcel in the Township. This score is calculated by evaluating each Objective with the following criteria and their accompanying evaluative statements. The degree to which the property meets the criteria is determined by four evaluative statements that are worth a score ranging from 0 to 3. Next the scores are multiplied by the weight (see table of weights) of each criterion. The sum of these figures provides a possible project score of up to 100 points for each candidate parcel. This score will assist members of the Open Space Review Board in considering the merits of the properties.

### **Farmland Preservation**

1. Area (acreage) of property with agricultural land or rural use proposed for protection.
  - 70 acres or more (3)
  - 21 to 69 acres (2)
  - 5 to 20 acres (1)
  - Less than 5 acres (0)

2. Percentage of agricultural land on proposed property for protection.
- 75% – 100% (3)
  - 50% - 75% (2)
  - 25% - 50% (1)
  - 0 – 25% (0)

3. Soil quality – percentage of prime agricultural soils (Class I, II, or III) on property proposed for protection.
- 75% - 100% (3)
  - 50% - 75% (2)
  - 25% - 50% (1)
  - 0% - 25% (0)

**Natural Resource/Watershed Preservation**

1. Area (acreage) of property with primary or secondary resources proposed for protection.
- 70 acres or more (3)
  - 21 to 69 acres (2)
  - 5 to 20 acres (1)
  - Less than 5 acres (0)

2. Percentage of land which includes primary resources proposed for protection.
- 75% – 100% (3)
  - 50% - 75% (2)
  - 25% - 50% (1)
  - 0 – 25% (0)

3. Percentage of land which includes secondary resources proposed for protection.
- 75% - 100% (3)
  - 50% - 75% (2)
  - 25% - 50% (1)
  - 0% - 25% (0)

## Trails/Greenway Preservation

1. Acreage of Property that intersects the Open Space/ Resource Protection Focus Area on the Comp Plan Future Land Use Map
  - 70 acres or more (3)
  - 21 to 69 acres (2)
  - 5 to 20 acres (1)
  - Less than 5 acres (0)
  
2. Proposed property has frontage along the Trails identified in the Comp Plan.
  - Site has significant frontage along the associated Brandywine Trail. (3)
  - Site has significant frontage along the unpaved/riparian corridor trails (2)
  - Site has frontage along all other associated Trails, or within 300ft of all Trails (1)
  - Site is not within 300 ft of any Concept Trail. (0)
  
3. Proximity of proposed property to other protected land
  - Abuts existing protected land (federal, state, county, land trust) > 20 ac. (3)
  - Abuts protected land less than 20 acres (2)
  - Located within 300 feet of protected lands. (1)
  - Is not located within 300 feet of protected lands (0)

## Criteria Weight Factors

Each criterion is assigned a weight that indicates the relative importance of that criterion to the mission of OSRB. Township staff and the OSRB will evaluate each project using the criteria noted within this plan. The score ranging from 0-3 is then multiplied by the weight of the criteria. The result is totaled for the property score.

OSRB Land Prioritization Criteria	<b>Potential Weight of Each Criterion</b>
Size of Parcel to be Considered	5
Percentage of parcel to be considered agricultural	4
% Prime Ag Soils present	3
Percentage of property has primary resources	4
Percentage of property has secondary resources	3
Frontage along trails	4
Proximity to Protected Lands	3
<b>TOTAL POSSIBLE SCORE (highest)</b>	<b>100</b>

## Final Feasibility Review

**Factors that may preclude West Brandywine Township:** A property may meet the selection criteria favoring a land/open space protection proposal and still may not be accepted if one or more of the following considerations apply:

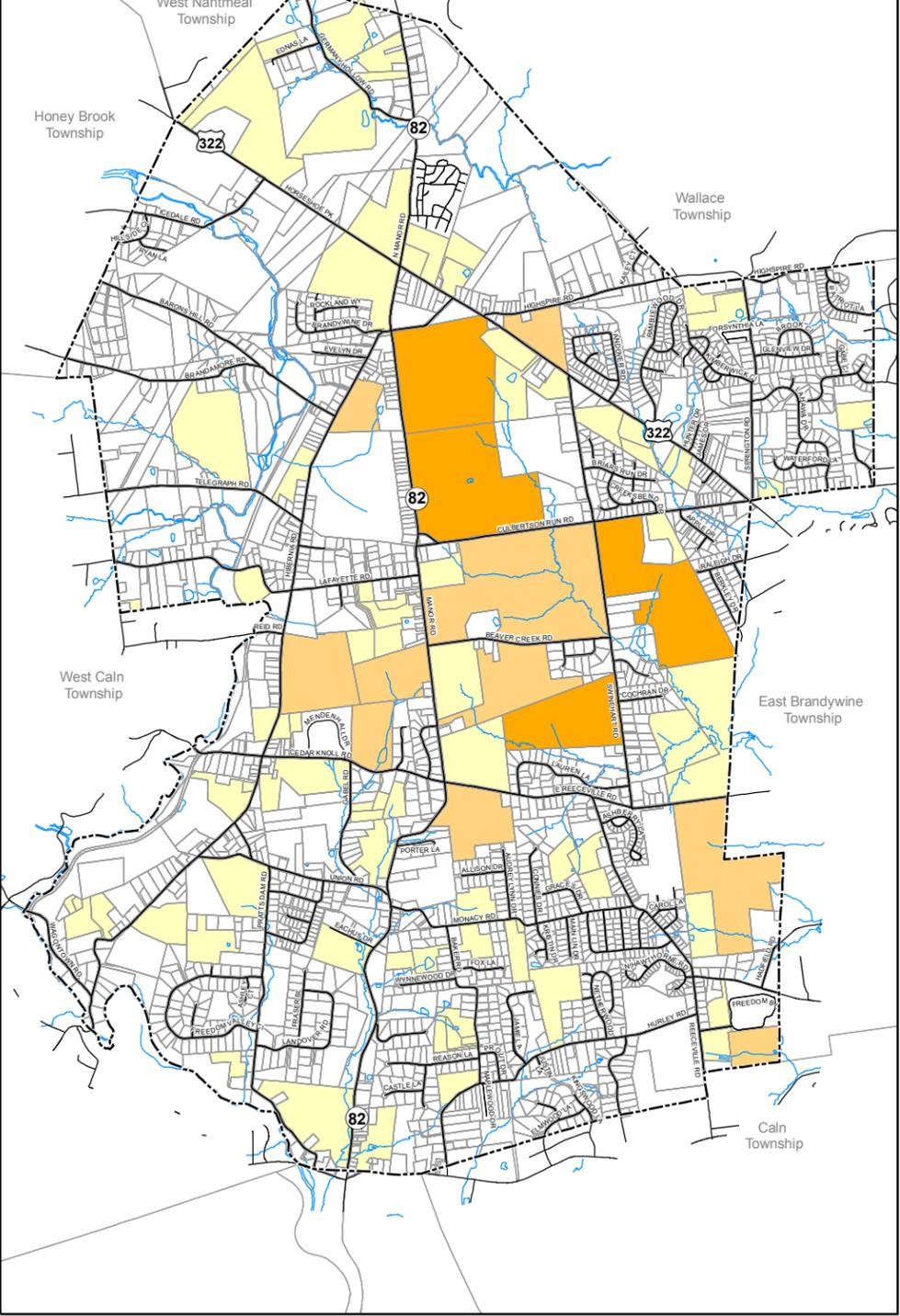
- The landowner is creating a highly competitive bidding environment between WBT and other land trusts, conservation agencies or the private real estate community.
- The proposed property is part of a development proposal that, overall, is likely to have significant adverse impacts on conservation resources.
- Adjacent properties are being, or are likely to be, developed in a manner that would significantly diminish the conservation values of the property in question.
- The landowner insists on provisions in a conservation easement that the Township believes would seriously diminish the property's primary conservation values or the Township's ability to enforce the easement.
- There is reason to believe that the land/easement would be unusually difficult to manage/enforce, for example because of multiple or fractured ownership, frequent incidence of destructive trespassing, irregular configuration, or other reasons.
- The property is irreparably contaminated.
- The property cannot be acquired by the Township with reasonable effort in relation to the property's conservation value.
- Ethical or public image problems exist in association with the acceptance of this project.
- The Township cannot fulfill whatever stewardship responsibilities, i.e., monitoring management, and enforcement, associated with the given property.

Figure 3 shows the parcels shaded by individual evaluation criteria scores. In all three criteria evaluations the color orange indicates a score greater than 90% or the highest ranked properties of a given criteria. Light orange indicates a score between 75% and 90%. Yellow indicates 50 -75%, white indicates less than 50% out of the maximum score possible.

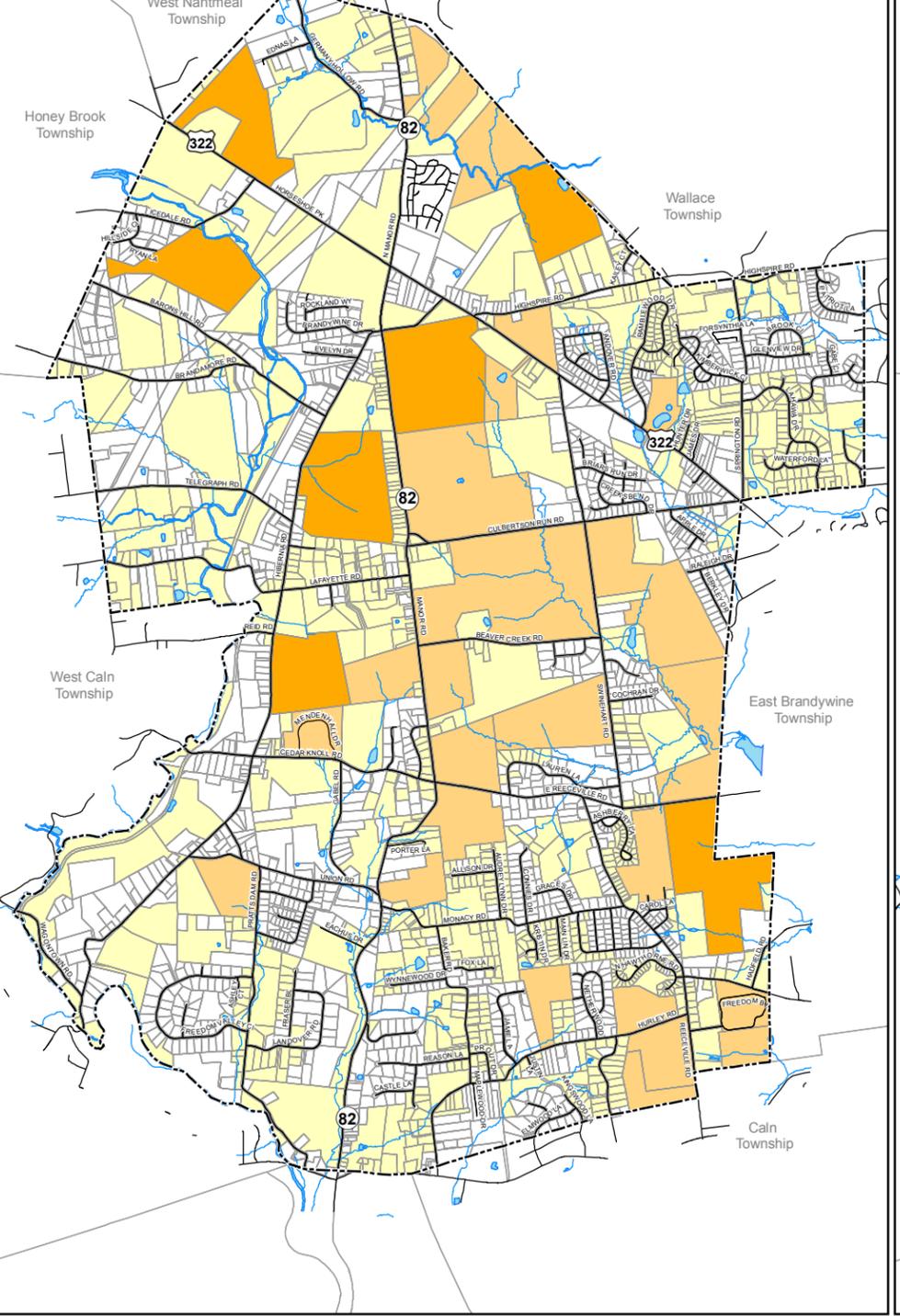
Figure 4 shows the overall score which are derived as the sum of each individual criterion. The same score categories as the individual criteria were used to shade properties based on the overall score. Properties which are shown as protected, institutional or pending development are overlaid on top of the score shading since these properties are not under consideration for the purpose of this plan.

Table 1 lists the properties which scored 50% or more sorted by overall score in descending order. The color of the row indicates status of the property as far as owner type or protection category such as institutional, pending development, protected.

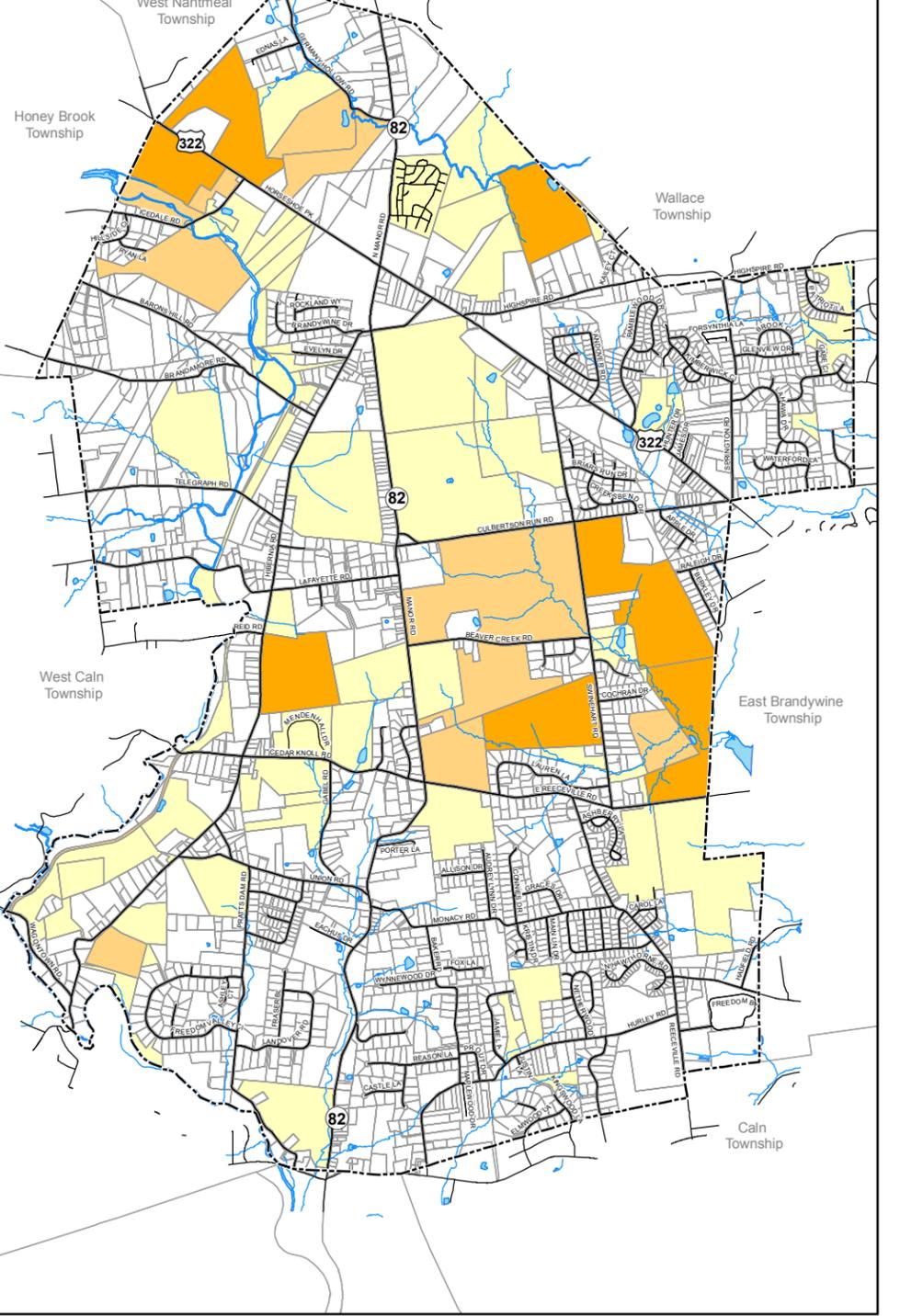
**Farmland Preservation  
Evaluation Criteria**



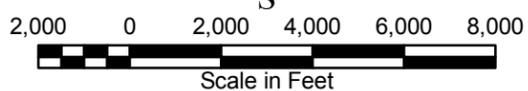
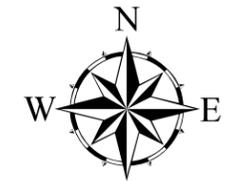
**Natural Resource Protection  
Evaluation Criteria**



**Trails and Greenways  
Evaluation Criteria**

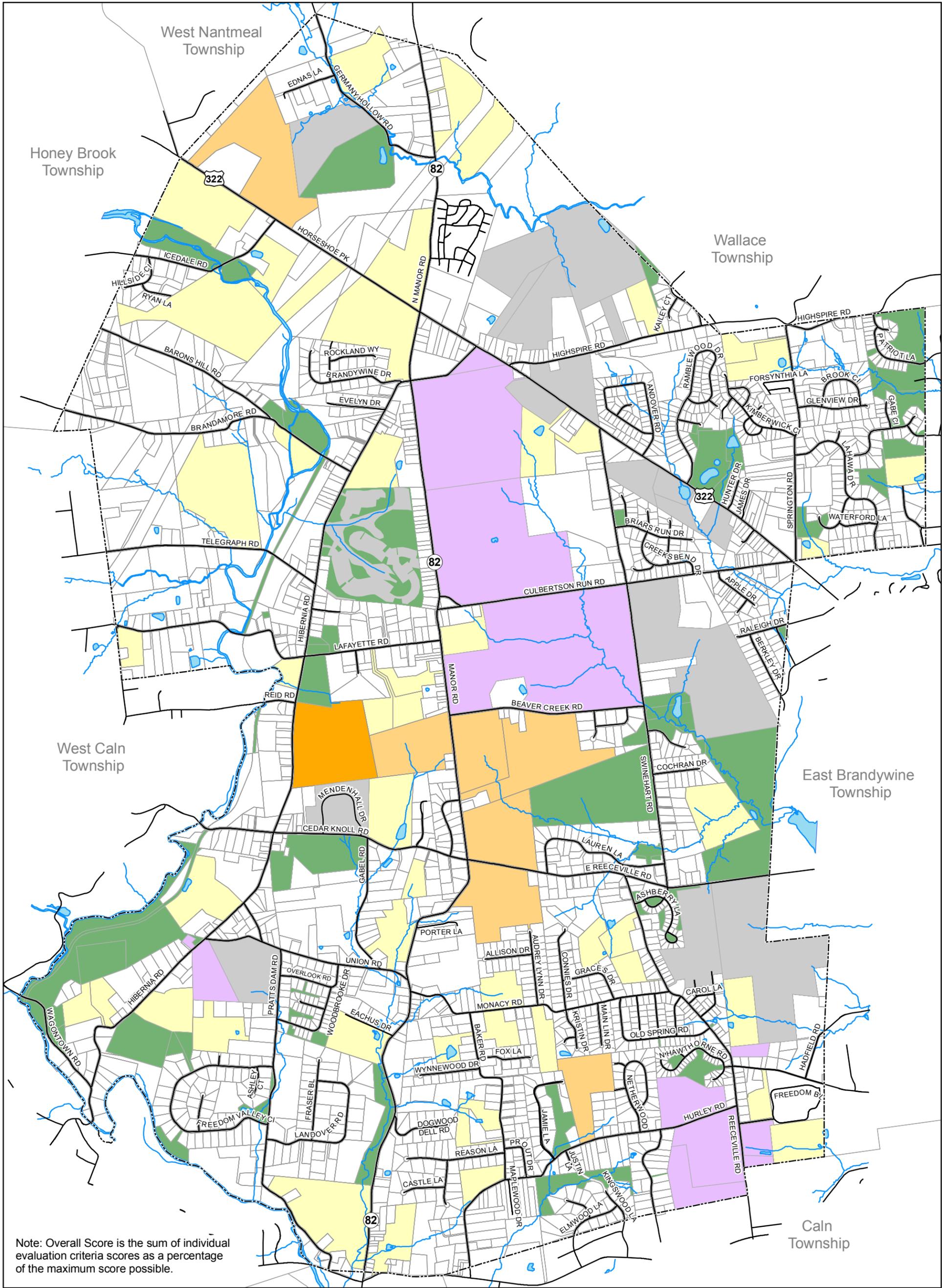


**OPEN SPACE PRIORITY  
CRITERIA SCORE**



*Open Space Protection Priorities Plan  
West Brandywine Township,  
Chester County, Pennsylvania*

**FIGURE 3  
INDIVIDUAL CRITERIA SCORES  
FOR OPEN SPACE PRIORITIES**



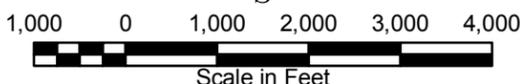
Note: Overall Score is the sum of individual evaluation criteria scores as a percentage of the maximum score possible.

**LEGEND**

- Protected Lands
- Institutional
- Development Pending

**OVERALL SCORE**

- 0-50%
- 50-75%
- 75-90%
- 90-100%



*Open Space Protection Priorities Plan  
West Brandywine Township,  
Chester County, Pennsylvania*

**FIGURE 4  
OVERALL CRITERIA SCORES  
FOR OPEN SPACE PRIORITIES**

**TABLE 1  
EVALUATION CRITERIA SCORES  
FOR OPEN SPACE PRIORITIES**

OVERALL SCORE	AG SCORE	NR SCORE	TG SCORE	OWNER	OWNER 2	LEGAL DESCRIPTION	ADDRESS	FACILITY TYPE	PARCEL #
100	36	32	32	BALDERSTON FAMILY LTD	PARTNERSHIP	130.2 AC	160 CULBERTSON RUN RD	Pending	29-4-179
100	36	32	32	OVERLOOK ROAD FARM CO		80 AC FARM	175 SWINEHART RD	Non-Rec_OS	29-7-26
96	31	36	29	MOWDAY ROBERT ALLEN &	HELEN M	70.9 AC FARM	388 HIBERNIA RD	None	29-7-10
95	36	36	23	MOST REV JOHN J KROL	ARCHBISHOP OF PHILA	130 AC FARM	1668 HORSESHOE PK	Institutional	29-4-132
90	32	32	26	KROL REV JOHN J	ARCHBISHOP OF PHILA	219.3 AC	103 BEAVER CREEK RD	Institutional	29-4-139.1
88	20	36	32	DIETRICK SPORTS GROUP OF	IRISH OAKS LLC	88 AC DWG & GOLF CENTER	1837 HORSESHOE PK	None	29-1-1.1
87	32	33	22	OVERLOOK ROAD FARM CO		78.9 AC	604 E REECEVILLE RD	Pending	29-7-121
87	36	28	23	MOST REV JOHN J KROL	ARCHBISHOP OF PHILA	NS & SS OF CULBERTSON RUN	3127 MANOR RD	Institutional	29-4-136
85	24	29	32	OVERLOOK ROAD FARM	COMPANY	84.4 AC S	603 E REECEVILLE RD	Non-Rec_OS	29-7-39
85	31	27	27	CASTALDI FAMILY LIMITED PARTNERSHIP		68.6 AC LOT 3	210 BEAVER CREEK RD	None	29-7-24.6
82	24	31	27	BALDWIN EDWIN C JR EST	BALDWIN M PATRICIA ETAL	50.6 AC & GARAGE	703 E REECEVILLE RD	None	29-7-27
80	31	31	18	TABAS DANIEL M &	EVELYN R	45 AC	2780 MANOR RD	None	29-7-21
80	31	31	18	BALDWIN EDWIN C JR EST	BALDWIN M PATRICIA ETAL	53.9 AC	692 E REECEVILLE RD	None	29-7-77
79	27	31	21	FENIMORE DAVID J	FENIMORE MARY JANE ETAL	33.3 AC	231 HURLEY RD	None	29-7-156
76	27	31	18	TABAS DANIEL M &	EVELYN R	41.1 AC	298 BEAVER CREEK RD	None	29-7-22
74	9	36	29	MAES ROBERT A &	SUSAN B	76.4 AC FARM	791 HIGHSPIRE RD	Pending	29-4-8
73	19	27	27	HOOD R MIFFLIN JR		37.4 AC FARM	172 SWINEHART RD	None	29-7-31
72	24	31	17	GUDAL WILLIAM C &	RICHARD W	37.8 AC FARM	227 PRATTS DAM RD	Pending	29-6-50
72	31	27	14	HANLEY LEWIS B &	GRACE P	20.9 AC FARM, PO, DWGS	544 HIBERNIA RD	None	29-4-55
71	31	19	21	JEANETTE HARRIS	VOLLMECKE LIMITED PARTNERSHIP	35.1 AC & 3 DWGS	151 CEDAR KNOLL RD	None	29-7-17.2
70	24	24	22	TREGO JOSEPH WINFIELD		75.2 AC FARM	192 BRANDAMORE RD	None	29-3-34
70	24	19	27	ECK GORDON R &	NANCY L	46 AC FARM	120 GERMANY HOLLOW RD	Cons_Ease	29-2-5.4
68	19	31	18	HOOVER RICHARD L		22.8 AC LOT 6	1640 HORSESHOE PK	None	29-4-134.12
64	22	19	23	WRIGHT HAROLD C JR &	HELEN T	25 AC FARM	184 HIBERNIA RD	None	29-6-48.2
63	28	31	4	KAHN NOAH	JANIEC STEPHEN B ETAL	28.7 AC FARM LOT 2	1639 HORSESHOE PK	Pending	29-4-142
63	22	26	15	RICKETTS GEORGE W &	JUDITH ANNE	12.9 AC FARM	241 WINDY HILL RD	None	29-5-1.1
63	23	26	14	LAMPLEY FRANK	LAMPLEY EARL ETAL	20.2 AC FARM & COMM'L	199 SPRINGTON RD	None	29-4-148.10
63	26	26	11	DMYTRYK PETER A &	AUDREY A	14.1 AC	198 MONACY RD	None	29-7-150.5
63	21	19	23	PULTE HOMES OF PA		40.4 AC FARM	168 CEDAR KNOLL RD	Non-Rec_OS	29-7-53
62	31	31	0	HAMMELL WILLIAM F &	DIANE H	23.1 AC & BARN	7 FREEDOM BL	None	29-7-173
62	12	27	23	ECK GORDON R &	NANCY L	38.3 AC TRACT 1	132 GERMANY HOLLOW RD	Pending	29-2-5.5
62	23	26	13	PISCOGLIO JOSEPH P JR		17.2 AC LOT 4	2975 MANOR RD	None	29-4-138.4
62	26	26	10	SWISHER MARY JANE	MILLER HARRY R JR ETAL	21.6 AC & 3 DWGS	1049 E KINGS HW	None	29-8-19
61	26	26	9	MCGOVERN FRANCIS JOHN &	DEBORAH L	11.5 AC FARM LOT 10	168 LAFAYETTE RD	None	29-4-99.2J
61	26	26	9	VARRASSI ANTHONY J &	CAROL B	10.2 AC & DWG	680 REECEVILLE RD	None	29-7-83
60	21	19	20	CITY OF COATESVILLE		63.54 AC LOT 1	currently being researched	None	29-8-5.5
60	27	19	14	HENDERSON-TREGO MARY JANE	HENDERSON EDWIN P SR	44.2 AC FARM & DWG	1759 HORSESHOE PK	None	29-4-3
60	27	19	14	HENDERSON EDWIN P SR & MARY JANE TREGO	HENDERSON EDWIN P JR	62.5 AC & 2 DWGS	1764 HORSESHOE PK	None	29-4-28
59	0	36	23	DANTONIO ROCCO &	CAROL	115.9 AC	500 HIBERNIA RD	Pending	29-4-55.5
59	22	27	10	SINGER DAVID TRU	U/D/O/T MICHAEL SINGER	29.8 AC	143 GERMANY HOLLOW RD	None	29-2-8
59	23	26	10	WALTZ LAURA H	HARVEY C WALTZ TRUST	5.6 AC & DWG LOT 41	107 LITTLE WASHINGTON RD	None	29-4-189.3
59	22	23	14	COPELAND DONALD CARROLL &	BETTIE	23 AC DWG & GAR	483 REECEVILLE RD	None	29-7-122
58	0	33	25	DANTONIO ROCCO &	CAROL	82.8 AC S	120 ICEDALE RD	None	29-3-7
58	23	26	9	MCDERMOTT STACY M		12.7 AC LOT 9 & DWG	172 LAFAYETTE RD	None	29-4-99.2H
58	23	26	9	JIMENEZ CARLOS	JIMENEZ KARIN	15.3 AC FARM	167 MONACY RD	None	29-7-95
58	23	26	9	LINDBORG CARL S &	SUSAN R	9.1 FARM	139 BAKER RD	None	29-7-146
58	23	26	9	PERRY CHARLES &	FLORENCE A	12.3 AC FARM	143 HURLEY RD	None	29-7-147
58	26	14	18	MOYER BARBARA J &	THOMAS D	10.6 AC&DWG. LOT 1	151 HIBERNIA RD	None	29-6-23.12
57	12	31	14	GILBAUGH ROBERT C JR &	TERRY J	22.8 AC FARM	1294 N MANOR RD	None	29-2-14.5
57	26	26	5	MCGOVERN FRANCIS JOHN III	MCGOVERN DEBORAH L ETAL	10.4 AC LOT 11	172 LAFAYETTE RD	None	29-4-99.2K
57	20	23	14	CHASE ROBERT R JR &	PATRICIA G	24 AC FARM	1410 MANOR RD	None	29-7-66.3E
57	12	22	23	SUN PIPE LINE CO		21 AC	104 ICEDALE RD	None	29-3-7.4
57	23	22	12	SHELTON JOHN	SHELTON LINDA BOARDMAN	19.5 AC S	1520 HORSESHOE PK	Pending	29-4-171.1
57	26	22	9	BALDERSTON FAMILY LTD	PARTNERSHIP	10.15 AC	1616 HORSESHOE PK	None	29-4-133
57	26	22	9	LINDBORG CARL S &	SUSAN R	6.1 AC	123 BAKER RD	None	29-7-146.7
56	26	26	4	BALDERSTON FAMILY LTD	PARTNERSHIP	16.9 AC LOT 7	1644 HORSESHOE PK	Pending	29-4-134.13

**TABLE 1  
EVALUATION CRITERIA SCORES  
FOR OPEN SPACE PRIORITIES**

<b>OVERALL SCORE</b>	<b>AG SCORE</b>	<b>NR SCORE</b>	<b>TG SCORE</b>	<b>OWNER</b>	<b>OWNER 2</b>	<b>LEGAL DESCRIPTION</b>	<b>ADDRESS</b>	<b>FACILITY TYPE</b>	<b>PARCEL #</b>
56	26	26	4	DMYTRYK NICHOLAS &	PATRICIA MARIE	11.9 AC	164 MONACY RD	None	29-7-150.4
56	26	26	4	HAMMELL WILLIAM F &	DIANE H	8 AC LOT 2	1728 CALN MEETING HOUSE RD	None	29-7-171.1
55	0	31	24	A S K HOLDING CO	BEECHWOOD CAMPGROUND T/A	44.3 AC & COMM PRT	608 E REECEVILLE RD	None	29-7-120
55	18	22	15	REHMEYER DUANE L &	ELLIS DEBORAH J	12.9 AC & FARM	709 HIGHSPIRE RD	None	29-4-10.1
55	20	19	16	EACHUS WILBERT H		24 AC FARM	108 EACHUS DR	None	29-7-129
55	26	14	15	KOHLMAIER GREGORY F &	KAREN L	10 AC LOT 2 & dwg	155 HIBERNIA RD	None	29-6-23.13
54	0	31	23	WEST BRANDYWINE TOWNSHIP		21.4 AC LOT C	4 RAMBLEWOOD DR	Non-Rec_OS	29-4-165.6
54	12	28	14	DUKE JERRY W &	M HERRON	26.8 AC	1340 N MANOR RD	None	29-2-14.2
54	19	26	9	MAINWARING STEVEN S		9 AC & BARN	247 BAKER RD	None	29-7-145
54	17	22	15	HALL JAMES A &	MARTHA S	12.8 AC DWG & BARN	128 BRANDAMORE RD	None	29-4-194
54	12	19	23	MCCAFFREY THOMAS J &	DEBRA A	33.2 AC DWG & BARN	239 HIBERNIA RD	None	29-6-9
53	19	26	8	GIANNARIS GEORGE G		11.4 AC FARM	800 REECEVILLE RD	None	29-7-82
53	23	26	4	LAMPLEY FRANK		10.3 AC	3 PLOSKINAS DR	None	29-4-148
53	23	26	4	DUNLAP ROBERT S	DUNLAP KRISTINE M	8.5 AC LOT 1	140 CEDAR KNOLL RD	None	29-7-60.4
53	23	18	12	GORDON WILLIAM A &	DARLENE M	10 AC FARM	1548 HORSESHOE PK	Pending	29-4-171.1B
52	14	26	12	DUNN JOSEPH E JR &	CAROLYN	10.5AC FRM PL & PL HSE	411 HIBERNIA RD	None	29-3-57.2
52	26	26	0	COATESVILLE HOSPITAL CORP		11.1 AC	267 REECEVILLE RD	Institutional	29-7-168
52	0	25	27	COMMONWEALTH OF PENNA		36.8 AC & SHED	119 ICEDALE RD	PA_Fish&Game	29-3-1
51	16	26	9	HOWARD VELMA S WARREN		10 AC FARM & POOL	332 LAFAYETTE RD	None	29-3-51
51	20	26	5	SMITH JAMES S &	JANIS M	11.8 AC FARM	28 GRACES DR	None	29-7-93.1
51	12	22	17	KRUSE JAMES R	KRUSE DENNIS R	15 AC	1800 HORSESHOE PK	None	29-4-27.3
51	0	20	31	SUN OIL CO		BLDGS	1844 HORSESHOE PK	None	29-1-2
51	22	19	10	FABRIZIO DAVID PAUL SR &	THERESA LEE ANN	26.4 AC FARM	191 PRATTS DAM RD	None	29-6-51
50	0	27	23	COUNTY OF CHESTER		72.6 AC & BLDG	311 WAGONTOWN RD	County	29-6-15
50	15	26	9	MANTHORPE SPENCER A &	SANDRA A	19.7 AC	740 HIGHSPIRE RD	None	29-4-165.1
50	0	23	27	COUNTY OF CHESTER		26.5 AC	164 HIBERNIA RD	County	29-6-47
50	21	21	8	REESER GEORGE E &	MARLENE	LOT	3021 MANOR RD	None	29-4-137
50	23	18	9	SIMEK THOMAS S &	CATHERINE L	7.7 AC LOT 2	151 PRATTS DAM RD	None	29-6-62.2
49	0	31	18	GIRL SCOUTS OF	PHILA INC	70.4 AC	LANDLOCKED	None	29-2-16

## **IMPLEMENTATION METHODS**

Implementation of the Open Space Protection Priorities Plan will be outlined in this section. The OSRB would like to recommend that the action plan include some immediate steps as well as long term steps in order to initiate the Townships Open Space Preservation Program as well as mediate existing pressures on specific properties and establish momentum towards a thoughtful planned network of open space resources and connected recreational and cultural destinations.

Immediate action is recommended for specific properties which are currently under significant development pressure and whose current owners have expressed desires to keep their property as open space preserves or have given the Township the right of first refusal for purchase in fee simple. These properties may not have ranked the highest evaluation scores but are important enough to the Township to warrant additional consideration given their geographic location and other values, assuming agreements can be worked out. In addition, immediate action should be taken to secure resources and insights for future use in long term action items

Immediate actions to include:

- Recommend contacting current land owners who have already expressed interest in the program i.e., Henderson's and City of Coatesville.
- Recommend contacting County and State Agencies which hold land in West Brandywine Township and explore options regarding trail easements.
- Recommend retaining professional land appraisal services with experience in conservation easements and development rights
- Recommend retaining professional Land Preservation Services to help facilitate future acquisitions.

This plan encourages the Board of Supervisors to consider retaining professional assistance from a land conservation consultant or land conservancy/land trust to help facilitate this process. The Township Manager and a representative of the OSRB should make the contact with the land owners and County agencies to discuss potential options.

The long term action items should include a number of preliminary steps to ensure the proper execution of the entire open space acquisition program. Long Term Action Plan should include the following considerations:

- Consider initiating an open space outreach program to educate land owners in regards to the Open Space program benefits and options.
- Consider hosting an open house by invitation only to the top priority properties to discuss opportunities.
- Consider entering into agreements or accept donations from willing land owners either through outright purchase in fee simple, deferred or installment, development rights and or conservation easements, as available Open Space funds permit.
- Consider developing a Township Trails Development Plan to further define the trail network and specification.

First and perhaps most important is a public outreach education program which should be designed to inform land owners of the benefits of open space designation and what some of the options, tools and incentives are. The outreach program should be executed with the assistance of professional sources retained by the Township and managed by the OSRB, with the assistance of the Township Manager on behalf of the Board of Supervisors and should include but not limited to the following:

- Prepare educational materials such as flyers or brochures highlighting tools and benefits of open space preservation.
- Place informative materials on the Township web site.
- Provide and man a table and presentation at the WBT Community Day held in May of each year.
- Hold special meetings or an open house for land owners interested in more information or potential program benefactors.

Meetings should then be set up with individual interested parties to examine the property and propose a master plan for any property to be considered for Open Space funds. These meetings should be facilitated by a land conservation professional, along with the Township Manager and a representative of the OSRB. Once a property is identified and assessed for potential open space uses, Act 153 requires that a public hearing be held regarding acquisition of that property or its interest, with notification of the owners of the property, prior to acquisition of the property.

Open space preservation agreement options can include but are not limited to, fee simple purchase, purchase of development rights, and conservation easements.

One of the options to preserve farm lands may be the purchase of development rights. This can be done as a deferred payment, a lump sum or on an installment basis and can include additional conservations easements and or donations.

In this country, a landowner essentially owns a bundle of rights that go with the land. These rights include water rights, air rights, the right to sell the land, the right to pass it along to heirs, the right to use the land, and the right to develop it. Any of these rights can be separated off from the bundle and sold, donated, or otherwise encumbered. Under a purchase of development rights arrangement, a farmland owner voluntarily sells the development rights to a government agency or private land trust and receives compensation in return for the restrictions placed on the land. The farmer retains title to the land and can sell or pass along the farm, although the use of the land is limited to farming and open space. An easement is placed on the landowner's deed and "runs with the land," either in perpetuity or for a period of time specified in the easement document. The easement typically prohibits residential development except for the owner, the owner's children, or farm labor. Public access is not normally allowed, nor is the dumping of garbage or the removal of soil. Normal agricultural practices and structures are permitted as long as they comply with state and federal statutes.

A conservation easement is an interest in land which restricts the owner's use of property in specified ways and grants the easement holder the right to enforce the restrictions. The Township can be easement holder but is typically a non-profit conservation organization or land trust. Easements can be held jointly by the land trust and Township.

The purpose of an easement is to protect the natural, scenic, or historic values of a property. The owner retains title to the property and continues to use it, subject only to certain specific restrictions. The owner also retains the right to sell, lease or bequeath the property.

The easement is granted in perpetuity and will apply to all future owners. Since 1969, the Internal Revenue Code has permitted a charitable tax deduction for qualified conservation easements. IRS regulations issued in 1986 established specific guidelines governing qualified easements (Reg. Sec. 1.170A-14).

An easement agreement typically:

- Restricts the uses of a property as necessary to protect its important natural, scenic and historic features;
- Restricts the number, type and locations of dwellings and other buildings;
- Prohibits quarrying and excavation of minerals;
- Prohibits dumping of solid and liquid waste;
- Limits the removal of trees without an approved woodlot management plan; and
- Restricts or eliminates industrial and commercial activities, except for agriculture.
  
- Does not permit public access to the protected areas, unless specifically desired by the landowner and the conservation organization; (In certain situations, public access to a portion of the property may be necessary to meet the IRS's public benefit right.)
  
- Does not change the ownership of the land. Property owners continue to use and enjoy the land consistent with the terms of the easement; and
- Does not prohibit all subdivision. The property can often be subdivided, subject to the terms of the easement agreement.
- The purpose is to protect the natural, scenic or historic value of the property.

In addition to meeting at least one of the above conservation purposes, an easement must be granted in perpetuity and be given to a qualified recipient, such as a governmental unit or a non-profit organization. Such an organization must hold the easement solely for conservation purposes. Federal regulations also require that the holder of an easement be able to enforce the terms of the agreement.

The holder should inspect its easements at least once a year and be prepared to take legal action, if necessary, to protect the terms of the easement.

#### Estimating the Cost of a Conservation Easement

Prior to initiating a conservation plan, the landowner receives a project proposal which includes:

- Staffing and other estimated costs for documenting the resource values of the property, preparing the land plan and drafting the easement agreement; and
- An estimate of the endowment contribution needed to cover the long-term administrative, monitoring and enforcement costs for the easement. The amount is based in part on the complexity of the easement, the size of the property, and its proximity to other easements.

- The landowner should anticipate incurring other costs not included in the proposal, such as the following:
  - Survey costs. If a good survey of the property is available, these costs should be minimal.
  - Appraisal fee. The OSRB strongly encourages using an appraiser, preferably an MAI (Member of the Appraisal Institute), who has substantial experience in valuing conservation easements.
  - Fees for tax and legal advisors.