



General Assembly

January Session, 2009

**Proposed Bill No. 5264**

LCO No. 366

Referred to Committee on Environment

Introduced by:  
REP. WRIGHT E., 41<sup>st</sup> Dist.

**AN ACT PROTECTING MUNICIPALLY ACQUIRED OPEN SPACE  
LAND.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 That the general statutes be amended to provide that for all real  
2 property acquired by a municipality with the express purpose of open  
3 space land protection, a permanent conservation easement, as defined  
4 in section 47-42 of the general statutes, shall be executed for any such  
5 property purchased with bond funds, which conservation easement  
6 shall provide that the property shall remain forever predominantly in  
7 its natural and open condition for the specific conservation or open  
8 space purposes for which it was acquired, provided any improvements  
9 or changes to the property shall be supportive of such condition or  
10 purposes. The permanent conservation easement shall be in favor of  
11 the municipality. Such permanent conservation easement shall also  
12 include a requirement that the property be made available to the  
13 general public for appropriate recreational purposes. An exception to  
14 the provision of public recreational access may be made at the  
15 discretion of the municipality when provision for public access would  
16 be unreasonably detrimental to the wildlife or plant habitat or other

17 natural features of the property or, for land where development rights  
18 have been purchased, would be disruptive of agricultural activity  
19 occurring on the land.

20 It is further proposed that land, easements or permanent interests in  
21 land acquired by municipalities for open space, conservation or  
22 recreation purposes subject to voter referendum shall not be reduced  
23 or used for other purposes and shall forever remain to the uses to  
24 which they were purchased or acquired according to the true intent  
25 and meaning of the referendum vote; and further that evidence of such  
26 purposes and such vote shall appear of record in the deeds and in the  
27 chain of title on the land records to such lands, easements or  
28 permanent interests in land.

***Statement of Purpose:***

To provide long-term protection for municipally acquired open space  
land.