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Environment Committee  
February 18, 2009  
Testimony of Martin Mador  
In Support of

HB 6397 AN ACT CONCERNING OPEN SPACE PRESERVATION  
HB 5264 AN ACT PROTECTING MUNICIPALLY ACQUIRED OPEN SPACE LAND

I am Martin Mador, 130 Highland Ave., Hamden, CT 06518. I am the Legislative and Political Chair of the Connecticut Sierra Club, and am here today representing our 10,000 Connecticut members concerned about the health of our environment, our economic prosperity, and our quality of life. I possess a Master's of Environmental Management degree from Yale.

Preservation of open space and farmland is a priority for the Sierra Club. This bill, which would provide necessary funding, is one of Sierra's most important legislative priorities.

The act would establish what is popularly known as the Municipal Green Fund. It is not a mandate, it is enabling. It is clear that we need to provide towns ways of raising funds as alternatives to the pernicious property tax. The Green Fund gives towns the authority to place a conveyance fee on buyers of real estate. Each town must decide for itself whether to impose this fee. It would be in addition to the existing fee on sellers, which provides the towns with badly needed general fund revenue. Proceeds from this buyer's fee could only be used to finance purchase of development rights; purchase of passive open space land, forest land, farm land or waterfront property, brownfield remediation; or other environmental projects.

Transfers resulting in the preservation of open space land, forest or farm land are not subject to the fee. The first \$150,000 of the purchase price is exempt, to encourage affordable housing.

The fee is equitable in that it would be paid by those would who benefit from it; people moving into a town. Each town would have complete control over whether to impose the fee, and the amount, up to the cap. The bill provides for a limit of 1%. I suggest this might be higher.

The Green Fund would give towns a mechanism to raise funds for projects which would preserve open space, and enhance the quality of life of the town. In many areas of New England, it has been very successfully used as a financing vehicle.

Many funding sources require towns to supply matching funds to receive a grant. The Green Fund would be used to generate this match. In this way, the funds raised would be leveraged to bring significant benefits to the town.

Sierra sees this as a very positive bill, and recommends its passage.

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HB 5264 would provide a mechanism to permanently protect, via a conservation easement, municipal open space land. This would provide a mechanism for a town to ensure that an intention to protect open space is recorded as legally enforceable on the land records. It is the extension of P.A. 04-96, an act passed at my request in 2004 to protect municipal land in Hamden, which extended application of conservation easements (restrictions) explicitly to political subdivisions of the state. (CGS Sec. 47-42a)