

Open Space Subdivisions

Open Space Subdivisions

A more intelligent approach to traditional standard and cluster subdivisions

From the Waldoboro Land Use Ordinance:

“It is the policy of the Town of Waldoboro to encourage the use of open space subdivisions in order to preserve a sense of space, provide for sustainable agriculture and forestry as well as recreational land, preserve other resources identified in the Town of Waldoboro Comprehensive Plan, and harmonize new development with the traditional open, wooded, agricultural, rural and village landscapes of the Town.”

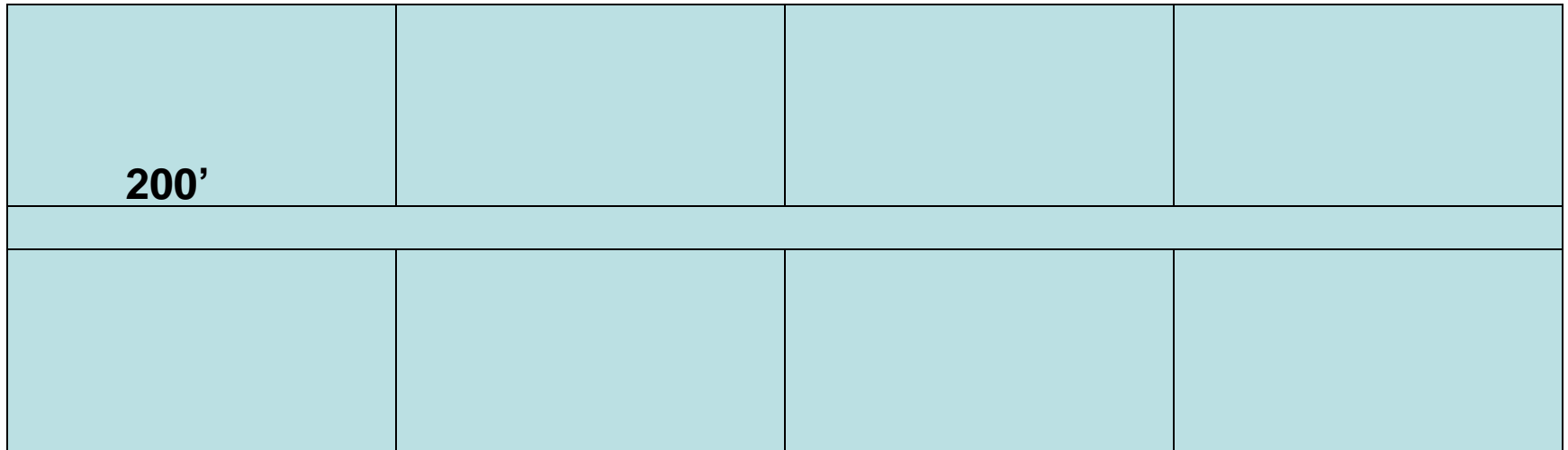
An Open Space Subdivision (OSS) Ordinance allows the PB to offer substantial incentives to a property owner in exchange for the preservation of important open space

- Significant reduction in minimum lot size (to as little as 0.5 acre in unsewered areas)**
- Significant reduction in frontage (to zero in some cases)**
- Reduction in road standards**
- Cannot reduce shore frontage, lot size or setback**

The area of the open space is used to calculate the number of lots permitted on a parcel but the open space is made subject to an easement or restriction prohibiting it from being developed

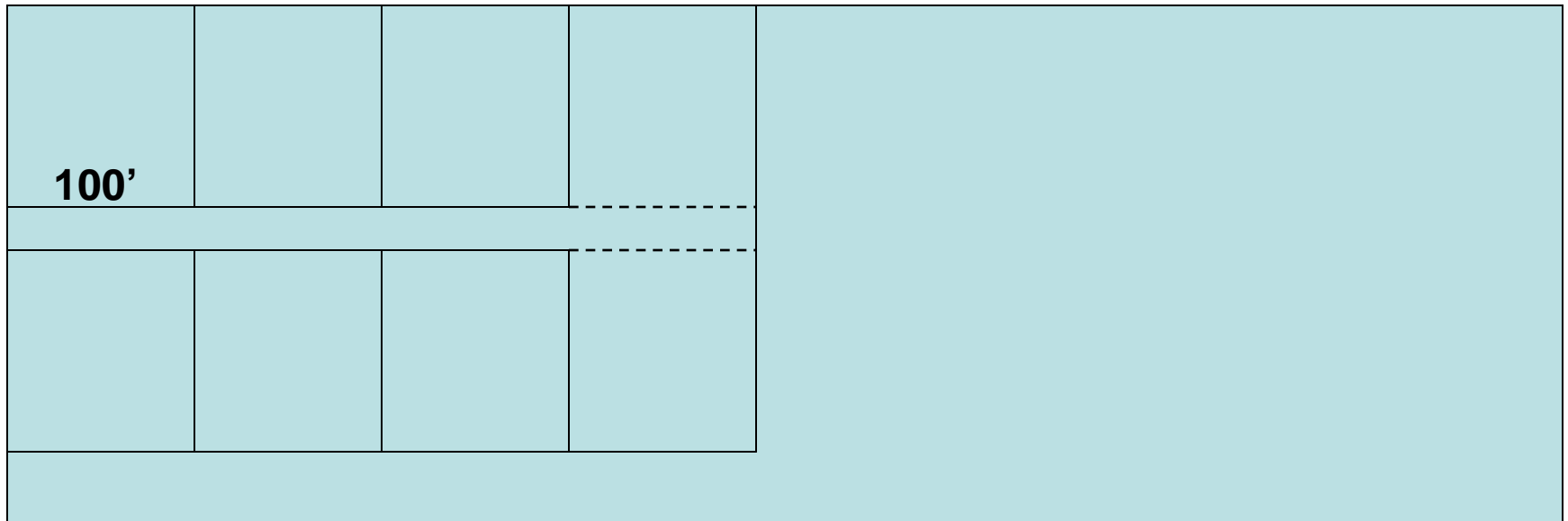
Usually, the most attractive incentive is the reduction or elimination of road frontage for some lots, especially when combined with reduced lot sizes

16.9 acre parcel



Eight 2-acre lots + 0.9 acre road

Road – 800' - \$240,000 (\$30,000/lot)



**Eight 1-acre lots + .45 acre road +
8.45 acres open space**

Road – 300' - \$90,000 (\$11,250/lot)

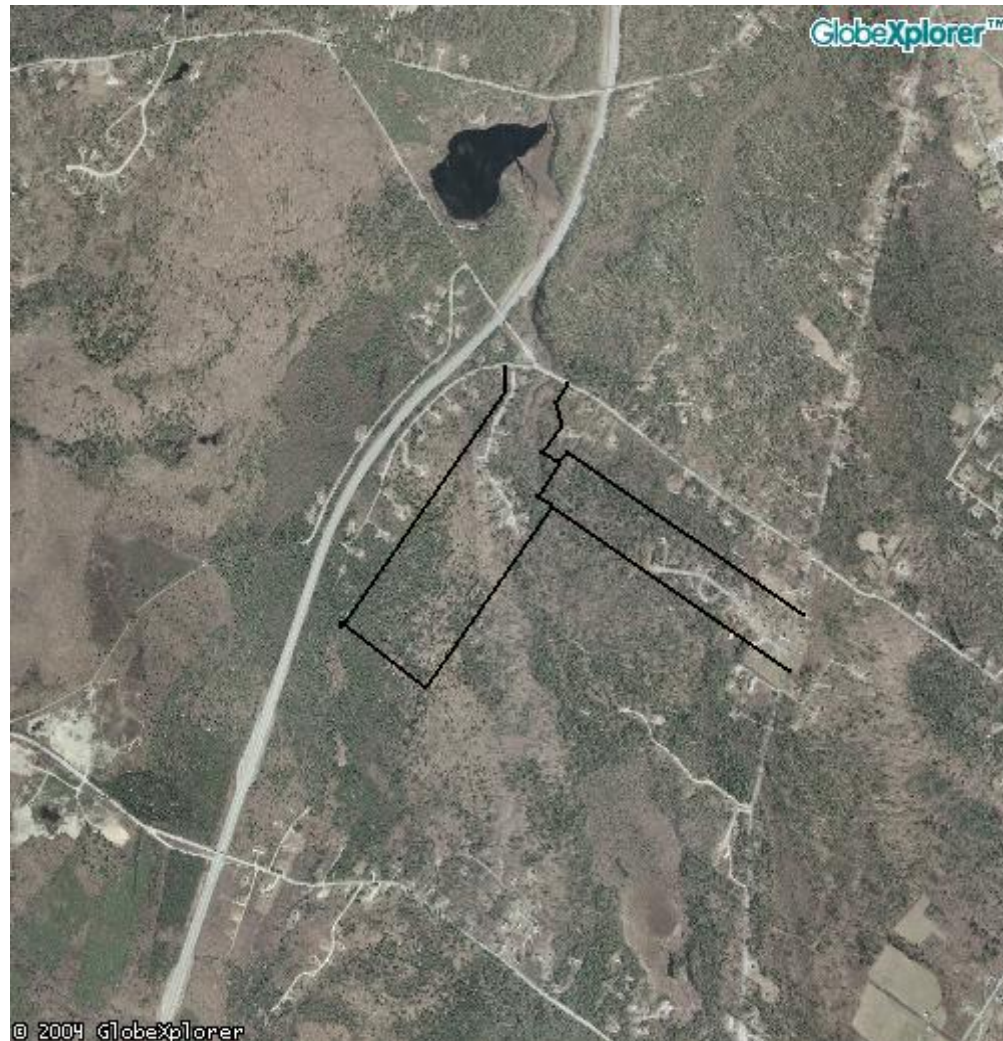
The larger the existing minimum lot size or minimum frontage, the greater the incentives for open space subdivisions

This also yields the greatest amount of open space for the community

Two Open Space Subdivisions

West - 20 lots, 5 ac MLS, 105 ac

East - 24 lots, 2 ac MLS, 50 ac



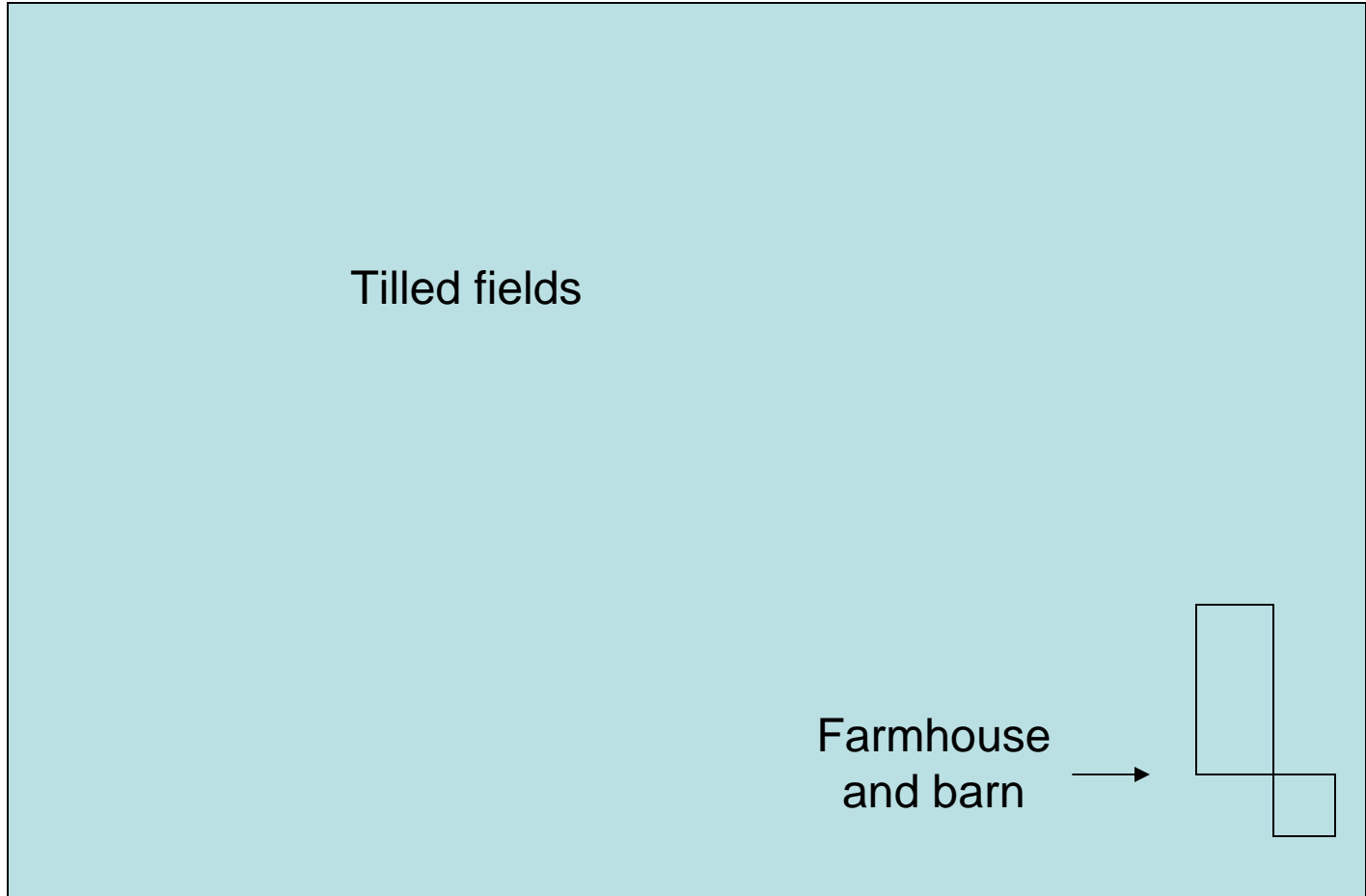
The open space created can include timber or agricultural land, important plant or animal habitats, attractive roadscaapes, wetlands, shoreland or just open space

It can be owned by a homeowners association, land trust, the municipality, a third party or *the current property owner*

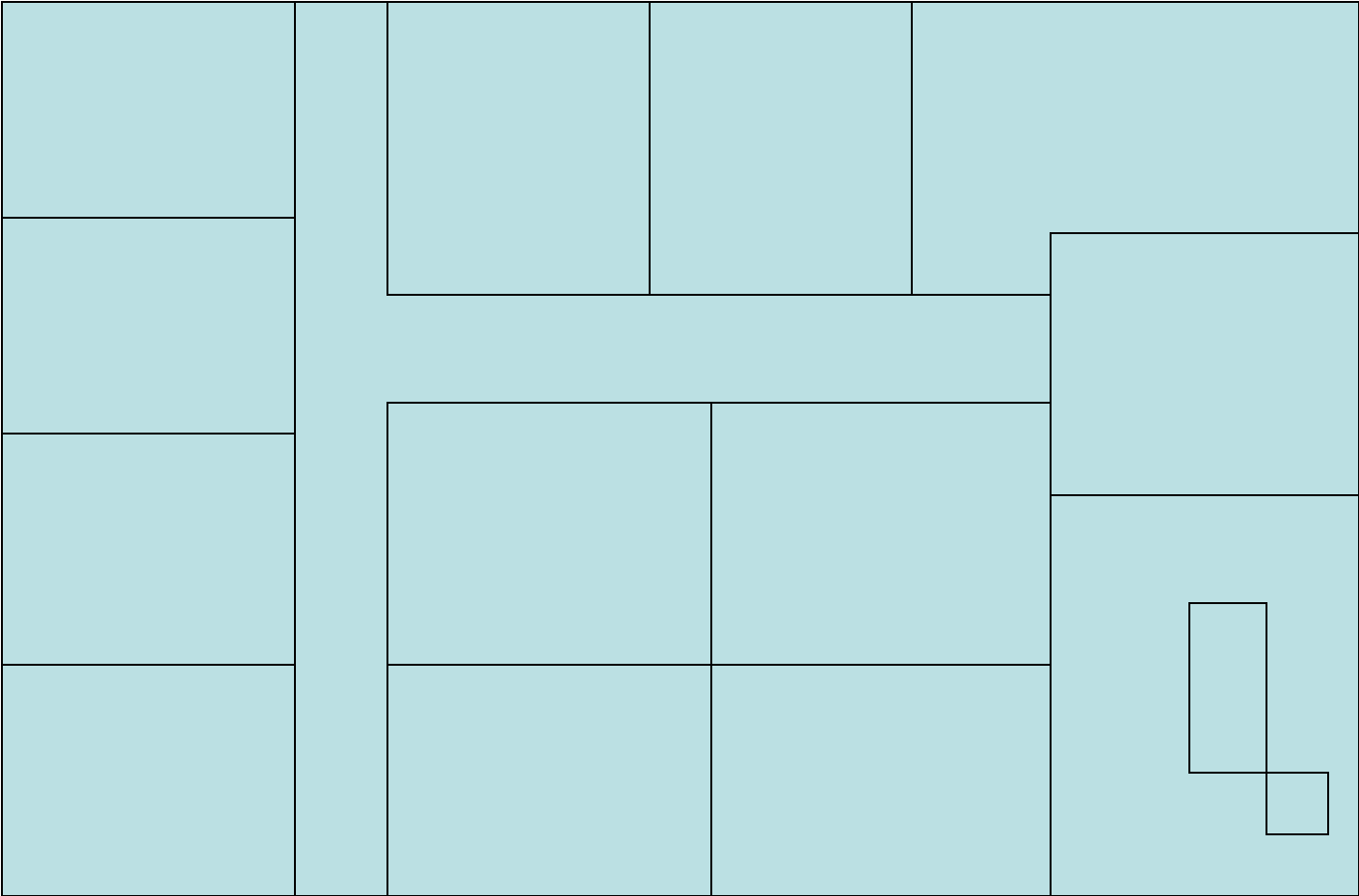
If the open space consists of farmland, the farmer can continue to own and farm it, subject to the prohibition of any future development on it

This has the advantage of reducing the pressure to liquidate agricultural land and also lowering the financial threshold young farmers face in getting started in the business

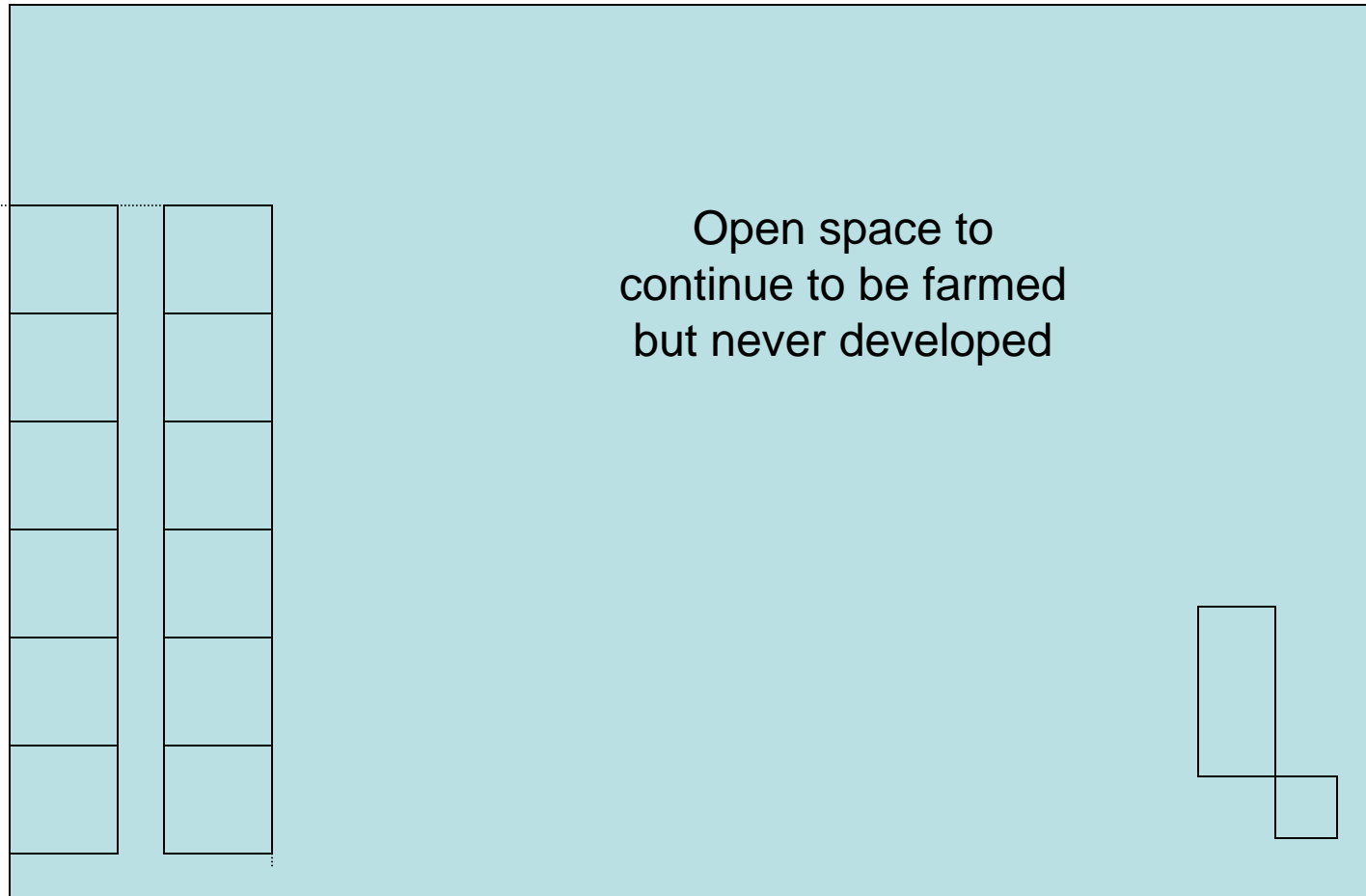
Existing Farm



Typical Subdivision of Liquidated Farm Operation



Open Space Subdivision – Farming Can Continue



If the open space consists of timberland, it could, for example, be owned by a homeowners association and subject to a management plan approved by the PB. A third party would actually manage the land for timber production

Because the open space will never be developed, it can be used for septic systems

Lots do not have to support both a well and a septic system, allowing the subdivision designer more flexibility in siting lots and roads and preserving the most important, or most fragile, areas on the property

This can also result in septic systems being located on the soils most suited for them, rather than artificially constraining them to lots that are limited by local size and frontage requirements

Ideally, communities will develop inventories of important habitats, agricultural land, forest land, rural roadscapes, shore land, etc.

When a subdivision is proposed for one of these locations, the PB can suggest to the property owner the advantages of an open space subdivision

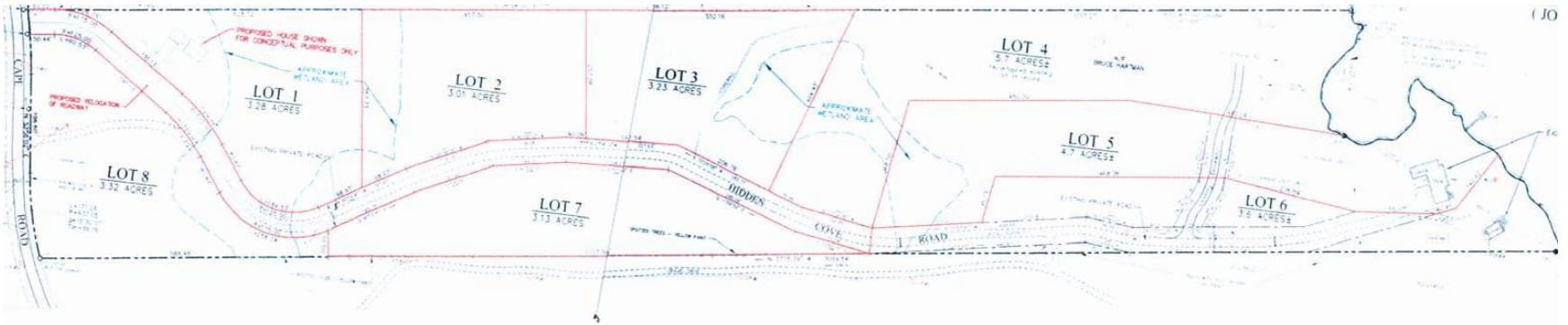
Because of the very substantial financial benefits from open space subdivisions, consideration should be given to limiting them to locations important to the community

30-acre Parcel on Raymond Cape

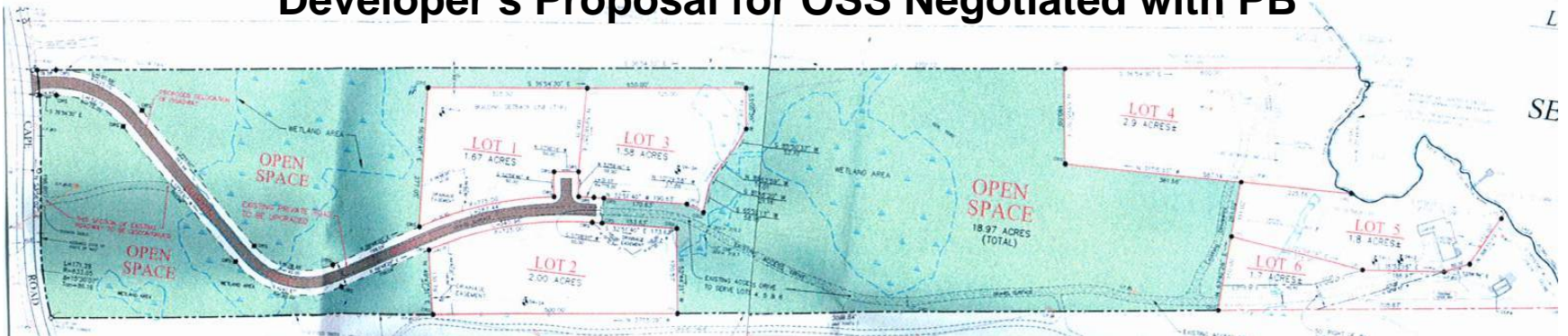


Standard and Open Space Subdivision Plans Raymond Cape

Developer's First Proposal for Standard Subdivision



Developer's Proposal for OSS Negotiated with PB



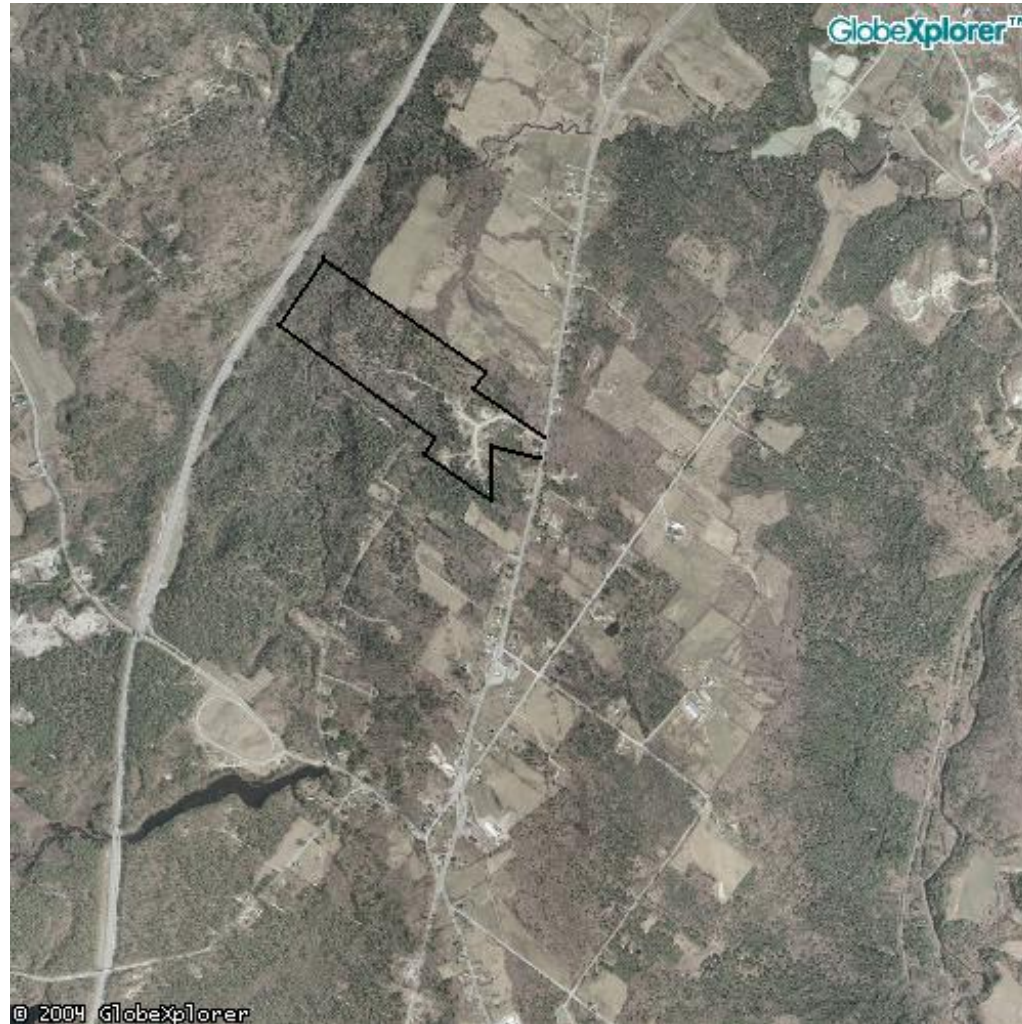
A property owner generally has a right to subdivide property subject to reasonable limitations imposed by local ordinance and state law

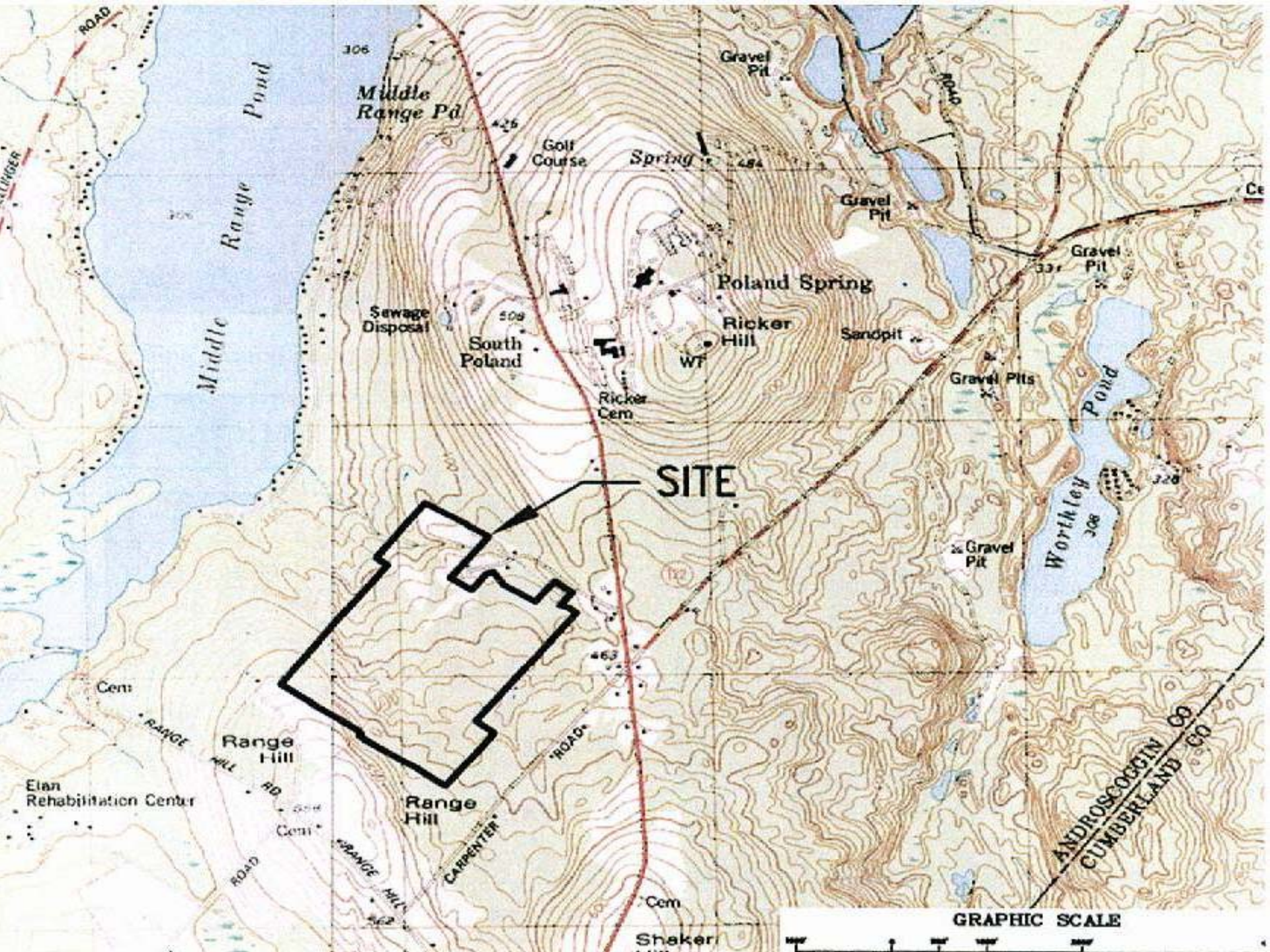
A property owner does not have a right to an open space subdivision – that is something granted by the PB if there is demonstrated public benefit

This gives the PB a strong position in negotiating the location of lots and roads and the size, location and uses permitted in the open space

Open Space Subdivision

15 lots, 2 ac MLS, 50 ac





Middle Range Pond

Middle Range Pd

Golf Course

Spring

Gravel Pit

Gravel Pit

Poland Spring

Gravel Pit

Sewage Disposal

South Poland

Ricker Hill

Sandpit

Gravel Pits

Worthley Pond

SITE

Gravel Pit

Worthley Pond

Cem

Range Hill

Range Hill

Elan Rehabilitation Center

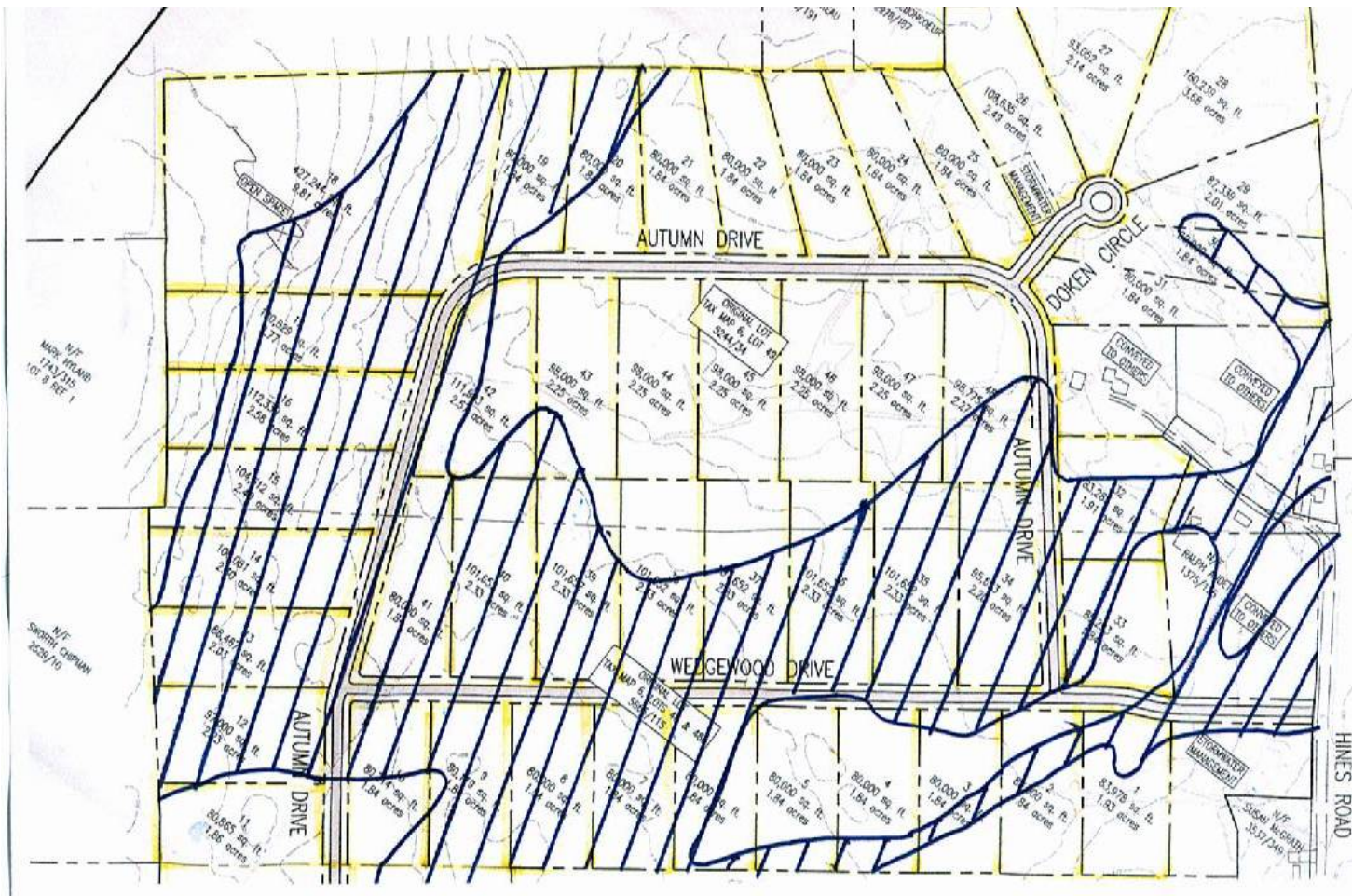
Cem

Shaker

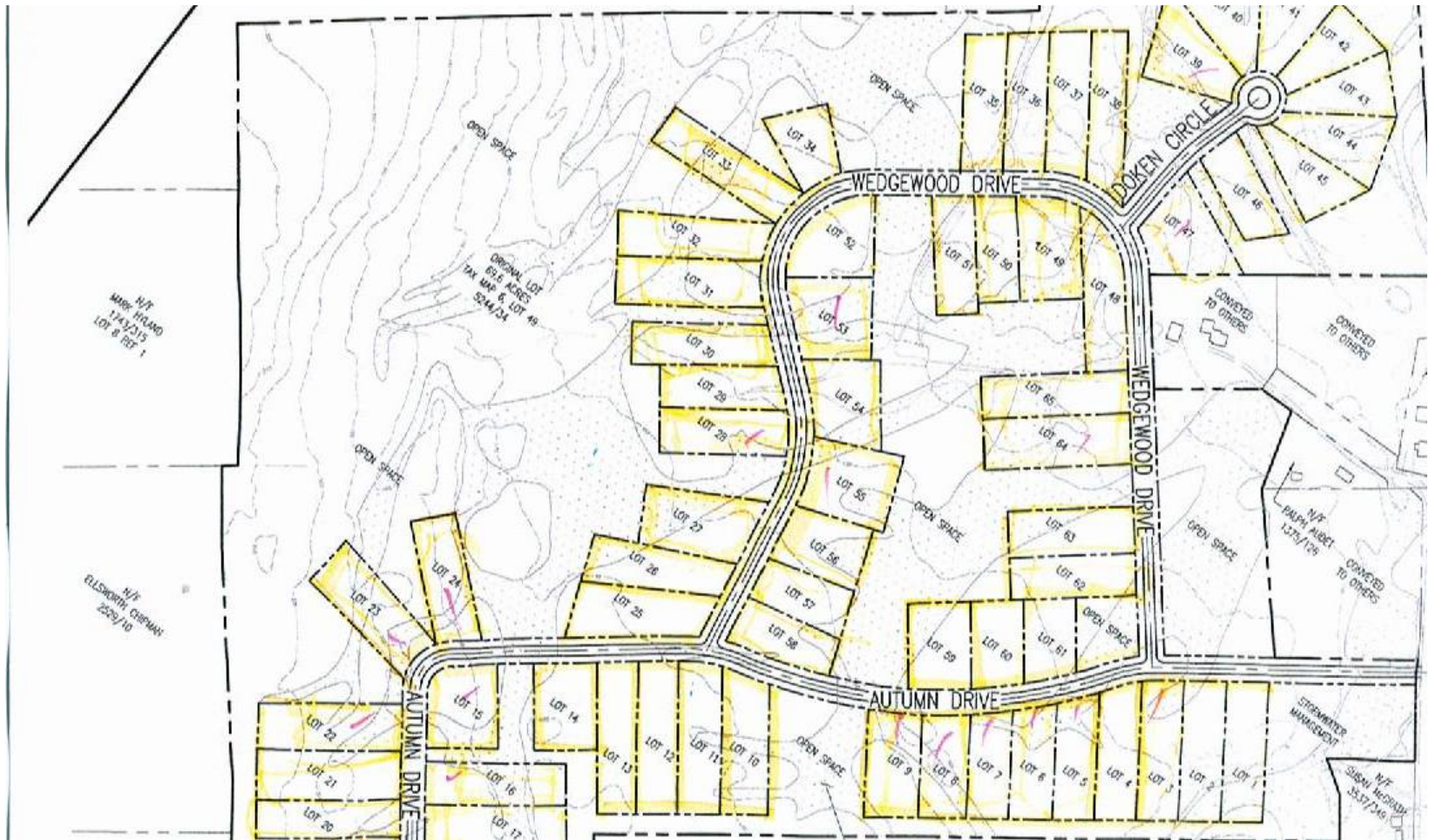
ANDROSCOGGIN CO
CUMBERLAND CO

GRAPHIC SCALE

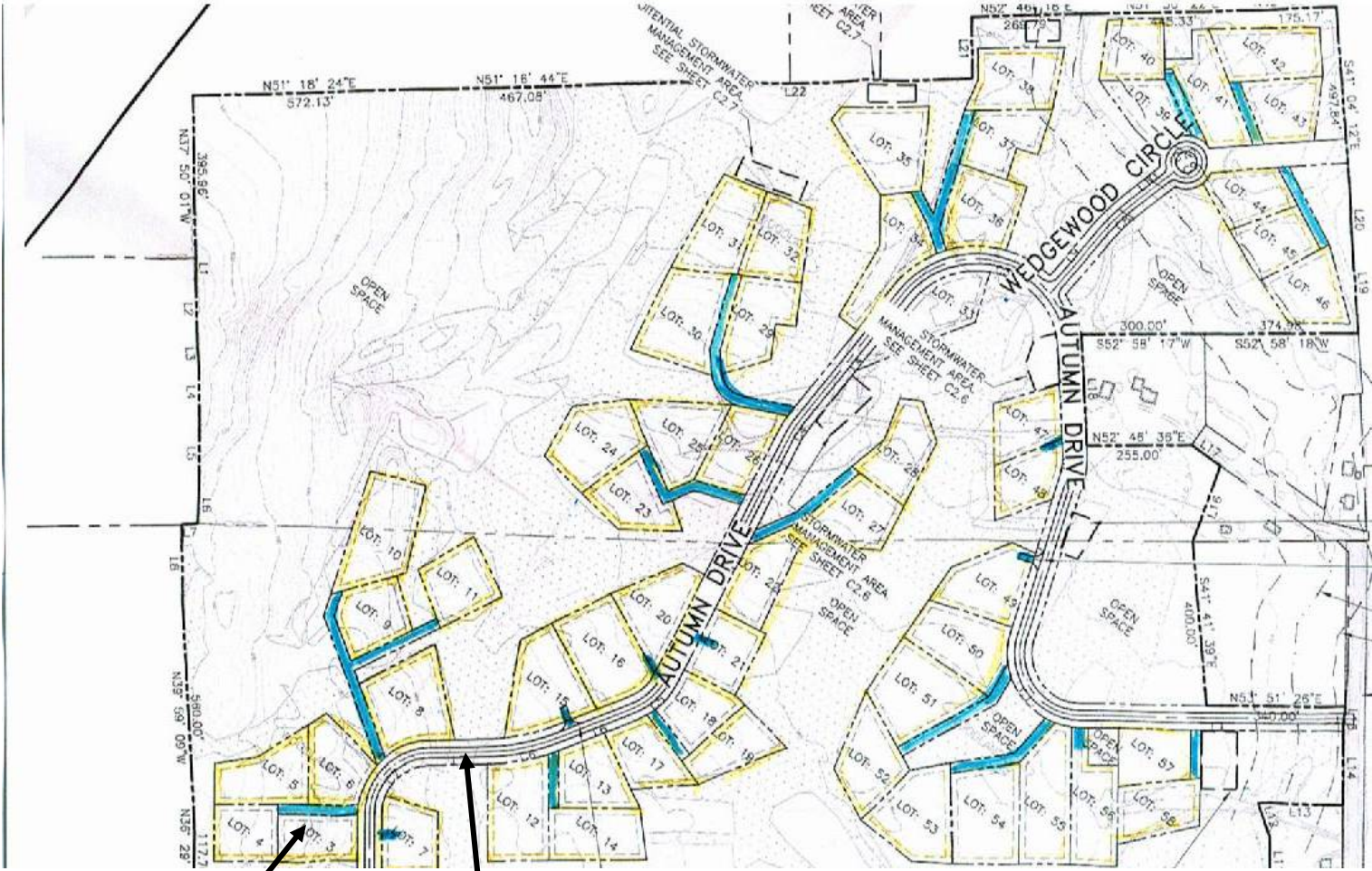
Sketch Plan Submitted by Developer



Developer's Second OSS Proposal



OSS Found Acceptable by PB



Private Drives Public Road

Zero Lot Line OSS

