

# Open Space

Montgomery Township is dedicated to the preservation of open space to protect natural resources, vistas and viewsheds, preserve our agricultural heritage, and provide residents with an extensive network of trails.

Driven by these principles, the Township has nearly 8,000 acres of existing and proposed open space, representing almost 40% of the Township. The success of our program lies in proficient land use planning and allocation of financial resources. Our bonding ability, open space tax, and the State Green Acres program provide us with a steady, secure funding source dedicated to preserving land.

## Duties of the Open Space Coordinator:

- Plans, administers, develops, and manages open space acquisitions, parklands and pathways
- Prepares, administers, and manages grant applications pertaining to open space and pathway development
- Works directly with Township Committee, Open Space Committee, and Planning Board in planning and utilizing open space and parkland, as well as pathways, for both active and passive recreational uses
- Reviews development applications and related planning issues as they relate to open space plans for the Township
- Supervises Eagle Scout and Girl Scout projects pertaining to open space

## Interested in Preserving Your Land?

Some of the benefits include:

- Permanent protection of your land, streams and watershed
- Potential property, estate and income tax benefits
- Eliminating or reducing debt load and/or securing capital to expand existing agricultural operation

The Township is positioned to work flexibly and creatively with property owners. Some of the options available to landowners interested in preservation include the sale of the entire property, known as a *fee simple purchase*, or the sale of the *development rights* only. A **fee simple purchase** is the sale of property and all the rights. This option is best for landowners not wishing to retain ownership of the land. For landowners wishing to retain ownership but

would like to permanently protect the land, the sale of development rights might be the best option. The Township purchases the value of the development rights, thus permanently restricting the land by a **conservation or agricultural easement**. In either case the Township pays the fair market value of the land as certified by the State. In addition to preservation through the Green Acres program, farmland may be preserved through Somerset County's Farmland Preservation Program.

## Information on Conservation Easements

Montgomery Township is committed to preserving and protecting environmentally sensitive lands, including wetlands, stream corridors, and woodlands, and has widely utilized the Conservation Easement as the means to protect these areas. Conservation Easements, sometimes known as Conservation Deed Restrictions, can be as small as a 20-foot buffer on the back of a residential lot or as large as a 200-acre farm. Each Conservation Easement, taken together, forms a large, contiguous system of protected land throughout the Township that is extremely important in providing clean air and clean water, reducing the frequency and intensity of local stream flooding, and maintaining plant and animal diversity.

A Conservation Easement is a permanent, legally binding document that is recorded as a Deed of Conservation Easement in the office of the clerk in Somerset County. The agreement is binding on both present and future owners of the property; so you may have a conservation easement on your property and not realize it. The property owner is responsible to maintain the terms of the easement, and the easement holder, typically the Township, is responsible for ensuring the easement is not violated.

If you think a Conservation Easement may have been violated, please contact the Zoning Officer at 908-359-8211.

Read [Your Conservation Easement](#) for more information on the benefits of conservation easements and the typical Do's and Don'ts

Read [A Guide to Protect Clean Water and Wildlife](#) to learn about caring for backyard conservation buffers.

## Rain Gardens

A rain garden can be a simple and attractive addition to your landscaping that can help to cleanse stormwater run-off before it re-enters the groundwater. To learn more, visit [NJ Native Plant Society's Rain Garden Manual](#).

# Supporting Documents

Your Conservation Easement 326.6 KB

Caring For Backyard Conservation Buffers: A Guide to Protect Clean Water and Wildlife  
304.63 KB