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## Land Development Techniques to Protect Scenic Areas in Coventry, R.I.

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**LAND DEVELOPMENT TECHNIQUES TO PROTECT  
SCENIC AREAS IN COVENTRY, R.I.**

**BY**

**RAYMOND M. GOFF**

**A RESEARCH PROJECT SUBMITTED IN  
PARTIAL FULFILLMENT OF THE REQUIREMENTS  
FOR THE DEGREE OF  
MASTER OF COMMUNITY PLANNING**

**UNIVERSITY OF RHODE ISLAND**


**1996**

MASTER OF COMMUNITY PLANNING  
RESEARCH PROJECT  
OF  
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# Chapter 1: Introduction

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## **1.1 Problem Statement**

Today in Rhode Island's suburban and rural communities as elsewhere, new development increasingly encroaches on scenic areas. The Town of Coventry is now experiencing the impact of this phenomenon and its comprehensive plan has identified a number of scenic areas in need of protection from development. The following sites, Hopkins Hollow, Bowen Hill Farm, Broadwall Farm, Summit/Kozela Pond, Little and Great Grass Ponds, and Reynolds Pond have been identified by the Town through the Rhode Island Department of Environmental Management's "Inventory of Scenic Resources" in the State. A number of these sites are protected by state ownership, but others are not. In addition to these identified sites, there are numerous privately owned sites throughout the town that are unprotected. The current zoning and subdivision regulations offer limited protection to these interests and do not curb the major threats to scenic areas in Coventry.

Scenic areas are part of a community's makeup. They contribute to the attractiveness of the town and have influenced many present residents, potential home-buyers, businesses and developers to locate there. With the current pace of development, scenic areas are quickly being transformed into house lots, leaving little aesthetic value.

Randall Arendt in Dealing with Change in the Connecticut River Valley, warned communities that "across the country, when people are asked where they would prefer to live, work, shop, and recreate, they invariably select communities or neighborhoods that have an abundance of trees, open spaces, and uncluttered pedestrian ways." These

preferences translate into clear economic terms. If a community is to succeed in attracting new residents and businesses, it must be concerned about its appearance, physical character, livability, and feel.

“Residents should be concerned not only about the number, type, and density of new subdivisions, but also about the effects those developments will produce on their townscape, the surrounding rural landscape, and their local sense of place. Although new subdivisions can be designed to preserve a variety of open spaces, these advantages are generally not realized, and communities typically receive very traditional cookie cutter layouts of just more house lots and streets. After several decades of methodically reviewing and approving scores of such subdivisions, communities are able to see the negative effects and higher costs of sprawling development and the concomitant loss of open space” (Arendt, 1994:280).

A subdivision is defined by the town of Coventry as a "division of a lot, tract or parcel of land into two (2) or more lots, tracts or parcels or other divisions of land for sale, lease or other conveyance or for development, simultaneously or at separate times" (Coventry Code, 1991:Sec. I, Art. B). Subdivisions are loosely distinguished by the number of lots created from the division of land. Subdivisions are further differentiated by the way frontage is or is not created by the division. In a division of land where the resulting parcels meet the minimum setback and frontage requirements of the zoning district, this is loosely referred to as a dimensional subdivision or a frontage lot subdivision. All other subdivisions, such as when land is divided and roads are laid out

creating new frontage-lots are called major subdivisions. Currently, frontage lot subdivisions comprise the majority of all development in town. This is because they can be developed without examination by the town's regulatory boards and many times go unnoticed until they destroy an area that the community has grown to accept as part of its character.

Subdivisions are regulated by the Planning Commission, who may or may not be influenced in their decisions by the scenic quality of a site proposed for development. Zoning and subdivision regulations establish the mechanism for review of all subdivisions. Any variances or relief from these regulations must be granted by the Zoning Board of Review. The Planning Commission however, does have the right to waive any requirement of the Subdivision Regulations. Currently, subdivisions are reviewed by the various town departments with concern for safety, impact on services and costs to the town, without emphasis on the impact on the community's "rural character" and "sense of place." A community's "sense of place" can be connected to its attractiveness to buyers or marketability, property values, tax base and bond rating. This connection makes "sense of place" an asset to a community and worth protecting. Although developers research marketability and "fit" in the community, many overlook a particular development's impact on sense of place and character of the community. Town regulations should provide incentives and mechanisms to ensure developers and individual subdividers consider protecting scenic areas on their site for the good of the community.

Developing regulations that can be added to the current, or incorporated into the new subdivision regulations, can serve to protect these areas and help maintain the town's scenic areas. Further, these regulations could serve as a model for other communities in preserving their scenic areas.

Land owners wishing to develop their property are limited by the current structure of community regulations; thus they are many times forced into subdivisions, which obliterate tree stands and scenic areas by denuding the land and replacing scenic areas with homes, lawns and septic systems. The current complexity of most innovative regulations have been blamed for developers choosing traditional over innovative plans, such as cluster and planned unit developments (PUD's) which provide for scenic protection. Although there are provisions in Coventry's regulations for PUD's and cluster development, they have not been used effectively. These types of developments have not been well tested in Coventry because residents fear they will result in higher densities. This adds to the limited approvals of alternative developments and results in fewer proposals being submitted with innovative designs. Subdividers, if given the incentive and opportunity, will choose a more attractive setting for new homes while benefiting from a greater value in the property that arises from increased open space and preservation of scenic areas.

The entire community can benefit from regulations that promote the protection of scenic areas, which results in higher property values and increased appreciation of the "sense of place" that exists. People move to rural communities for their natural aesthetics

and by their very actions they change the community fabric which brought them there.

This change is what this study seeks to manage, but not halt.

## **1.2 Significance of the Problem**

Because scenic areas are inextricably tied to a community's overall sense of place and rural character, residents connect these attributes to their interpretation of community. But, as the community's population continues to grow, these scenic lands will fall to the pressures of development. Frontage lots are usually developed first and with them will go the scenic character usually accessible from the roadways. Development in itself is not bad, but when allowed to run roughshod over significant scenic areas, it must be regulated to limit the damage. As more suburban communities go through the pains of growth and loss of important scenic areas, preservation of these assets has come to be an important issue.

In the spirit of the times, most Rhode Island communities have created conservation commissions in order to protect their natural assets. The Town of Coventry created a Conservation Commission in the 1970's. As in numerous communities, it has limited power because it acts in an advisory capacity to the Planning Commission. The preservation of scenic areas is an issue that was identified many years ago as being of great importance, but little has been accomplished in terms of regulating for it. If regulations are not created and implemented to protect these areas, there will be little to protect once

homes are built. As the problem continues to grow, communities will control or be controlled by development. Hopefully, Coventry will control it.

### **1.3 Objectives of the Study and Its Significance.**

This study has two objectives. First, the study identifies scenic areas in Coventry using prior studies and reports. Second, it identifies regulatory techniques which can be used in protecting scenic areas in Coventry. These techniques can then be incorporated into the town's regulations, increasing the number of options for development.

This study will provide Coventry with the ground work that will be utilized in developing a town-wide inventory of scenic areas. The inventory, when established, will allow the town to systematically target scenic areas for preservation. With the identification of numerous preservation techniques, this will provide greater flexibility in protecting each unique scenic property.

### **1.4 Methodology**

This study began with a literature review that identified pertinent books, studies, ordinances and reports that deal with the issue of regulation for scenic protection. From this research, a decision was made to pursue the study based on the depth and breadth of information on the topic.



As part of the preliminary research, reports and ordinances from the town were reviewed for information relative to the study. This research set the stage for later analysis of government organization and regulations concerning scenic areas.

The next step in the study involved analysis of the previous studies which identified scenic areas in the town. This resulted in a loose definition of what is scenic for the purposes of this study. Along with this definition, three sample scenic sites, not identified by earlier studies, were chosen. These sites represent the numerous scenic areas not identified by earlier studies.

The background research was followed by an in-depth evaluation of regulatory techniques that can be used for the protection of scenic areas. This evaluation is followed by recommendations for regulations that have a chance of being adopted and being effective in protecting scenic areas.

### **1.5 Organization of the Study**

Following this introduction, a discussion of Coventry's history and development pattern is presented. This will include some discussion of the governmental structure as related to the regulation of development. The areas of discussion will involve the comprehensive plan, zoning ordinance and subdivision regulations. It will conclude with a summary of how these issues influence the protection of scenic areas.

The third chapter will discuss what scenic areas are and how they have been defined and identified by other studies. This chapter will attempt to set the stage for

## *Chapter 1: Introduction*

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regulations that protect scenic areas but will not give a definitive answer as to what is or is not scenic. This can be left to the residents of the Town of Coventry to decide.

The fourth chapter will focus on identifying land management techniques for the protection of scenic areas. It will discuss how these techniques work and will be used to protect scenic areas. This will be followed by an evaluation of the effectiveness of the techniques. The discussion will then move to historic preservation to show that sometimes the two cannot be separated when regulating. This chapter concludes with a summary of what seems to work and why it works.

Recommendations will be made for regulations that will work in the town's geographical, social and political environment. As discussed earlier this study will not result in specific recommendations as to what is the "best" technique to be implemented, but rather describe some of the attributes that make a technique applicable for the Town of Coventry. These suggestions will have to be studied by the decision makers of the town for ultimate suitability and fit.

## Chapter 2: Community Profile

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## *Chapter 2: Community Profile*

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This chapter will discuss the history and existing conditions of the Town of Coventry. It will explain the development pattern of the town, establish the town's history and its current rate of development. Along with the history, there is a discussion of the town government. This will generate an understanding of how decisions are and will be made concerning scenic areas, as well as other aspects of the town. Town regulations are also discussed as a way to introduce what currently exists as a basis for later recommendations. The result of this chapter should be a better understanding of the community and how its history, government and regulations influence scenic areas.

### **2.1 History of Development**

In order to gain an understanding of the direction of Coventry's growth and the need for protection of scenic areas, one must first see how the town grew to where it is today. As a suburb located just fifteen miles southwest of Providence, Rhode Island, Coventry's population has grown to approximately 32,000 persons. In the past three decades, the population has increased by nearly 10,000 people or 27 percent compared to 6 percent statewide over the same period.

Table 1  
**Population Trend in Coventry, R.I. vs. the State**

<u>Year</u>	<u>Coventry</u>		<u>State</u>	
	<u>Population</u>	<u>Percent Change</u>	<u>Population</u>	<u>Percent Change</u>
1970	22,947	---	949,732	---
1980	27,065	18%	947,154	-2%
1990	31,083	15%	1,003,464	5+%

Source: US Census, 1970-90

## Chapter 2: Community Profile

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Most of the town's population lives in the urbanized eastern section, while the western section remains rural with a sparse population. Coventry's overall population density of 522.4 persons per square mile of land area (p/s.m.) is lower than the state's density of 960.3 p/s.m in 1990. The population density in the eastern section is 1,689 p/s.m of land area. The western section has only 208 p/s.m of land area. Not surprisingly, three-quarters of the town's population lives in eastern Coventry on only one-quarter of the town's land area. This results in the feeling of two very different communities and two different perspectives on conserving scenic areas.

Table 2  
**Population Density in Coventry, R.I. vs. the State in 1990**

	<u>Area*</u> (Sq. Miles)	<u>Density</u> (People/ Sq. Mi)	<u>Population</u>
Statewide	1,049	960.3	1,003,464
Coventry Entire Town	64	522.4	31,083
Eastern Coventry (Census Tract 206)	52	1,689	20,270
Western Coventry (Census Tract 207)	12	208	10,813

Includes all land and water bodies.

Source: US Census 1990.

Prior to the monotonous suburban development patterns of today, the town grew in basically two different manners. Coventry's rural villages developed from agrarian roots, or as overnight stops along 18th century thoroughfares. The other villages may have

## *Chapter 2: Community Profile*

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begun the same way, but grew rapidly as industrially based villages of the 19th and early 20th centuries. Today the village of Rice City embodies the town's agrarian past, while Anthony village is representative of the later industrialization that resulted in the urban villages in eastern Coventry.

The Town was initially part of Warwick and was included in the Shawomet Purchase of 1643. In 1741, the approximately 100 families scattered throughout Coventry petitioned to separate from Warwick and formed their own government. This petition was granted by the General Assembly in August and the current boundaries were established.

As with most Rhode Island communities of the late 18th century, much of Coventry's economy was agrarian based, until the development of the textile mills. The villages of Quidnick, Anthony, Arkwright, Harris, and Washington were quickly established by the textile mills because of their access to water power. The slower development of the western Coventry villages of Coventry Center, Rice City, Summit and Green resulted from being overnight stops along transportation routes. These areas lacked the water power that attracted mills to eastern Coventry (Figure 1).

In the 20th century, proximity to major highways such as Route 95 and Route 295 became the major influence to land use and, thus, the resulting landscape of the town. The southern and eastern portions of Coventry have seen intensive development because of the easy access for Providence commuters. The areas around Tiogue Lake and Johnson's Pond have developed quite rapidly since the 1960's. For the most part, development has occurred on or around the secondary roads such as South Main Street, Noosneck Hill

## *Chapter 2: Community Profile*

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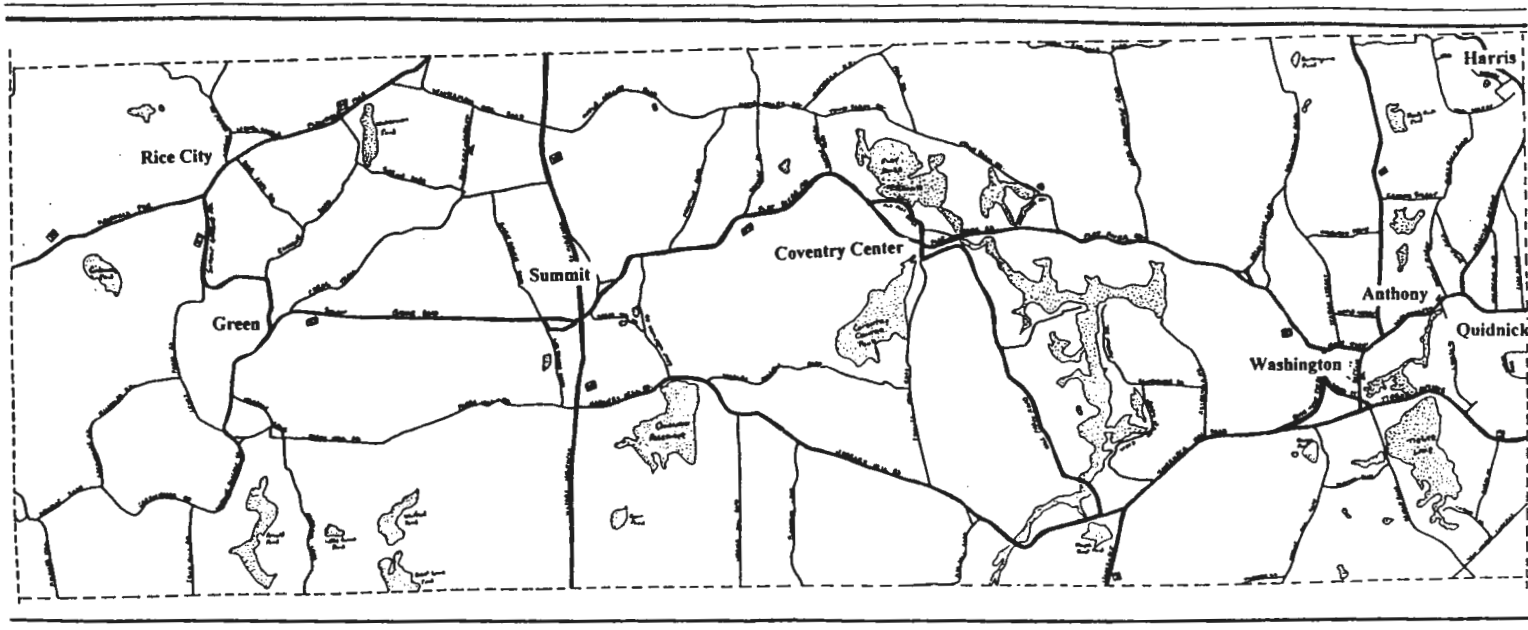
Road, Harkney Hill Road, Flat River Road, Town Farm Road and Maple Valley Road.

This has led to the steady suburban transformation of the community (BRW, 1992:B.1-2).

Route 3, with its strip developments and fast food restaurants, is the major commercial area in town. It has served as a receiving zone for most of the town's commercial uses and suffers from a lack of consistency with the rest of the town's character. Although the character issue is present, this benefits the town by centralizing most commercial uses into one area, leaving only small scattered commercial development in the more rural areas.

Today, Coventry is a mixture of its many past and present land uses. It has historic mills and rural villages separated by second, third and fourth growth forests, family farms and occasional strip development along major thoroughfares. Access to major highways brings many businesses and residents who commute to Providence. Numerous recreation areas are an added attraction to residents of Coventry's suburban developments. In the western part of town, large lot residential developments and natural scenic areas draw home buyers from all over the state. All of these attributes add to Coventry's current atmosphere and appeal to residents. It is this mix which makes the town attractive to prospective home builders and buyers. Along with these attributes is an ever increasing pressure for development and this threatens the town's scenic areas and rural character.

Figure 1. Villages of Coventry, Rhode Island



TOWN OF COVENTRY  
RHODE ISLAND



THE VILLAGES OF COVENTRY, RI

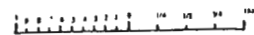
Industrial/Urban

- Anthony
- Harris
- Quidnick
- Washington

Rural

- Coventry Center
- Green
- Rice City
- Summit

- Major Arterial
- Secondary Road
- ◉ Waterbody





## **2.2 Government**

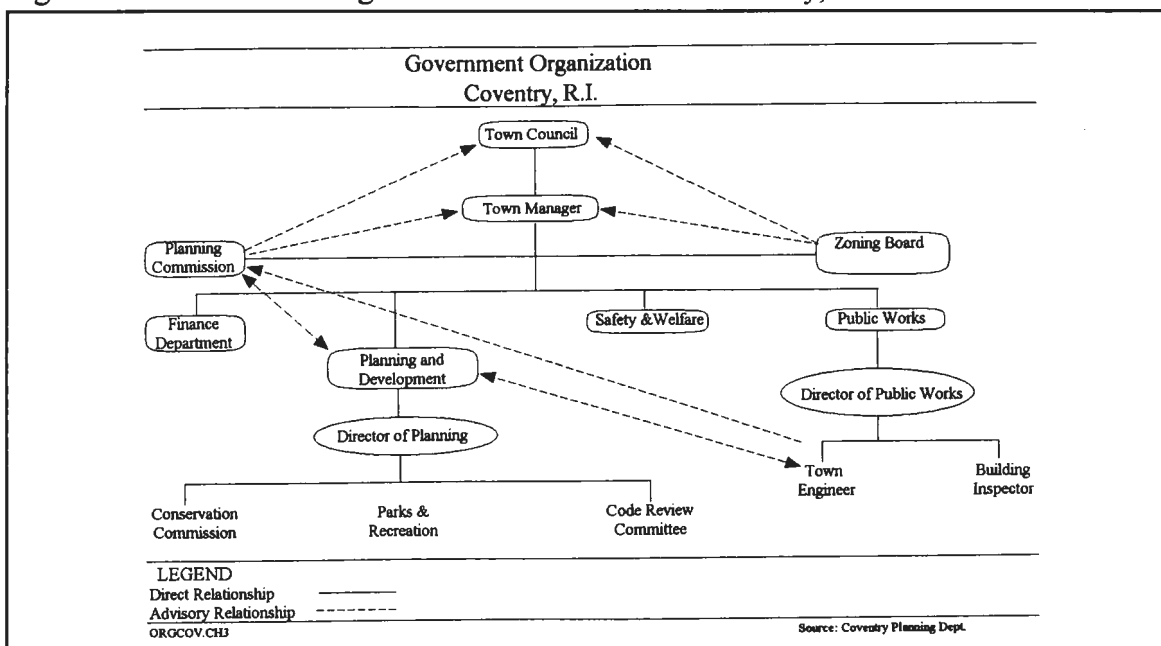
The Town of Coventry has a Manager/Council form of government that places decisions in the hands of the Town Council. Most development decisions are made by the Planning Commission but are based on the Zoning Code approved by the council. The Planning Director is appointed by the Town Manager who is appointed by the council. On matters of development, the Planning Director advises the Planning Commission. As the one visioning document for the town's next twenty years, the Comprehensive Plan establishes the town's goals and objectives. The formulation of the zoning and subdivision regulations must comply with the goals and objectives of this document.

The current form of government was adopted by Coventry in 1973 and places the "duties and obligations" of the town upon the Town Council. The Council is made up of 5 elected members who reside at the top of the town's chain of command. It serves as the appeals committee for Zoning Board decisions and as the only municipal body that can make changes to the zoning code. Their impact on controlling development is sometimes limited because of the ever changing political climate (Figure 2).

The Town Manager is appointed by the council and as chief administrator is responsible for the daily operations and decisions of the town. The duties include prioritizing and channeling information to the council from all town departments. Decisions made by the manager may be overruled by the council with 4 of the 5 council members voting against. Usually the council and manager agree on most decisions. Changes in the town codes must be approved by the council including any changes in the

zoning code. As a result of the council's power over the manager, decisions are usually agreeable to these parties.

Figure 2. Governmental Organization of the Town of Coventry, Rhode Island



The Department of Planning and Development is responsible for all areas of planning, zoning and subdivision regulations. The department director serves as an advisor to the manager and council on issues concerning land use and development of the town. This person is responsible to "provide necessary staff assistance for the Planning Commission, the Zoning Board of Review and any other board, commission or agency which the council may place under the jurisdiction of the department" (Coventry Code, 1991: Article XIII, Section 13.03). Within the planning department there is a zoning enforcement officer who is charged with enforcing the zoning and subdivision code. This person is required to review zoning applications, investigate code violations and order the

discontinuance or corrections of any illegal work done or being done (Coventry Zoning Regulations, 1994: Article 3, Section 300).

The Zoning Enforcement Officer works with the Planning Director and Town Solicitor in deciding the more complicated issues of zoning. This relationship allows for better interpretation of the zoning code and results in responsible code enforcement.

The Planning Department as a whole provides support for the research and the review of subdivisions and new development procedures and techniques. This places the department in a position of great influence on development direction within the town. It is incumbent upon this department to utilize this influence for the betterment of the town.

The Planning Commission functions in an advisory capacity to the Planning Director, the Council and Manager. Its nine (9) members are appointed by the council and make decisions concerning the physical development and growth of the community, including development and subdivision review. All decisions made by the commission are required to be consistent with the Comprehensive Plan and local ordinances. Commonly decisions are made by the commission based on the regulations that are vague or improper for some situations. Decisions by the Planning Commission are discretionary and should be based on the intent and not the letter of the regulations.

In addition to decision making, the commission is responsible for preparing the Comprehensive Plan and the rules and regulations governing the platting of land (Coventry Subdivision Regulations, 1986: Article 1, Section A). This gives this commission great control over the land development pattern in town. But typically

requests are made for more, not less development and subsequently the commission is not involved in many issues concerning preservation. In many cases, the Planning Commission will take issue with specific aspects of a subdivision without regard for the developments overall impact. If the Planning Commission were more concerned with the outcome of their development decisions and less with the procedures, scenic areas may be preserved more often.

The Zoning Board of Review serves as the appeals board for decisions made by the Zoning Enforcement Officer, Building Inspector and Historic District Commission (when established). The board has the power to authorize conditional zoning approvals, special-use permits and variances from the zoning code in cases of hardship (Coventry Code, 1991).

### **2.3 The Comprehensive Plan and Development Regulations**

The Comprehensive Plan is Coventry's long-range (20 years) planning document that guides the development of the community. It is a visionary document that is created through direct input and review by the community. The plan explains the what, where and why of development and provides rationale for development decisions. It discusses areas that impact development, such as social services, housing, and transportation. In doing this, the Comprehensive Plan forms a legal basis for the creation of town ordinances and regulations that direct the future of Coventry.

The Comprehensive Plan is written to be broad and general and provides a framework for "elected and appointed officials, and Town staff, [to] promote and guide orderly and planned growth--through the year 2010." Because the Comprehensive Plan is designed to be interpreted by many individuals, it is written with some flexibility in it. This allows for some minor deviations from the letter of the plan (BRW, 1992: D.0-1).

The plan begins with a report of the town's current conditions. The next section discusses the visions, goals and objectives of the community. That is followed by an in-depth discussion of the elements of the community, such as land use, circulation and housing etc. Finally the plan discusses an implementation guide for meeting each of the goals described by the plan.

Some plan elements are important to the protection of scenic areas. These elements: History and Background; Natural and Environmental Resources; Cultural and Historic Resources; Land Ownership and Large Scale Development; Housing; Circulation; Community Services and Facilities; and finally, Municipal and Economic Conditions help to establish a rationale for the protection of scenic areas, or open space as described by the plan. The Comprehensive Plan identifies the visions, goals and objectives of the community for policy development and the implementation of the plan itself. These recommended actions give direction to decisions that are made. They also set the groundwork for developing a list of potential sites to acquire for conservation as open space.

## *Chapter 2: Community Profile*

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Within Chapter C., “Visions, Goals and Objectives” of the Comprehensive Plan, there are three objectives that are pertinent to this study. The first is objective 1.7 in the Land Use category; "Maintain the visual quality of the town through protection of open space and the Mill Village character of eastern Coventry." Objective 2.5 of the Natural and Cultural Resources category; "Create a community-wide land bank for open space preservation and development, possibly through the use of tax incentives." Lastly, Objective 1.3 of the Open Space and Recreation category; “Conduct an open space procurement program with State and Federal assistance, and non-governmental entities, if possible, to secure long-term preservation of large open space and environmentally sensitive areas" (BRW, 1992: E.1-3).

An important part of these objectives is to develop a prioritized list of potential sites for preservation. This action item is the first step in developing a “town-wide comprehensive open space management program” (BRW, 1992: E.1-20). This program is important because it will allow the targeting of specific parcels of land in the town for preservation and translates into land owners having more options than just merely developing their land. With the addition of programs for their procurement, realistic expectations can be made about the preservation of scenic areas and open space.

The Zoning Ordinance contains a written text that delineates zoning districts and permitted uses, a map that delineates the boundaries of each zoning district and a description of what can and cannot be done in each zone. As with most communities, the districts are broadly classified as residential, commercial, industrial and open

## *Chapter 2: Community Profile*

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space/recreational uses. Coventry further divides the districts into different use intensities. Residential for example is divided into Residential-20,000 (R-20), Rural Residential-2 Acre (RR-2) and Rural Residential-5 Acre (RR-5), For the most part eastern Coventry is zoned R-20, central Coventry is Zoned RR-2 and western Coventry is zoned RR-5 (See zoning map in Appendix A).

Rewritten in December 1994, the Zoning Ordinance contains 19 articles or chapters ranging from general administration to specifics about landscaping. The articles that effect scenic areas are: Administration and Enforcement; Zoning Board of Review; Districts and Zoning District Map; Residential Cluster Development; Land Development Projects; and Development Plan Review. Administration and Enforcement effects scenic protection because it spells out jurisdictional purview over zoning issues, penalties for violations, procedures for appeal and fees for project applications. The Zoning Board of Review article is important because it addresses what special conditions need to exist in order to get variances or special-use permits. In the article entitled District and Zoning District Map, each zoning district is described as well as the zoning boundaries and their interpretations. Article 13-Residential Cluster Development (RCD) discusses the development parameters of an RCD which involves assessing land importance, size and location of dwelling units, application process and how open space is to be handled. As for Land Development Projects (LDP) and Development Plan Review (DPR), these articles affect how a subdivision or any project will look when built. They are quite in tune to how the employment of certain development standards will manifest themselves in

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the context of the community. They look at such issues as intensity of development, street design, screening, impact on adjacent uses and the environment.

Subdivision Regulations are subordinate to the Comprehensive Plan and the Zoning Ordinance. The Subdivision Regulations for Coventry pertain to the placement of roads, lots and other improvements. These regulations describe all the submission processes that a subdivider may have to go through. In addition, they make specifications on open space to be set aside, improvements to the land, bonding for road and other improvements and well as other engineering specifications. These regulations provide specifications for the division of land which:

*"--are designed to make adequate provisions for traffic to lessen traffic accidents; to promote safety from fire and other damages; to provide adequate light and air; to prevent overcrowding of land; to prevent the development of unsanitary areas for housing purposes; to secure a well-articulated street and highway system; to promote a coordinated development of unbuilt areas; secure an appropriate allotment of land area in new developments for all requirements of community life; to conserve natural beauty and other natural resources; to conform to the Coventry Comprehensive Plan; to furnish guidance for the wise and efficient expenditure of funds for public works; and to facilitate the adequate, efficient and economic provision of transportation, water, sewerage, recreation and other public utilities and requisites" (Coventry Subdivision Regulations, 1986: Section 1, Article A).*

All divisions of land are subject to the subdivision regulations if they do not meet all the conditions for exclusion described in the ordinance. Essentially this means that all parcels that do not have enough frontage for the lots created must abide by this ordinance.

Subdivision regulations offer a community an opportunity to focus on the way in which development occurs. It gives some leverage to the town in controlling the intensity



and overall look of new development. Judging from the intensity and size of some new developments, there seems to be a reluctance to regulate for the preservation of rural character.

#### **2.4 Summary of Findings**

The Planning Commission has the greatest control over the direction that development takes in Coventry. Their decisions can have an immediate impact upon scenic areas and the town's overall character. With the Planning Department and the Planning Commission working from different perspectives, development decisions can sometimes be made for the wrong reason. The Planning Commission's decisions can be swayed by political forces and may at times ignore the advice of the Planning Department. This can cause decisions which are good for the moment but not for the long term and alienate the Planning Department. As advisor to the Planning Commission, the Planning Department is in an excellent position to communicate the long term needs of the community as expressed in the Comprehensive Plan. The Planning Commission can use this relationship to gain expertise that is not available from board members. This relationship may not be working as effectively as it could.

The key decision makers, such as the Planning Commission, Zoning Board of Review and the Planning Department share a portion of the responsibility for the land use pattern of the town. These individuals make decisions that can lead to the protection or destruction of scenic areas. It is incumbent upon these individuals to look at the current trends in development and try to picture Coventry in twenty years with the continuation of

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these patterns. With board membership turnovers and sense of comfort derived from being on the board for a long time, decision makers can lose track of the town's goals and objectives. Regular reminders of what the Comprehensive Plan's goals are and some time spent revisiting past decisions as to how they have effected the town will go far toward meeting the town's development goals.

The Comprehensive Plan is the only document which outlines the visions, goals and objectives of the community. It serves as a reference for all land use regulations and decisions of the town. It spells out that the town wishes to preserve open space and scenic areas, develop a land trust and seek methods to preserve land in its natural state.

The Zoning and Subdivision Regulations provide a vehicle where legal changes can occur quite easily, in a relative sense. However, the possible misinterpretation of the regulations by the Planning Commission or Zoning Board. There must be a collective vision that decision makers agree to and will attempt to aspire to in their decision making. The Comprehensive Plan provides many ideals that are all within the reach of the community, if only consensus can be reached. An objective of the Comprehensive Plan is to develop a land trust. The land trust has not been translated into the current town regulations. As a development alternative, developing a land trust should be pursued by the Planning Department and/or Conservation Commission. There needs to be a grass-roots effort or some groundswell of support for this kind of organization to be established and be effective. In order for this to occur, these groups should work together toward the formation of a land trust.

## Chapter 3: Identification of Scenic Areas in Coventry

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### **3.1 Introduction**

This chapter will discuss scenic areas located in the Town of Coventry, as identified by two studies and field analysis. The purpose of this chapter is to establish that there are scenic areas worthy of protection through enactment of appropriate regulations. The scenic areas identified will be mapped and analyzed to describe their locations and scenic quality.

Local scenic areas have suffered because of a lack of regulatory protection, poor layout and design of subdivisions, and a general misunderstanding of the intent of the development regulations. The result has been the slow loss and destruction of scenic areas throughout the Town. By utilizing previous studies to identify scenic areas, some initial ground work has been avoided and solutions to the problems can be attained more rapidly.

Much of this chapter's discussion will be based on two statewide studies conducted by the Rhode Island Department of Environmental Management (RIDEM). The first study titled "Openspace Preservation in Rhode Island" (OSPRI), was produced in 1983 and resulted in a list of 43 areas in the state that were considered scenic. The second study titled "Rhode Island Landscape Inventory" (RILI), was conducted in 1989; it was a more complete and thorough report which produced a statewide list of 127 scenic areas. These studies were referenced in Coventry's Comprehensive Plan's inventory of scenic areas. They present a sample of Coventry's scenic areas (100 acres and over) and are a good starting point for any future inventory of scenic areas.

### *Chapter 3: Identification of Scenic Areas in Coventry*

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The objectives of these two studies were limited to areas of statewide significance and did not include all scenic areas in Coventry. They chose to identify scenic areas that were geographically large enough to be easily identifiable on maps and aerial photos. As a result, many of the areas important at a local level were never identified.

All the areas deemed scenic in Coventry by RIDEM's OSPRI and RILI reports are listed and mapped (Figures 3 and 4). This represents only the findings of these studies for Coventry and serves as the beginning of a thorough town wide inventory.

In addition to the areas identified by these studies, three scenic areas were chosen for discussion in this chapter. These areas exemplify what is happening to many of Coventry's scenic areas. They are discussed in this chapter as an example of the many significant scenic areas in Coventry.

By the end of this chapter, one should have a better idea of how to rate scenic areas and what has been identified as scenic in Coventry. Although this one study cannot identify the every scenic area in the town, the objective is to demonstrate the great number scenic areas in support of developing an inventory and establishing regulations for their protection.

#### **3.2 The Open Space Preservation in Rhode Island Report**

The primary focus of this 1983 study was to identify areas with resources that needed protection. It looked at very large areas of open space and only identified three areas in Coventry, each more than 450 acres in size. The areas identified serve as a broad

### *Chapter 3: Identification of Scenic Areas in Coventry*

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first look at scenic areas in Coventry, and represent some of the largest areas of open space in the entire town.

Besides the statewide inventory and area assessment, the study researched preservation strategies from which recommendations were made. One of the recommendations made was for federal, state, local and private sector agencies to participate in protecting the identified scenic areas. This recommendation has been followed by few agencies.

One issue that weakens this report is that RIDEM decided to publish it in an "as-is" form, with some data missing. Its level of detail varied with each area, but the data for Coventry's scenic areas are quite good. Also, because of the date of this report, some of the sites identified are in different condition from when the data was collected.

#### 3.2.1 Methodology

In the area selection process there were three steps taken to determine which site would be included in the study. The first step involved identifying the areas that were then unprotected and should be protected. This assessment was based on ten (10) factors: (1) Agricultural land - prime soils of statewide importance; (2) Groundwater - aquifers and recharge areas; (3) Upland wildlife habitat; (4) Wetland habitat; (5) Trout habitat (as a general indicator for fish habitat); (6) Historic or archaeological features; (7) Recreation - canoeing rivers and the North-South Trail; (8) Coastal features; (9) Rare or endangered species areas; and (10) Other features of biologic, geologic, or scenic interest. These

### *Chapter 3: Identification of Scenic Areas in Coventry*

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factors were chosen for this report because they were "good indicators of open space value and many were already identified and mapped by other agencies" (RIDEM, 1983: 5).

To supplement the efforts of the DEM staff, a second step was undertaken. A survey was sent out to municipalities asking them to identify their five (5) highest priority areas for preservation. The results of this survey were not available but, this methodology was utilized in the later study with great success.

For the final step, DEM compiled the information obtained in the previous steps and generated two maps showing the locations of all areas they deemed scenic within the state. These maps were to "serve as indicators to help focus on areas with high potential value as open space" (RIDEM, 1983: 5). These were general location maps with limited usefulness for analysis. They located the scenic areas but did not delineate their boundaries. This made the study weak and nearly impossible for communities to use to identify their scenic areas.

A priority rating system was used in this study to rank the need for protection of scenic areas from destruction. A ranking of "high priority" means that immediate actions should be taken to protect these areas. A "medium priority" ranking would necessitate a less immediate response to protect this parcel. Finally a "low priority" is given to parcels that have the lowest level of urgency for action. Ranking scenic areas is essentially a subjective judgement call that is backed up with an established criteria. This in no way diminishes the importance of areas that may be ranked lower on the list.

### 3.2.2 Areas Identified

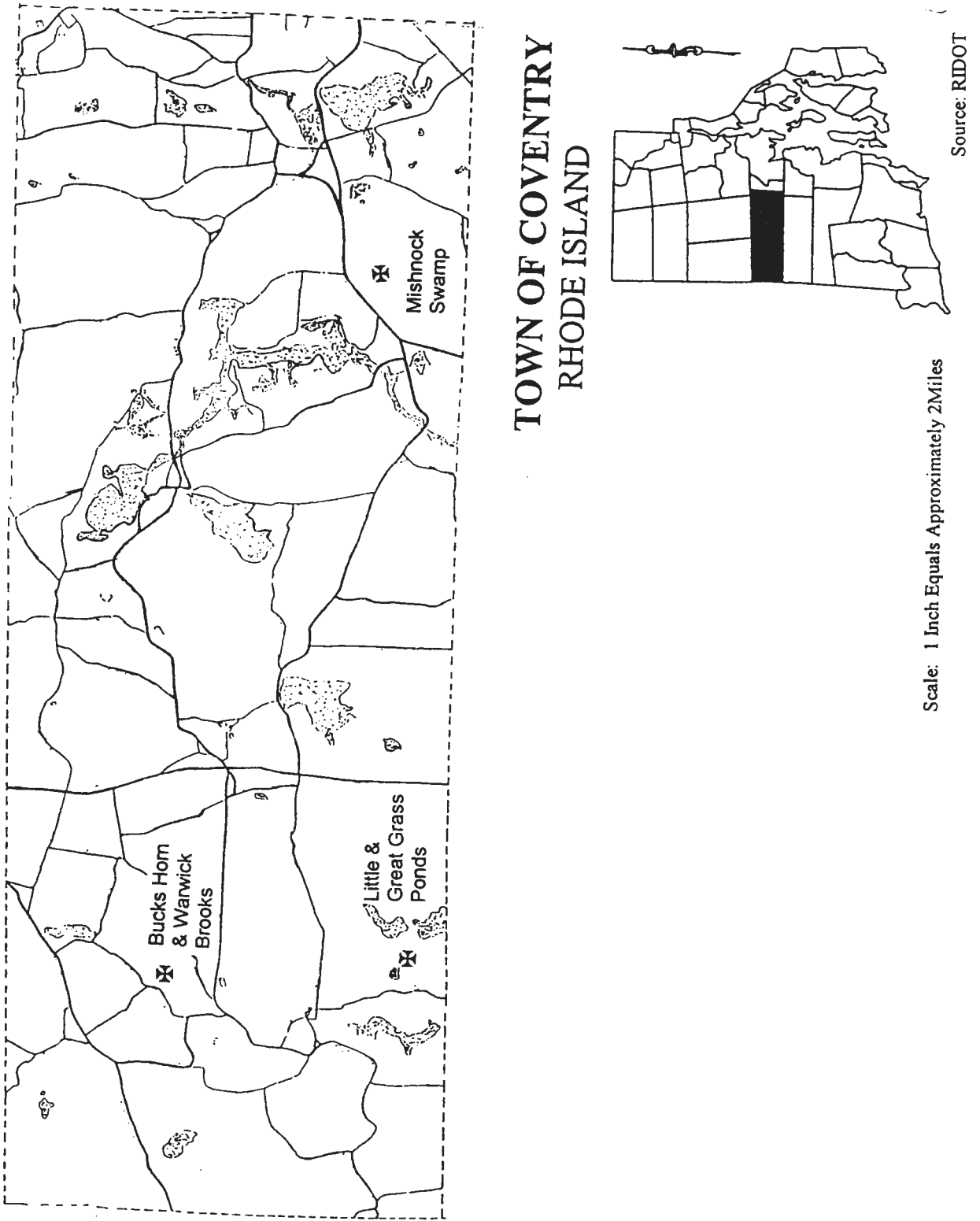
In this study, three areas were identified in the Town of Coventry: Little & Great Grass Ponds; Mishnock Swamp; and Bucks Horn and Warwick Brooks. As mentioned earlier, these areas represent some of the largest areas of open space in the entire Town. These three areas are quite remote and access to them is not easily attained (Figure 3).

The Little & Great Grass Ponds area is approximately 1,000 acres and has an operational 70 acre cranberry bog; the largest in Rhode Island and is the only commercial cranberry operation in the state. It is located west of Route 102 and south of Perry Hill Road. This area is adjacent to the Wickaboxet State Forest in West Greenwich and most of the land surrounding it is undeveloped forest. It is rated as a "high priority" for preservation and was given this rating because of the area's "uniqueness and proximity to other protected land" (RIDEM, 1983: 59).

In the recommendations for the Little & Great Grass Ponds complex, RIDEM suggests that a plan be created for conservation of this land between the land owners and a private conservation organization. Other recommendations include the area be rezoned from 2-acre to 5-acre zoning, which has occurred to some extent, and the granting of easements to enable the establishment of the North-South Trail through Coventry. Easements may be a good idea but, their creation does not seem to contribute to protecting scenic areas. At this time no agreement has been recorded with the town between the owners and a private conservation organization.



Figure 3 Open Space Preservation Invt., Sites Identified as Scenic in Coventry, R.I.



Little & Great Grass Ponds Complex



The Mishnock Swamp is approximately 760 acres in size and was chosen for the report because it is a major habitat for wildlife and water storage capacity. The area is located in the southeastern section of Coventry and is bordered by Nooseneck Hill Road on the north and east. Beneath the swamp lies a major aquifer which the Kent County Water Authority taps into via a well in the southwestern edge of the swamp. Most of the swamp is owned by Kent County Water Authority and plans have been made to keep it unbuilt. It was given a low priority by RIDEM although it may suffer from some encroachment by development along its northern border. RIDEM makes recommendations for the town to rezone the swamp for conservation, require package sewer systems for

### *Chapter 3: Identification of Scenic Areas in Coventry*

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surrounding large development and require buffers around the swamp to protect it from development.

The Bucks Horn and Warwick Brooks area encompasses approximately 450 acres, extending from Waterman Pond, south of Route 114, to north of Route 117 and Susan Bowen Road. This area is said to be significant because it provides excellent habitat for some rare wetland wildlife species and the streams support natural trout populations. In addition, it is rated as a high priority due to its historic and rural character. Cahoon Road runs through this area and is identified as a scenic road by the New England Natural Areas Program. The road is bordered by three areas of historic significance and because it is unpaved and remote, it has remained for the most part preserved. Recommendations, which have resulted in specific action taken, include developing an easement between current land owners, restricting development and rezoning the land from 2-acre to 5-acre zoning. Also recommended is the granting of easements for the North-South Trail and preservation of agricultural lands through purchase or donation of development rights.

The town has adopted a new zoning ordinance and rezoning has taken place in most areas where five acre zoning was recommended. Since this report was published, studies have shown that large-lot zoning does not adequately protect scenic quality, in fact it can sometimes have a detrimental effect. This action may therefore require other means in order to protect these scenic areas. The recommendation regarding easements has also not been implemented, possibly because of the cost and hesitancy on the part of the land owners.

**Bucks Horn Brook at Cahoon Road**



**3.3 The Rhode Island Landscape Inventory Report**

The RIDEM conducted a second study in 1989-1990 that inventoried scenic areas within the State of Rhode Island, the results of which make up the Rhode Island Landscape Inventory (RILI) report. In this study, a rather exhaustive exploration evaluated "numerous methodologies" for rating scenic vistas. The evaluation methods are too numerous to discuss in this report. Because this chapter is focused on identifying lands for preservation rather than on evaluation methods, only the method used by RIDEM will be described.



### *Chapter 3: Identification of Scenic Areas in Coventry*

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regional study provided a listing of scenic areas that should be preserved. These two studies have received national attention for their analysis and identification of scenic areas (Hiss, 1990).

The RILI was, in general, created to develop a more unified regional approach toward preservation of land rather than the scattered holdings which occur from haphazard preservation by numerous organizations. The goals and objectives of the study are outlined in order to provide a better understanding of how it works with this chapter. There is a listing of the areas and their attributes found to be scenic, furthering this chapter's goal of showing that there are numerous scenic areas in Coventry.

#### Bowen Hill Farm



To advance the argument that there are numerous scenic areas, as well as historic and cultural features in Coventry, the survey response from the RILI are discussed below. The areas listed in the survey encompass more of the areas that significantly contribute to the character of Coventry (See Table 4).

### 3.3.1 Background

The goals of the RILI serve to demonstrate how this study has provided the groundwork for this chapter. The three goals of the RILI are: (1) to provide cities and towns with a comprehensive inventory and evaluation of scenic resources which will allow municipalities to coordinate their land preservation and conservation efforts; (2) to differentiate and establish open space that should be preserved in its entirety versus open space that is buildable, but should have clearer design parameters to maintain scenic quality; and (3) to provide a more comprehensive framework and method for evaluating landscape areas for preservation.

The objectives of the RILI are: (1) to pinpoint areas of acquisition and/or protection based on scenic quality; (2) to interface with other state landscape surveys and land preservation programs to provide a more comprehensive evaluation methodology; (3) to direct development away from critically scenic or culturally important areas towards less sensitive landscapes; (4) to provide the visual criteria for municipal zoning and subdivision regulations so that these regulations may allow development which is more closely aligned towards the traditional New England landscape; (5) to assist in the planning and management of road improvements and the preservation of scenic roadways;

(6) to heighten awareness of scenic public open spaces for planning officials as well as the general public; and (7) to provide an educational tool for the public regarding the landscape heritage of Rhode Island.

The RILI was designed to identify the baseline elements which define a scenic landscape and then evaluate landscapes from that perspective. It was intended to be a broad-based study that would cover only large scenic areas, over twenty acres in size, within the state. Its objectives and goals are certainly designed for statewide focus and if reached will greatly benefit all communities in Rhode Island. Coventry benefits from this study because it provides a model for preservation and an initial inventory of scenic areas within the town.

### 3.3.2 Methodology

In order to apply the RILI study to this research project, one must first be acquainted with the conclusions that were reached in this study. An understanding of the decision-making process gives one a fuller appreciation of this report. The RILI used a complex decision making process that utilized analytical decision devices to substantiate the subjective decisions of the field team. It provided a greater level of credibility than the OSPRI study, but faced the same problems any other landscape assessment has faced. In the report, the RILI decision process/evaluation criteria was reported to work like this:

First, the state was divided into four physiogeographic regions, because each region has different characteristics. The regions were **Interior Upland, Narragansett**

**Lowland, Narragansett Bay Area, and Salt Pond/Coastal Plain.** The town of Coventry was in the Interior Upland region (See Appendix B).

Identification and mapping of potential scenic areas was the next step. This amounted to using a USGS quad to identify areas specified in earlier reports and surveys and delineating them on the map. These areas were limited to "large open tracts of land" (RILI, 1990:11) comprised of over twenty acres. Using this criteria and technique limited the number of areas that DEM staff had to evaluate and needless searching by area teams, thus making the statewide study less time consuming and more manageable.

Next, the areas identified were evaluated by the site team for their visual, natural, cultural and historical characteristics. The site team used three classifications of scenic quality and a corresponding point system developed from the Massachusetts Landscape Inventory and the USDA Forest Service Visual Management Assessment System. The points were distributed as follows: **Distinctive 7-10 points; Noteworthy 4-6 points; and Common 1-3 points.**

In order to measure what is distinctive or noteworthy, an initial reference was established. This reference, or benchmark characteristic of "common" was established as the typical landscape that one might normally find in that particular area of the state. In this report, "noteworthy" was defined as "areas of lesser, but never the less important visual quality." The explanation of "distinctive" was "the highest visual or image ability and contains a great deal of variety in form, line texture and color"(RILI, 1990:12) .



The evaluation criteria of scenic quality was further refined so that it was broken down into 3 general categories of perception; the **Physiographic, Created and Visual landscapes**. The landscape was evaluated in these general categories but, more specifically, in terms of individual components of the categories.

**The Physiographic landscape** assesses the natural sciences information about the landscape and the life it supports. Landform (topography, geology, glacial formations, etc.) Landcover (vegetation), coastal features, and water features (rivers, streams, lakes, ponds, wetlands, estuaries) are described in detail for the four physiographic regions. For Coventry, coastal features were not a consideration due to the lack of coastline.

**The Created landscape** assesses the scenic impact of landscape elements which have been modified by the evolving cultural patterns in the development of the land. Components such as land pattern, built fabric, containment, and historic interest contribute significantly to the identity of a landscape area. Many farms, mills and historic structures provide a glimpse of Coventry's transformation from an agrarian-based community to an industrial mill village, and finally to a suburb of Providence.

**The Visual landscape** assesses the type of view (narrow vista, panorama, etc.), and how capable the landscape is of visually absorbing potential change or development (Visual Absorption Capacity). This is defined in terms of slope, vegetation [density, height and diversity], soil [erosion potential, stability and visual contrast] and area recoverability. The first is quite easy to assess, and most people could make this

assessment, but the assessment of visual absorption quality may require more technical training.

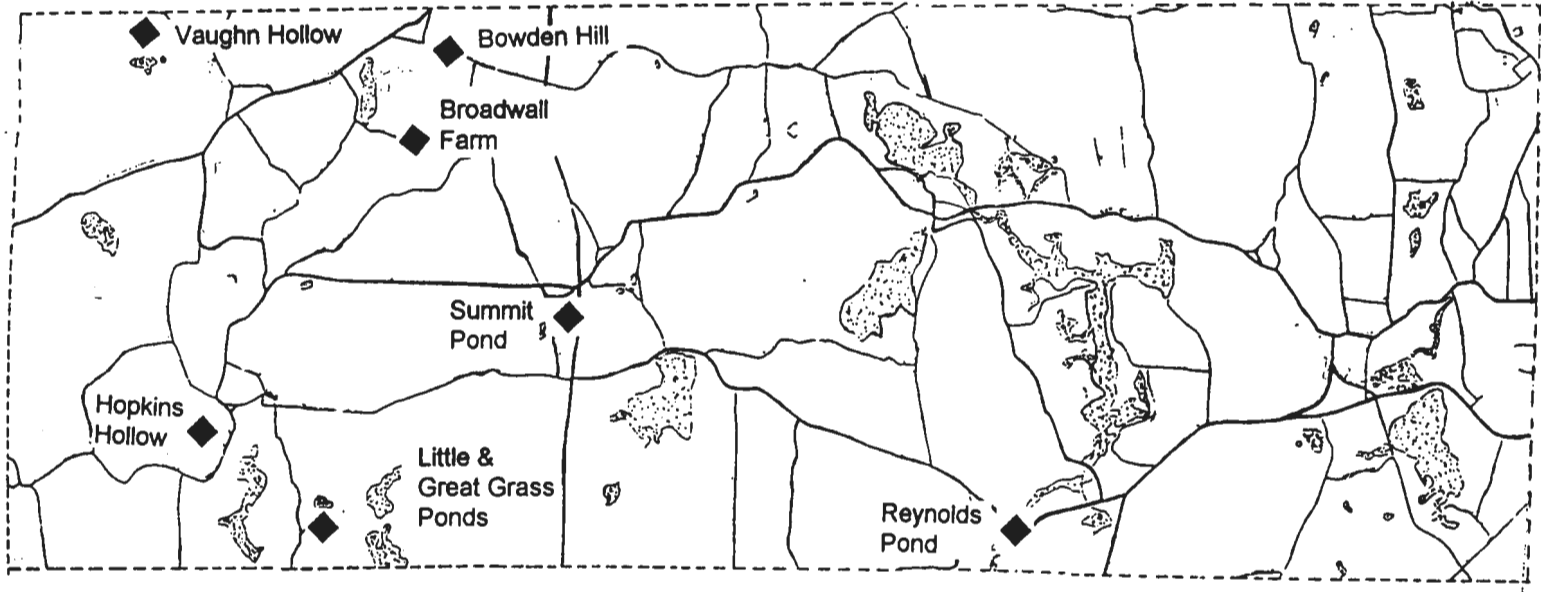
Reynolds Pond/Zeke's bridge, Harkney Hill Road



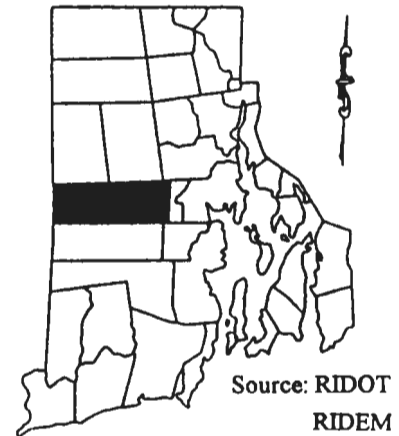
### 3.3.3 Areas Identified

In the data collected for the RILI, there are large scenic areas worthy of preservation and conservation. In the methodology of the study, it stated that 20 acres was the smallest size that would be considered in the identification process. The size of the areas identified in Coventry were all over 100 acres. This suggests that there are no scenic areas between 20 and 100 acres, or the criteria of 20 acres may have really been 100 acres instead. Locations and descriptions of the scenic areas are identified in Table 3. For a map of the sites identified in Coventry, see Figure 4.

Figure 4 Rhode Island Landscape Inventory, Sites Identified as Scenic.



### TOWN OF COVENTRY RHODE ISLAND



Scale: 1 Inch Equals Approximately 2Miles

Table 3

**Coventry Scenic Areas Identified in the RILI Report**

<u>Area name</u>	<u>* Number</u>	<u>Size</u>	<u>Rating</u>	<u>Description</u>
Vaughn Hollow	35C	293 acres	D	Rice city pond area is well-sited and contained
Hopkins Hollow	36A	151 acres	D	Distinctive land form and Tillinghast farm.
Bowen Hill Farm	37A	268 acres	D	Well-sited historic farm: interesting topography changes.
Broadwall Farm	37B	248 acres	D	Well-sited historic farm; varied topography
Summit/Kozela Pond	38	148 acres	N	Nice pond surrounded by agricultural fields.
Little and Great Grass Ponds/ cranberry bog	39	862 acres	D	Distinctive farmstead; views across ponds and bog
Reynolds Pond	44	204 acres	N	Scenic views across water

N = Noteworthy D = Distinctive

\*The Rhode Island Landscape Inventory used a number system to identify each individual site.

Source: Rhode Island Landscape Inventory, 1990.

See Figure 4 for geographic location of scenic areas identified.

**Maple Valley Road off Rt. 117**



### 3.3.4 Survey Response

One of the first things done in the RILI work program was to send out a survey to all Rhode Island cities and towns asking, among other things, what they consider to be scenic in their community. In that survey, municipalities were asked to list areas of typical landscapes, natural features, cultural and historical features and visual features (Table 4). This survey served as a starting point for the RILI site visits and helped establish a baseline to judge each community's scenic areas. The following is a list of the areas identified by the respondents living in Coventry. Some of the areas are duplicates of areas identified in the RILI and OSPRI reports. Important to note are the areas that did not fit the parameters of study. This may be a good place to start a town wide inventory of scenic areas (Figure 5). The duplicate citing of some areas indicates a general consensus that these areas are scenic and worth protecting.

Table 4

#### **Areas Identified by Coventry Survey Respondents, RILI Report**

Typical landscapes:

*T1 Rt 117 at Poor Farm Road (Pond)*

*T2 Lewis Farm Road off Rt 117 (Stream)*

*T3 Maple Valley Road off Rt 117 (Fields) [now a gravel operation]*

*T4 Fairview Avenue, toward Phoenix (Historic Home)*

*T5 Rt 117, Anthony (Mill village)*

Physiographic (natural) features:

*P1 Carbuncle Pond, Plainfield Pike*

*P2 Big River at Zekes's Bridge, Harkney Hill Road*

*P3 Bucks Horn Brook, Cahoon Road off Rt 117*

*P4 North branch of Pawtuxet River- Phoenix/Harris Riverwalk*

*P5 Johnson's Pond, Hill Farm Road at Isle of Capri*



### *Chapter 3: Identification of Scenic Areas in Coventry*

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#### *Cultural and historical features:*

*CH1 Village Green in Anthony, Rt 117*

*CH2 Perry Hill Road, farmland*

*CH3 Nathaniel Green Homestead, Taft Street (Anthony)*

*CH4 Paine House Museum, Station Street (Washington)*

*CH5 South Branch of the Pawtuxet River, South Main Street*

#### *Visual features:*

*V1 Sisson Road, off Rt 102, Hilltop farmland, views north and south.*

*V2 Frances H. Sherman Park, Old Rt 117, Coventry Center, views north*

*V3 Trestle trail from Lewis Farm Road, off Rt 117 Moosup River views north and south*

*V4 Rt 102, Scenic overlook one mile North of Rt 117 intersection, views east*

*V5 Waterman Hill Road off Rt 102, Hilltop farmland views north and south.*

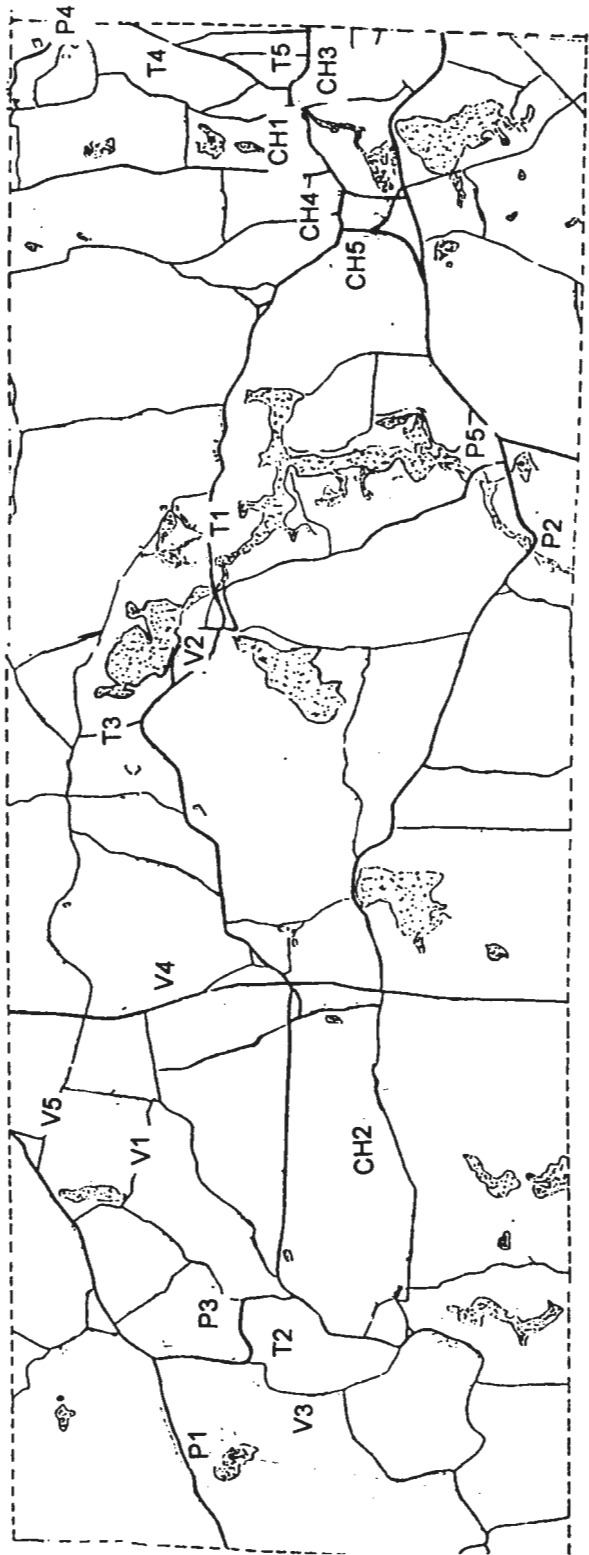
Source: Rhode Island Landscape Inventory, 1990.

See Figure 5 for geographic location of areas identified.

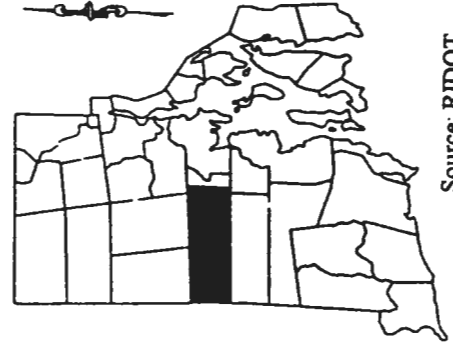
#### *Phoenix/Harris Riverwalk*



Figure 5 Rhode Island Landscape Inventory, Survey Responses for Coventry, R.I.



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Scale: 1 Inch Equals Approximately 2Miles

Source: RIDOT

### **3.4 Three Sample Areas**

Because of the scale of the studies, RIDEM limited their scope and, as a result, missed many scenic rural areas in Coventry and possibly in other communities. Three sample areas have been somewhat arbitrarily chosen as examples of the unidentified, but just as important scenic areas in Coventry. The sample areas selected are in eastern Coventry to dispel any possible assertions generated from these reports that scenic areas are only located in western Coventry.

The sample areas discussed are typical of the condition and size areas that are being developed. Two of the sample areas have been developed already; the third may be developed soon. The intention was to show how these scenic tracts of land can easily be developed into house lots, demonstrating the immediate need for an inventory and appropriate regulations for their protection. The areas chosen have similarities: all were owned by one party prior to the subdivision; each was once farmed; all are adjacent to a public road; and all were quite scenic to people passing by on the nearby road.

These areas are between 11 and 110 acres and are similar to some recent subdivisions in Coventry. They are smaller than the areas identified in the RIDEM studies and demonstrate how development on a small scale can impact the scenic quality of the entire town. The developed sites yielded nine to thirty house lots. One was divided into frontage lots, the other was divided as a major subdivision with an access road. The primary motive of the developer is to maximize the land for its highest and most profitable



Figure 6 Sample Sites Location Map, Coventry, R.I.



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Situated at a bend in the road, it is in full view whether traveling east or west (see photo on page 48).

#### Town Farm/Poor Farm Roads Site



The current owner recently consulted with the Planning Department with reference to how to develop this parcel. From the conversation with the Planning Director, it was surmised that this person would be willing to try to preserve the scenic quality of the parcel as long as it was not cost prohibitive or burdensome.

The 11-acre Hill Street parcel is currently under development (see photo above). It is divided into 15 house lots that necessitated the removal of many mature trees and

### *Chapter 3: Identification of Scenic Areas in Coventry*

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disturbed almost every inch of land on this once productive farm. This parcel would have looked very different if it was built as a cluster development. The developer was told by the Planning Commission to build it using a conventional subdivision concept instead of a cluster concept. If built as a cluster it would have preserved some of the farmland and scenic quality of this part of Coventry. Eastern Coventry is densely developed and has very few farms left. This development exemplifies what is wrong with the current situation in regulating subdivisions. Developers have become reluctant to propose cluster developments over conventional because the approval process is too time consuming, costly and vague. The decision for a conventional subdivision by the Planning Commission and the developer shows that what is in the best interest of the community is not always built (Appendix E).

Flat River Road Site





Hill Street Site



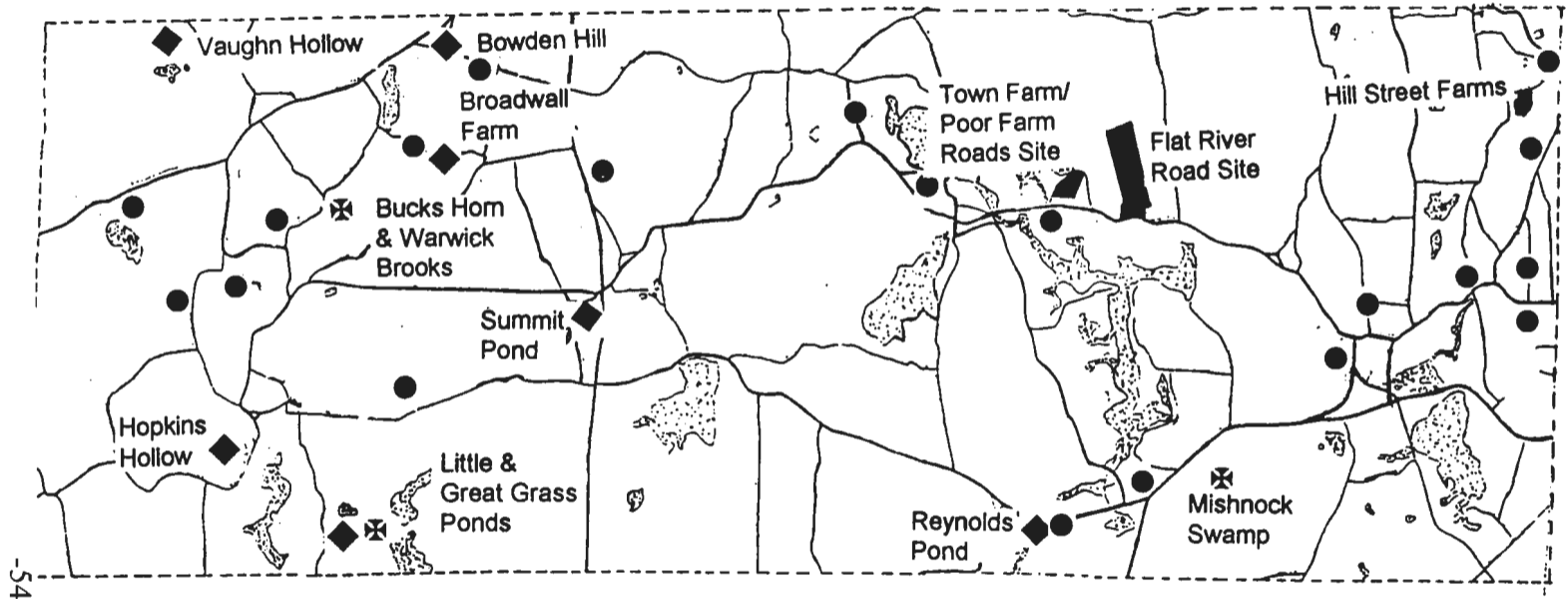
These two areas exhibit what can happen when a community looks at one project at a time and merely follows the letter of the law without a vision and perspective upon which to base their decisions. With this attitude, the character that residents and others enjoy will disappear quickly. Once it becomes tainted, it is very hard for a community to stop its further degradation. In fact, development usually stimulates an increase in development. These relatively small parcels of land remain as historic reminders of their past rural and agrarian beginnings. Without the proper regulations to protect them, they will disappear.

### **3.5 Summary of Findings**

This chapter has been an attempt to show that there are scenic areas within the Town of Coventry. Some of these areas are large enough to be recognized on a statewide basis, while others represent a more local interest. In either case this chapter set out to show that the rural character of a community is made up of the scenic areas located within its borders. Figure 7 shows a composite of all the sites discussed in this chapter. The location of scenic areas is somewhat evenly distributed throughout the eastern and western portions of Coventry. Efforts to protect these areas need to be town-wide and should start with the results of the previous studies.

The areas cited in the RIDEM studies represent varying degrees of appreciation among residents and others. The sample sites show that current development regulations are not preserving the valuable land in the community. It also shows that a single conservation policy/regulation will not meet the needs of the entire community and that there needs to be a multi-faceted effort utilizing new mechanisms in order to protect scenic areas in Coventry.

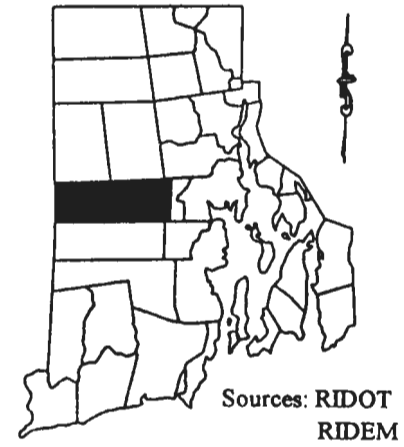
Figure 7: Composite Map of Sample Sites and Scenic Areas Identified in the OSPRI and RILI Reports.



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- Sites Identified
- ◆ RILI Identified Sites
  - RILI Survey Identified Sites
  - ⊠ OSPRI Identified Sites



Scale: 1 Inch Equals Approximately 2Miles

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## Chapter 4: Identification and Evaluation of Techniques

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## *Chapter 4: Identification and Evaluation of Techniques*

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This chapter discusses and evaluates methods of regulating land uses in order to preserve scenic areas. These methods were chosen for their particular application to scenic area preservation. Some methods, such as land banking, provide direct protection to scenic areas while others, such as historic preservation zoning, provide indirect scenic protection. The methods will be discussed broadly, in terms of their ability to preserve sensitive lands and more specifically, for their applicability to scenic areas in Coventry. Frequently, the techniques discussed can and should be used in conjunction with others for the best performance. The ultimate impact of these techniques depends upon how dedicated the community is toward land conservation and preservation of scenic areas.

One question that comes to mind when developing regulations for preservation is how does a community have the right to regulate private property for scenic protection? An underlying principle which gives communities the right to preserve scenic areas comes under the rights of police power. This is the right of local governments to impose land use regulations to “protect the health, safety, morals and general welfare [including aesthetics] of the public” (Coventry Zoning Ordinance, 1994). This statement forms the basis for Coventry to impose regulations that restrict and control the use of a property.

Another important principle in this chapter is the separation of property rights into separate and distinct rights. Properties are made up of many individual rights, such as the right to build, cross or use of the property. These rights can be restricted, sold, transferred or given away while the physical property remains intact. With this principle, the individual rights of property can be sold or given away as parts of the property, while



other rights remain complete. Such as it is with one stick being removed from a bundle of sticks, the other sticks remain intact. This is the underlying principle of Transfer of Development Rights (TDR) and other techniques dealing with a property's development rights. With TDR, the right to develop a parcel is removed and used to develop another parcel of land.

Regional coordination of conservation activities will also be discussed as a way to organize for the preservation of scenic areas. This would most likely have the greatest impact and benefit for all. Bearing in mind the scope of this study is focused on what can be done in Coventry, many of these techniques could be applied regionally. Utilizing state, private and neighboring municipal organizations to develop and administer conservation programs, a number of major scenic areas may be preserved.

As with most land use and zoning regulations, there are many benefits and drawbacks that can be derived from their use. This is true with all the techniques discussed here. Their full potential cannot be reviewed in this document. This discussion will therefore pertain to scenic area protection.

#### **4.1 Traditional Land Management Techniques**

Most U.S. municipalities use some form of zoning and subdivision regulations to manage development. The regulations employed vary widely and often include large-lot and agricultural zoning regulations. These regulations are limited in their ability to protect scenic areas alone. They have sometimes been dismissed as too rigid to keep pace with ever-changing development trends.

4.1.1 Zoning and Subdivision Regulations

Coventry is similar to most communities in the United States that have some form of zoning and subdivision regulations. These regulations are the most basic of local land use controls. The land uses are separated so that incompatible uses are not placed adjacent to each other, thus interfere with each other. Typically all land in a community is divided into use districts: residential, commercial, industrial, institutional and open space or preservation land. Most communities have no zoning designation for open space or preservation land. These two zones are left out because communities struggle to find acceptable land for this designation. Usually the land designated is a mix of scattered holdings throughout the community. In addition, most undeveloped land is privately owned and designating it as open space would render it valueless. An open space/conservation designation would prohibit any building and can result in a suit against the community for infringing on a person's right to full benefit of their property.

The zoning ordinance is a legal document that forms the basis of a community's land use regulations. The ordinance delineates the land use zones and spells out what can and cannot be done in each zone. It is accompanied by a map that shows the location and boundaries of each zone. The zoning regulations establish a framework for the "orderly" development of most communities and give residents a level of comfort by delivering a "reasonable expectation" of what may be built and where (Getzels, 1980:67).

The Subdivision Regulations have purview over how all new development is built. They control how new development will effect the community in areas of traffic

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circulation, aesthetics and drainage. These regulations are circumspect in the division of land, creation of roads, placement of utilities, open space and others. Because they are more design-oriented than the zoning regulations, they can have quite a noticeable impact on the character and general 'feel' of a community. Many issues that influence a person's decision to buy a home in a subdivision revolve around the feel of the subdivision and community.

Design and engineering standards many times dominate the subdivision regulations. Standardized specifications such as number of access/egresses, road widths, drainage requirements and detention ponds can all detract from the beauty of scenic areas. With sensitivity toward conservation and preservation of the natural character of the land, these specifications can go a long way to mitigate the effects of intensive development and poor design.

When zoning and subdivision regulations are used with each other, they can aid in maintaining a community's character and quality of life. A zoning ordinance that provides opportunities for land conservation and scenic protection can save acres of land from being developed. Subdivision regulations should guide development and be sensitive to the unique qualities of the parcel being subdivided. The use of these regulations together, can significantly impact the way a community develops. If the regulations are not sensitive to scenic areas and the town's unique character, it will lose aesthetically, monetarily and socially.

Coventry has Zoning and Subdivision Regulations in place as well as a Comprehensive Plan. These documents, on their face, might seem able to provide adequate protection to scenic areas, especially with provisions for clustering, large-lot zoning, development plan review and other progressive regulatory mechanisms. Unfortunately, these regulations in their current form seem to only confuse the development process for developers and regulators. The result is that there are few reasonable options to pursue and ultimately they do not protect scenic areas from development, as was intended.

#### 4.1.2 Large-Lot Zoning

This is a technique that communities use to reduce the density of development in order to preserve land. It is designed to discourage development by increasing the number of acres of land necessary to build. Coventry currently has zoning that requires five (5) acres, two (2) acres or 20,000 square feet of land to build. This regulation is intended to reduce the amount of land disturbed for development. It is used frequently in areas without public water or sewer to deter development. "Planners in Howard County Maryland--- concluded that, the greatest advantage regarding percentage of land protected, can be achieved at the five acre [per lot] density" (Arendt, 1994: 301).

Large-lot zoning has become popular among municipalities as a quick response to the intense development that occurred in the late 1980's. That development boom alerted communities to their progressive loss of open space and forced them to take action. This

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technique did not reduce the rate of open space loss although it has made development more costly. Often what happened, is that development initially slowed, but then continued at the same rate but with larger lots that used up land even faster. This techniques result, is that the pattern of development spreads and the provision of community services are stretched in a pattern of sprawl.

Another result is that land which is not built upon becomes hidden behind homes and is not visible nor accessible from public roads and highways. Large-lot zoning does not slow development or protect open space. It encourages sprawl, requires communities to stretch services to ever more remote areas and hides scenic areas from public view.

Large-lot zoning can be a useful technique if it is used effectively to deter development. This technique is used in most of western Coventry as a deterrent to development. When used with other development techniques, it is most productive. In conjunction with the techniques of clustering, TDR and Planned Unit Development, large-lot zoning can provide appealing alternatives to conventional development. With clustering, its use can avoid sprawling developments from being built and result in compact developments, with smaller lot sizes that acts to preserve open space. This method can reduce the visual and environmental impact of the development by leaving land undisturbed, preferably adjacent to local roads and highways where it can be viewed and enjoyed by the community.

As just highlighted, large lot zoning is not the only answer to preserving open space and reducing development despite its wide use and acceptance. Large-lot zoning

does have its place in the “planner’s toolbox” and can serve as one of many techniques that a community uses to reduce new developmental impact. Coventry should keep its zoning designations and work with other techniques to enhance the town’s ability to preserve scenic areas.

#### 4.1.3 Agricultural Zoning

Agricultural zoning is primarily utilized to protect farming in regions where there is a decline in farming. It “restricts areas of fertile agricultural land to farm use” (Stafford Regional Planning Commission, 1979: 24). This technique places a cap on the amount of subdivisions allowed and limits how the land is used. It helps farmers by sheltering them from the common complaints from neighbors living in the encroaching suburbs.

Agricultural zoning is an effective method of protecting open space, typically prime agricultural land, from development.

Zoning for agricultural use protects scenic areas and existing farms by "limiting the non-farm land uses and often mandating very large farm-sized lots." Used effectively in the Connecticut River Valley, Massachusetts, it allows only farmers with large land holdings to participate in the program. Randall Arendt suggests that the “minimum tract area considered to be farmable” should establish the eligibility size limits (Arendt, 1995: 296).

This technique is sometimes linked to lower tax assessments for the property owner which provides a greater incentive for financially-distressed farmers. Farms that receive the reduced tax assessments must agree that their land will not be used for

anything other than farming and farming-related uses. In some cases the farmer may agree to only erect buildings that are in character with what is existing.

The reduced tax assessments give communities more leverage to keep farms, scenic areas and maintain their character and sense of place. This technique may not be applicable to most of Coventry because there are very few “large farms” in town. It seems that some areas such as the cranberry bogs near Little and Great Grass Ponds could benefit from these regulations, but are not so threatened as some scattered holdings throughout the town.

#### **4.2 Flexible Land Use Regulations**

Traditional zoning has been criticized for being inflexible to the many changing needs of the community. Lane Kendig, a pioneer in performance zoning has referred to traditional zoning as “very rigid” (Kendig, 1995:3). It is rigid because, when an ordinance is written, predicting every possible situation that can happen in the community’s development is not practical or easy. As a result, many ordinances are written very broadly and for the worst case situations. This results in a document that is “technically acceptable” but rigid, with a practical usage that is far less than acceptable. For example, a rural community may call for paved gutters in their subdivision regulations, when grassed swales are more appropriate to the community and will allow for maximum absorption of storm-water runoff and may even be cheaper to install and maintain. Regulations like this occur all too often because the community is unwilling to allow for

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more discretion in their interpretation of regulations. This posture leads to residents and developers jumping through many unnecessary hoops, such as applying for special exceptions, variances, or zoning changes to avoid these standards. This is especially burdensome for small projects where restrictive regulations can make the process financially infeasible. The result is that the cost of development increases, people are less willing to comply and the general attitude of the public towards regulation becomes worse. In this situation, home owners become less likely to make improvements to their homes and would rather move to a house with the improvements already completed, thus generating more development (Stokes, 1989: 143).

A zoning ordinance that allows for more flexibility will result in better land protection because the increased versatility in the development requirements broadens the options to meet these development requirements. (Stokes, 1989: 143) Techniques like cluster development, overlay zoning, performance zoning and transfer of development rights should be evaluated for their applicability to every community. They are tools that when appropriately utilized give, the community more ways to direct their future.

Coventry is in a good position with respect to its use of these techniques. With the current use of clustering and PUD's, the Town can also consider TDR and benefit from these flexible development regulations.



#### 4.2.1 Cluster Development

The term clustering refers to a land development technique that concentrates buildings, typically homes, together on a portion of a parcel of land. The grouping is generally on smaller lots than would be allowed by conventional zoning regulations. It yields the same density, but results in part of the property to remain as open space. It is permitted only when a community has specifically authorized it in their regulations. Clustering is typically placed in the zoning code as a special development technique and sometimes in the subdivision regulations. It provides for land development at the same density by placing homes on smaller lots. The result is an increased density for part of the parcel, while the overall density remains the same. (Corser, 1994: 1)

Using the technique of clustering, communities and developers benefit by: reducing the amount of land that is disturbed for construction; lowering the overall cost of development; diminishing the impact on scenic areas because development can be directed to less noticeable and sensitive areas of the site; avoiding marginal land because only the developable portions of the parcel are built on; minimizing the infrastructure needed by centralizing development; and reducing sprawl through concentrating development and separating it from other developments with naturally vegetated buffers of land to be maintained as open space.

Clustering is best used where both public sewer and water are available. With these amenities, densities run quite high in order to preserve a portion of scenic parcel. Without

#### 4.2.2 Overlay Zoning

Overlay Zoning is used by municipal governments to protect natural, cultural and historic resources. It does not change the underlying zoning, but is superimposed over it to protect assets such as a scenic river or hillside, an aquifer, agricultural and historic sites, and the location of rare or endangered species. The technique places development and use restrictions for parcels that fall within the overlay zones established by the municipality. The city of Albuquerque, New Mexico uses overlay zoning to protect areas of historic value, conservation areas and viewsheds. Unfortunately it creates another layer of regulations that must be met, but only for specific parcels of land (Albuquerque, NM City Code, 1989: Section 38.A: E-80).

This technique can become a double-edged sword for communities and developers. It offers an increase in the value of the land by protecting the adjacent land from development, but sometimes it can inhibit development on a parcel one may wish to develop. As with most techniques, the implementation of overlay zones is a balance of concessions that may result in a better community.

Although not used in Coventry, the applicability of this technique is quite reasonable, especially in light of the inventories conducted for the comprehensive plan. In terms of scenic protection, this technique offers the ability to target specific areas for preservation, such as the farms off Waterman Hill, Sisson Hill Roads where limiting development can keep the land from being divided into numerous house lots. It can also be

used for the protection of scenic roads, when designated by the state, by limiting or prohibiting development in viewshed areas.

#### 4.2.3 Performance Zoning

Performance zoning regulations were developed in an attempt to correct the inadequacies of zoning and subdivision regulations. It focuses on the real effects of development as opposed to the hypothetical or projected effects. This is a more realistic approach than traditional zoning regulations because it is results oriented. "It requires local government to identify planning goals and then write regulations that specifically achieve these goals"(Kendig, 1995: 10). It then becomes the developer's responsibility to prove his methods will have no negative impact on the community. They are given a choice as to how they will mitigate the effects of their development. The result is that more solutions become available to solve whatever problems exist with the site and the community is not locked into one solution. Performance zoning offers communities more flexibility in having the intent of their regulations met, which may result in less confusing and complex regulations.

The down side for communities with performance regulations is that some predictability is lost. They also require a greater degree of sophistication on the part of the staff and reviewing boards. This necessary sophistication can make these regulations difficult to administer and more time consuming to process.

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Some communities use performance zoning that operate on a point system. The system is based on intensity, siting or design of the proposed development. Development approval is based on the overall score meeting a predetermined threshold. This threshold is established by the community and anything above the minimum becomes a bonus.

Scoring can be based on the weighting of historical, environmental, agricultural and scenic resources based on their importance to the community. Each community's criteria should be based on a wide assessment of what needs protection. This assessment may result in the identification of some areas where certain standards must be met regardless of the score. This may be an area of major historical significance or environmental sensitivity. For Coventry, an assessment of these important features has been partially completed. It can be found in the inventory section of the Comprehensive Plan.

Performance zoning requires that all development be subject to the community's regulatory discretion. In its purest form, a community "under performance zoning has no permitted uses, except those already in place, and few, if any prohibited uses" (Stokes, 1989:151). A regulation of this type requires all developments to submit plans and studies for review. The result is that the community decides what is appropriate for that parcel. Its major flaw is that it gives the deciding board full discretion over all development. Rather than assigning a general use category, communities can know in advance exactly what a development will look like and what its impacts will be on the community. With this

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technique, a community avoids the need to rezone and is removed from the whole appeal process.

The greatest benefit of this technique to a community is unlimited flexibility to change with the times and decide what goes where and why. It is particularly useful in situations where a developer proposes a new shopping mall for a parcel but needs the zoning changed to commercial. And if after the change has been made, the proposal fails the community is not left with a parcel of commercial land that it might not otherwise want. Because all uses are restricted in performance zoning, any other proposal would have to go through the review process again.

Coventry is not ready for this kind of regulation. Its interpretation is highly discretionary and due to the political climate of Coventry and the entire state, it would be unreasonable for a municipality to grant that much power to one board or commission. On the other hand, using the concept of performance zoning on a smaller scale such as with TDR's, performance review and industrial performance standards, the concept has merit and in some cases has proven effective. Currently, Coventry has industrial performance standards in its zoning code. The major problem with this regulation, as stated earlier, is enforcing the limitations on the development.

### 4.2.4 Transfer of Development Rights

The technique of transfer of development rights (TDR) is sometimes called transfer of development credits. It allows for the transfer of rights to build on one parcel to go to

another parcel. It is a technique used by local governments that reduces development in some areas by directing it toward other areas. With TDR, a local government may seek to protect a rural area with limited infrastructure by allowing the development rights to be transferred to another parcel where infrastructure is in place. This transfer is based on the establishment of a special district or zone for development to occur in, called a receiving zone. The area that development rights are taken from is called the sending zone. It is usually a conservation area, historic district or agricultural area that is prime for development and is worth protecting (Arendt, 1994: 29).

In a simple demonstration of how TDR works, a community may have two farms which are located in a part of a community where the preservation of agricultural land is encouraged. The first farm is in an area that lacks most public services and is designated as scenic. The second farm is in an area where the community has made a conscience decision to direct development, and the appropriate resources and infrastructure are in place.

The first farm is 110 acres in size and by the zoning code is allowed to build 22 homes. The second farm is 76 acres in size, located in a higher density area that allows for 38 homes. The owner of the first farm wishes to sell some of his development rights to the second farm and retain 3 development rights for his own home and one for each of his two children. The sale of 19 development rights to the second farm owner allows 57 homes to be built on that parcel. It allows the first farm to make money while still farming

all of the original land. It helps the second farm and the community by placing development in an area where it can be supported (Stokes, 1989: 152).

A TDR ordinance is not the answer for all communities. This is because it needs a healthy market for the rights to be purchased and a communities willingness to accept the higher densities. It is also limited because the receiving zone(s) must be large enough to accept all the potential transfers of rights from the sending zones. This technique is well suited for counties or large communities, but may present a challenge for small communities.

Because of Coventry's large size and limited provision of sewers and public water, using transfer development rights is quite reasonable, if used to shift development from the west the to east. For example some farms in Western Coventry could be designated as sending zones and unbuilt areas of Eastern Coventry, near sewer and water lines, could be designated as receiving zones. This could help reduce the need for expanding the service area of sewers and water. This technique can be more effective if utilized when downsizing development, because it provides another option while reducing the number of allowable lots.

#### 4.2.5 Compact Centers of Development

The concept of compact centers is similar to clustering, in that it attempts to diminish the overall impact of development by reducing the land disturbance to a small area. It is different in that the development includes some mix of uses, including

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commercial, residential and office. A community encouraging compact centers may give bonuses for developing within a predetermined development area. The bonuses can be in terms of easing restrictions on density, height or setback. This allows for structures that normally would not be allowed, but are allowed since they are within defined areas (Barnett, 1992: 96).

One problem with this technique is that once the areas are developed to their full capacity, the development tends to spill outside the predetermined areas. Also development may occur on its own, outside the predetermined areas particularly when real estate markets tighten up or when appropriate land is not available. Communities granting bonuses can lead to bonus wars with competing communities and the granting of greater concessions as time goes on. This behavior can undermine all the benefits derived from developing compact centers.

This technique has been appealing to communities with rapidly expanding populations and is useful for controlling the expansion of commercial districts. If used with an analysis of commercial land needs, it can help centralize commercial development through zoning the appropriate number of acres for the community and region. The problem this technique faces, is that the appropriate number of commercial acres for the community must be established and then zoned in order for it to work.

In terms of Coventry's commercial areas, most are placed along Route 3 from West Warwick to West Greenwich. This arrangement places the town with few if any areas to concentrate development. Because there is no village or town center to



concentrate development, most new commercial development is forced onto Route 3. Coventry could work toward developing a town center to concentrate development, preserve open space and scenic areas.

#### 4.2.5.1 Shared Parking

Shared Parking regulations allow a development with a mix of uses to combine parking requirements. It allows more than one type of land use to share parking spaces so that the resultant parking requirement is less than the combined requirement. The benefits less pavement, less site disturbance, less stormwater runoff, more green space and lower development costs. It has been utilized in developments where both commercial and residential uses exist in the same or adjacent buildings and their need for parking occurs at different hours of the day.

This technique can be difficult to administer on the short term because of disagreements on determining the appropriate number of parking spaces for the development and long term from changes in tenancy and ownership. It does add another option to the development techniques available to a developer and a community. Although it does not apply directly to the preservation of scenic areas, it does reduce the overall size and intensity of development. This in turn may protect some scenic areas from development or protect a scenic area when development plans are being considered. Coventry may consider incorporating a shared parking provision in their Planned Unit

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Development regulations and mixed use regulations as a way to reduce pavement and gain more open space (Barnett, 1992: 97).

### 4.2.5.2 Mixed Use Development

Used in many communities, mixed-use development is intended to undo the separation of uses that traditional zoning establishes. For example, it has been applied when rezoning commercial areas to accommodate affordable housing, creating attractive recreation communities and establishing combined office and light industrial parks. The mixed-use designation can be used to keep commercial zoning in important areas, while allowing housing development that is desired by the development community.

Designation of mixed use areas can permit a community with limited land for development to allow garden apartments or townhouses with ground floor commercial space (Barnett, 1992: 100).

The practical application of mixed use development may be lost in a community with an abundance of developable land and Coventry is no exception. The Comprehensive Plan has identified one area in town as mixed use. This area is now zoned commercial and will most likely not change.

### 4.2.6 Historic District Zoning and Historic Site Review

Historic district zoning and historic site review are well-established techniques that apply elements of design review to the protection of significant historic resources. They

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protect these resources within a designated district by limiting the modification of properties, either through demolition, new construction or exterior alterations. With these regulations, all alterations within the district must be reviewed by a designated body (usually town board or other officials). Scenic resources are protected because of the limits placed on development. Although individual properties can be designated, it is most effective when applied to an area that has enough historic properties and is large enough to be designated as a district. The designation has to be done by the town and with a lack of commitment by town residents and officials, designation may be impossible. In order for this regulation to work, there needs to be a group of committed individuals working to maintain the district's integrity.

Once a historic district has been established, the restrictions are sometimes criticized for being too rigid and burdensome to low and moderate income homeowners. Coventry's village of Rice City has been designated as a historic district by the Rhode Island Historic Preservation Society, but the town has not established historic district zoning for this area. If this kind of zoning were to be implemented in Coventry, its use must be reasonable and practical for the area being preserved.

### **4.3 Techniques Utilizing Taxation Incentives**

In today's world, there are only a few benevolent people who can afford to give away property for the benefit of all. Usually, people need to receive some return on their

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property. This section looks at how tax incentives can fill that void and help turn some land owners into philanthropists.

Tax incentives present motivation for people to consider land conservation as a favorable option to development. These incentives can assist in the preservation of significant lands, but do not create the bitterness that accompanies most prescriptive regulations. Their use does not force land owners into compliance with any preservation regulations, but gives them an option other than development. Land owners, in return for utilizing tax incentives, benefit from a reduction in their federal or local property taxes and get satisfaction from preserving important lands.

The techniques discussed are commonly used in conjunction with development proposals. In most situations communities use their development review process to encourage developers to preserve some land. The ability of communities to offer these incentives is based on the taxation power of government. Taxation power is the government's right to levy fees in order to finance the administration of government. Local governments typically base their taxation on property ownership and fees are levied on a percentage of the property's assessed value. The Federal Government also has a program that allows tax reductions for the donation of properties or parts of properties to non-profit organizations. This program is currently used to a small extent and expanding the public knowledge of this option could increase the number of donations.

An important factor in protecting scenic or other significant land is to decide what should be preserved before development occurs. A community-wide inventory is the best way to begin the process of preserving lands that are significant.

#### 4.3.1 Tax Incentives

This technique can be quite effective for preserving scenic areas throughout the town. It uses federal and local tax abatements to encourage property owners to donate property for conservation. Federal tax laws allow individuals and corporations to take a deduction, as a charitable gift on their tax returns, for donating all or part of their property. The donation can only be up to a certain percentage of the donor's taxable income but may be spread over a number of years. Donations can only be made to tax exempt, non-profit organizations. Tax-exempt public and private land trusts use this provision to significantly increase their holdings.

All land donations must qualify to be a federal tax deduction, by being a "qualified conservation contribution" that furthers the purpose of the recipient organization. In order for a land dedication to be a qualified contribution, it must provide for "significant public benefit" or "scenic enjoyment of the general public" or be "pursuant to a clearly delineated Federal, State, or local government conservation policy."

This technique is one that Coventry may use when discussing options to development in the development review process. It can be one of many suggestions that can be made to developers and land owners considering development.

#### 4.3.2 Differential Taxation

Differential taxation is a taxation technique that is also known as, preferred, use-value, restricted use, or deferred taxation. It often lowers the taxes paid on specific parcels of land that the community has determined as worth protecting. Specifically, the taxes paid are reduced because the land is assessed at its "use value" rather than its full market value. The use value is decided upon by negotiation between the community and property owner. Designation of a use value typically limits the parcel of land to one specific use and restricts all others. If the land is used for purposes other than what is set forth in the agreement, a penalty can be imposed. The penalty may be a payment of thousands of dollars in back taxes, plus the property can then be assessed at the full market value. Sometimes this can have little effect on development pressure, especially if it is very profitable a major development.

With a declining family farm, this technique can be quite effective since high property taxes are among the factors contributing to some farmers going out of business or selling their land for development. A reduction of property taxes may encourage farmers to continue farming or to resist the temptation to sell portions of their farm (Stokes, 1989: 166). In the Connecticut River Valley, this has been a proven method of protecting farms from development and maintaining some scenic areas. Coventry may be able to preserve some of its larger farms using this technique (Yaro, 1993: 125).

Because a reduction in taxes will not make all farms profitable and allow the family farm to stay in business, this technique is "not a long-range land-protecting technique" and

other techniques must be utilized in conjunction with it in order to get long-term protection of scenic areas and farms. Long term techniques that might be employed include: TDR; limited development; or the outright purchase of the land by a conservation organization, possibly a land trust (Stokes, 1989: 166).

#### 4.3.3 Urban and Rural Service Area Assessment

This technique is another type of differential taxation method. It distinguishes between properties to be developed in the near future through the extension of public water and sewer lines and properties not currently targeted for development. Higher taxation rates are levied for properties with the appropriate infrastructure for development, while properties without public water and sewer get assessed at a lower rate. This places more incentive for development to occur where infrastructure is and affords communities better control over where and when development occurs.

Because taxation rates for properties designated for development are higher, development of these properties is more likely to occur sooner than lower assessed properties. This is true as long as regulatory mechanisms, such as large lot zoning are in place to discourage development in lower assessed areas of the community.

In some cases, deed restrictions have been coupled with the reduction in taxation rates. A sliding scale tax assessment based on the number of years it runs has been used by the city of New York. This kind of tax structure can be used in rural communities

trying to slow the rate of development This is usually done as a way to build the necessary infrastructure such as water and sewer systems and schools prior to development.

A technique such as this could be used to a certain extent in Coventry. With the five-acre zoning already in place in western Coventry, the town could work to preserve this area by encouraging infill development in eastern Coventry where there is public water and sewers.

#### 4.3.4 Capital Gains Tax on a Sliding Scale

During the 1980's land development boom, many people purchased land in order to turn it over quickly for a profit. Typically, the land was purchased with the intention of subdividing it as much as possible and selling off the lots for a large return. The cost of this kind of development is ultimately paid for by the residents of the host community. Their burden is usually in terms of rapidly increasing taxes and demand for services.

Community capital gains tax on a sliding scale is one effort to discourage the short term ownership of property in order to make a quick profit. It imposes a declining tax on land purchases and makes short-term ownership more costly than for owners who keep their property for a number of years.

This taxing mechanism benefits the lifetime resident or in many cases farmers who have owned their property for many years and plan to make a profit on it when they retire. One model analyzed makes land owners liable for the taxes on 80 percent of their profit if they sell their property within the first year of ownership. Sliding to 50 percent in the



second year and down each year until they reach six years of ownership where there is no tax (Stokes, 1989: 167).

The benefit of this technique is that it makes short term ownership and development costly and restrictive, thus developers pay a premium when turning property over quickly. A down side is that it will cost home buyers more money to purchase that starter home.

Capital gains taxes should be imposed on a town-wide basis or not at all. In some cases it could be imposed on single parcels as a private agreement when selling a scenic property. Conservation groups could add this to the sales agreement when they sell a property they wish to temporarily protect. Coventry could use this technique as a way to protect a property from subdivision while the appropriate preservation arrangements are being formulated.

#### 4.3.5 Exclusive-use Agricultural Zone Tax Incentives

Incentives such as these are more regionally oriented and involve cooperation between state and local authorities. It allows farmers to make a deduction on their state income tax if their land is included in the “exclusive-use-agricultural zone.” This program has been heavily supported by farmers in the states of Wisconsin and Michigan, where they have tied the state income tax to local zoning of agricultural land. Land zoned for agricultural use is decided and passed at the local level. This allows local control over which lands are zoned for agriculture and those that are not.

As with other agriculturally based techniques, this technique also protects scenic areas indirectly by protecting the farms which are usually both rural and scenic. Implementation of this technique would be difficult to impose at the state level if it was organized only from the Town of Coventry. In order for it to succeed, regional cooperation would be necessary as well as cooperation with private farming and conservation organizations. In addition, state enabling legislation would have to be passed in order for it to be implemented in Coventry.

#### **4.4 Non-Monetary Incentive Techniques**

These programs tap into the pride of ownership and peer pressure that is present in many communities. Using public consciousness is both inexpensive and quite effective at preserving significant properties. In some cases these techniques can, at times, convince people to maintain land or structures that would not ordinarily be maintained.

Using persuasion does not force or mandate property maintenance, nor does it require community funds to pay for it. The benefits to a community are great and there is no need to budget funds for property maintenance, although staff time is certainly necessary. Staff time is usually limited to the establishment and maintenance of the program and its records. It could be added to the duties of a department such as the Planning Department or even the Conservation Commission.

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### 4.4.1 Notification Program

Notification programs can also be easily implemented and administered using community organizations or departments. This very simple technique makes owners aware of important resources on their properties. Notification is usually in the form of a letter describing the what, where and how their property is important. The letter is for notification purposes only and does not bind the owner to do anything. Although the letter may suggest methods of protection, this method relies solely on the willingness of the property owner to protect the resources on their property.

A list of potential properties in Coventry could be developed by the Conservation Commission. Using a notification program, owners could be informed of their properties significance and asked to participate in a conservation program. This could serve as a first step in permanently protecting these properties through a fee simple purchase, TDR or one of the methods discussed in this report.

A notification program is an excellent way for Coventry to lay the groundwork for protecting identified natural and man-made resources, including scenic areas once they are identified. But prior to the use of this technique, a property inventory must be conducted.

### 4.4.2 Recognition Program

A recognition program is a bit more aggressive than the notification program. It relies on public perception in order for it to work. In this program, there is a public announcement stating that a property is significant in some manner. With this

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announcement is a description of the property's location and its significant attributes.

Owners are notified prior to the announcement and are asked to participate in the program. If an owner declines, that property does not get advertised.

These programs are used successfully by federal, state and local governments to honor families who have owned their farm for 100 years. With this program, families who participate are given a plaque for their home or farm with their name and the date that the home was built or the farm was established. This program plays on the pride of the owner, who would not want to lose respect in the community by destroying a resource after having been praised for maintaining it. It does require an owner's consent, because listing the property on a register without consent could lead to a lawsuit.

This program has some flaws, and could result in the inflation of property values where none should have occurred. An example of this is when an owner realizes that a property is significant and decides to sell it because it is now more valuable than once thought. To avoid this unfortunate occurrence, it may be wise to line up some funding, or a potential buyer to purchase the property before initiating a notification program.

### 4.4.3 Non-binding Agreement Program

In this type of program, property owners agree in writing to protect certain significant features on their properties. In return they receive a plaque acknowledging the property's special nature. The property owner is under no legal obligation to protect the property's significant features. The agreement made relies on mutual trust, pride of

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ownership, recognition and appreciation of the resource and commitment to conservation. Because these agreements are based on an obligation to the agreement and the satisfaction that participation brings, communities do not have to expend resources to monitor the program.

Once a plaque is placed on a property, this notifies other residents of its significance and the public recognition may be enough to enforce the agreement. This program may be a better alternative to the programs previously discussed because it avoids any legal issues. It does this by getting an agreement from the property owners prior to any publicity. Another plus is that a non-binding agreement program does not cost much more than the price of the contract and the plaque.

The greatest threat to this kind of program is the insensitivity that some property owners can have. If this program succeeds, it could speak well for Coventry and may grow into a pilot program for other communities to follow.

#### 4.4.4 Management Agreement Program

In communities where property owners have a tradition of conscientious management or personal commitment to conservation, a program of management agreements can work well. These agreements are written between property owners and the host community or a private organization. In these agreements, property owners agree to care for a parcel of land in a specified manner for a set period of time. They are

sometimes compensated for maintenance expenses, like building a fence, or repairing a stone wall, but for the most part these are non-monetary agreements.

This conservation technique is especially useful where an owner is unable to sell a property or donate an easement. It allows for the preservation of property that makes a positive contribution to the community without having to purchase the land. Eventually the property will have to be permanently preserved or sold, but this program offers some time for the community to develop a preservation strategy for the parcel.

Use of management agreements may have limited appeal to the Town of Coventry because of the program's cost. Although it could be quite acceptable to some property owners, it would involve enforcement by the community. The work involved in administrating and enforcing these private agreements could become burdensome in terms of cost and staffing. Private organizations may have better results in monitoring this kind of program. It may be worth a discussion with some conservation organizations to establish their interests and the potential for possible agreements.

#### **4.5 Monetary Incentive Program**

These programs provide conservation groups and communities with control over the use of significant parcels of land without taking full ownership of the properties. Although money is exchanged in these programs, the benefits of the exchange are generally one sided toward the conservation group and community. They afford the conservation of land that would ordinarily have to be purchased in order to ensure its

preservation. The property owners can receive a reduction in taxes or a payment for the development rights to the property. In many cases, property owners purchase land with the purpose of utilizing the agreement. Some owners seek out these programs to help subsidize their ownership of property that they admire and respect.

Funding may not be available from a community that has budgetary constraints and little regard for protecting scenic areas. Also, current trends of government downsizing and the privatization of some government operations may make support hard to come by. If Coventry were to pursue a program of this kind, it should start with developing a grassroots support network for the protection of scenic and open space areas. This should be developed almost entirely by a private organization and not be mandated by a town official, board or commission.

#### 4.5.1 Management Lease

A management lease is a private agreement that is similar to a management agreement, but involves the exchange of money. Typically, the control of a property is granted in return for the payment of a specified rent. These agreements can be used to protect areas from destructive forestry practices, mining or other threats to the property if sold without restrictions. They are useful in protecting land from overuse or poor management. Management agreements can enumerate what are acceptable and unacceptable uses of the land.

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Conservation agencies sometimes use these agreements when they have purchased a property, but do not wish to maintain it themselves. An agreement can be reached with the seller or another party to farm the land or maintain the property for a number of years.

Management leases do require someone to monitor the land and be there to ensure the user is complying with the agreement. As is true with management agreements, these arrangements can become burdensome for a community to enforce. Ownership by a private organization is certainly a less resource-demanding alternative for a community to guarantee the maintenance of the agreement and the property. Coventry may seek outside help in developing management agreements with owners of scenic properties.

### 4.5.2 Loans and Grants with Binding Agreement

Usually tied to building repairs or the preservation of historical, scenic or agricultural features of a property, this technique provides small sums of money to property owners in return for agreeing to protect important aspects of a property. Similar to the management agreements, it provides an alternative to a financially troubled property owner who might otherwise turn to developing an important scenic property.

These agreements are usually limited to a certain time frame where standards can be imposed and maintained. In spite of some perceived limitations, the agreements can be for a specified number of years or run with the land for a certain period of time. This flexibility provides time for a conservation agency to find funds to purchase the property or develop other strategies to protect the property.



## **4.6 Other Techniques**

The following techniques are discussed as alternatives that did not easily fit within the framework of this report. Some of the techniques discussed overlapped other conservation techniques, or did not fit into the groupings that were used.

### **4.6.1 Land Banking-Land Trust**

A land bank is "essentially a land trust operated by municipal or state government and funded by real estate transfer taxes, either at the local level or state level." A land trust is a private organization (land trust) that takes ownership of property to ensure its preservation. With this kind of conservation organization, properties are protected from development by taking them off the market. Formation of a land trust is typically a result of a booming real estate market and/or the rapid development of a community or region.

Land banks serve to conserve property by either purchasing a parcel in order to sell it to a conservation friendly buyer or to link sellers with conservation minded buyers. Operational funding is usually generated from fees imposed on the purchaser. A percentage (typically 1-2%) of the purchase price is collected and is recycled for later purchases. The Block Island Land Trust currently uses this technique to secure open space from development.

For Coventry to establish a land bank, a political change is necessary. Previously there was talk of the establishment of a land bank. This unfortunately was met with little enthusiasm or support by the residents and town officials. In order for a land bank or land

trust be formed at the local level, Coventry needs to change the local perception concerning conservation and the need to protect scenic, historic and other important lands.

#### 4.6.1.1 Land Trust

A land trust is a privately owned non-profit organization established for the conservation of property. As an organization, it takes the risks that government cannot. Land trusts can quickly gather funds from grants, loans and donations of cash and property to purchase a parcel when it goes up for sale. They sometimes buy a property even when a buyer has not been identified. Trusts usually control many properties simultaneously and “are more likely to engage in multiple transactions than are local governments” (Stokes, 1989: 192). They are more effective in the dynamic world of real estate than local governments “since nonprofits are able to react more quickly and with less red tape in real estate transactions” (Stokes, 1989: 192).

General plans are formed by the trust, just as a business plan is formulated by a corporation. The properties acquired are usually predetermined and are part of a general plan of the organization. An environmental inventory of significant sites is usually developed for the organization to assess its direction and the area of greatest need (Adirondack Land Trust, 1987: 7).

Most important to the success of any land trust, is to choose an initial project that will be successful. This first project will set the stage for community perception of the organization and its overall acceptance and ability to generate support and funding.

Cooperation and shared responsibility can also accelerate the process of establishing a track record of success and help breed new alliances. Land trusts can look to larger established organizations working in the area for that assistance. Effective cooperation between a larger organization and a newly formed land trust can reduce the need for staff and other expertise while furthering the goals of both organizations. The Nature Conservancy, “assists communities with important projects” (Endicott, 1993: 204) and has purchased property for conservation in Coventry. It may be one alliance that can be explored.

Land trusts are not just land holders, they are involved in education and the responsible use of the properties. Some properties are held for the benefit of the public and are often used for educational, recreational, and scientific activities. It is important to the survival of the organization, that the community know of the land trust and becomes involved in land conservation. If a land trust could be established in Coventry or Kent County, initial funding would most likely come from private sources. Again, political support would have to be built in order to receive municipal funding and residents would have to support the organization. (See Appendix F for a list of private land preservation organizations.)

#### 4.6.2 Easement

An easement is a legally enforceable interest, created by the transfer of rights in a property from one owner to another. The specific rights transferred are recorded in local

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land records for public viewing. Easements differ from restrictive covenants in that they do not require the transfer of title fee. Because there is no transfer fee, easements can be recorded with relative ease.

A useful land preservation technique for municipalities, easements allow government to impose regulations on a specific parcel that could not be administered through zoning. Of course, the regulations cannot be unilaterally imposed, but must be agreeable to the owner of the property.

Its use has been widespread across the U.S., especially where outright ownership of a property is not desirable or possible. Easements have been granted for conservation, scenic areas, open space, historic preservation or facade preservation (Heyer, 1990: 7). They have been used for the protection of buildings and their settings in New Hampshire, scenic rural areas such as Jackson Hole Wyoming, farm land in King County Washington, and coastlines such as Big Sur in California (Stokes, 1989: 179).

Easements can be applied to protect the special qualities of a single property and the particular needs of the property owner. They can be tailored to meet the needs of the property owner, the organization(s) involved and the community. When used as a precursor to a land trust agreement they allow property owners to "experience living under the restrictions [of a land trust] and take the time to get to know the land trust before a permanent commitment" is made (Stokes, 1989: 183).

Coventry could certainly benefit from using easements, especially in cases where a property is not eligible for rural farm tax designation, historic preservation district zoning

or other incentives. Easements can provide immediate protection to properties that have been identified by the comprehensive plan as scenic and parcels that may be identified in the future.

#### 4.6.3 Purchase of Development Rights

Purchase of development rights is a conservation technique that “has been used primarily for the preservation of agricultural lands” (Stokes, 1989:184). It allows a property owner to sell his/her right to develop on their land. Typically, the rights are sold to a conservation agency, such as a land trust, or the community who believes that it is less expensive than providing schools, roads, trash collection and other services.

This technique is primarily used by state governments as part of an overall conservation program. Rhode Island uses a form of this technique in its Farm Forest and Open Space taxation abatement program. This program allows property owners who meet the designation requirements, to receive a reduction in their local property taxes. Although properties with their development rights purchased do not have to be renewed, properties under the Rhode Island program must renew every year. In Coventry, the tax assessors records show 493 properties, totaling a little over 2,400 acres of land are protected under this program.

#### 4.6.4 Limited Development

This technique is sometimes called compromise development. It is frequently used by land trusts to sell property for development that has restrictions which protect specific environmental resources (Stokes, 1989: 197). It reduces the cost of protecting environmentally sensitive areas by recouping part of the properties purchase price. The property is usually turned over quickly by selling it at prices that are below market, but slightly higher than the price paid. Another benefit to this type of program, is that the people who sell property to a land trust can deduct the difference between the sales price and fair market value of the property from their income taxes. Land trusts have found this development technique very profitable and it is one of the techniques used most often for conservation.

If a land trust were to be established in Coventry or the Kent County area, this technique could help develop a profitable organization. It is important to note, a community such as Coventry could get involved in these kinds of land transactions.

#### 4.6.5 Revolving Fund

Many municipalities establish a funding mechanism that will allow them to purchase threatened properties very quickly. Typically, communities must rely on bonding for land purchases and the time frame required to do this can be quite prohibitive.

Revolving funds establish the necessary cash to ensure that properties which go on the market can be purchased quickly. They then can be sold to sympathetic buyers who

agree to manage, develop or restore the properties in accordance with deed restrictions, easements etc. imposed by the municipality. The property is not usually owned for a long time and a profit could be made on this temporary ownership. In any event, the sale of the property permanently preserves a parcel and replenishes the fund so that other property may be purchased.

A drawback to this kind of program is that there are so many properties that need protection and limited funds for their purchase. Also funding can sometimes be used up quickly due to slow sales and this can limit the number of transactions that can be accomplished. Therefore the purchase of property must be very strategic, allowing for a quick turnover.

These kinds of funding mechanisms are utilized extensively by private organizations, for historic preservation and conservation of significant land. In contrast, it is difficult for most municipalities to react to the short time frame in which properties become available. If a municipality becomes involved, it is sometimes the purchaser of restricted property or the provider of seed money to establish a conservation organization.

#### 4.6.6 Acquisition of Undivided Interest

This conservation technique uses legal property ownership relationships to control the way in which property is used. The owner maintains most of the rights of the property, while a percentage of the property's ownership is acquired by the community or

conservation organization. This arrangement gives communities a voice in how a property is to be used.

The Vermont Land Trust (VLT) has used this technique to relatively quickly gain control of a property that owners wished to donate to the Trust at a future date. VLT did this through recording a deed with the land trust as a co-owner of the property. This is another technique that can be used as a precursor to the land trusts ultimate ownership of a property.

#### 4.6.7 Outright Acquisition of Property

This is the simplest, but most costly way to gain control of property that is significant to a community. In this transaction, the property is purchased or donated in a "fee simple" method. In many cases, communities may be given first opportunity to buy the property, also known as right of first refusal. These agreements allow communities to be first to make an offer on a property when an owner is considering selling.

Funding is hopefully in place and the political climate is right for the property's purchase. Usually this kind of program is spelled out in the Comprehensive Plan or other community visioning document so that there is no holdup in the purchase.

The State of Rhode Island has purchased the 142-acre site around Carbuncle Pond, the 1088-acre Big River Reservoir, the 978-acre site of Nicholas Farm and the 222-acre site of Griffith's Farm. In addition the Audubon Society of Rhode Island has purchased or been given approximately eleven hundred acres of land scattered throughout



Coventry. (See Appendix G for property locations in Coventry.) The town is currently in the process of purchasing a property for conservation, but needs another \$50,000 to make the transaction. It would be a great disappointment if this purchase does not occur because of a lack of funding.

#### 4.6.7.1 Bargain Sale

In this type of property transaction, a lower than market price is paid for a property and in exchange, the seller is allowed to deduct the difference from their taxes. The deduction is only allowed if the buyer is a legal non-profit organization, otherwise it is not applicable.

Sometimes called a donation sale, it provides incentive for buyers and sellers to consider conservation as an option when selling. Bargain sales provide a vehicle for the protection of valuable resources that might not be conserved given normal market pressures.

This technique is certainly applicable to Coventry and may be quite easily set in motion if the town is willing to work with a private non-profit organization. The protection of some scenic areas could be realized if more conservation agencies can be convinced to invest in the town. To convince nonprofits to make this kind of commitment, the town will have to show their motivation and dedication to land conservation.

4.6.7.2 Donation

Once in a while a resident may decide to give his/her property to the community. This may be in an effort to preserve the property from development or for other reasons. Typically, properties are given to municipalities as a gift or bequest from an estate. Many times there may be a request for some kind of benefit in return but, that is usually part of an agreement with the community.

In any event, all donation plans should be made prior to their bequest and be agreeable to the municipality. These arrangements should be made between the person donating the property and the municipality. It can be very time consuming and costly to workout a dedication after an owner has passed away.

Although dedications may seem to benefit all, sometimes the property that is offered as a gift may not be of any use to the community. The property may be too small, in a poor location, have environmental problems or have other liabilities that make it unacceptable. In this case the community may deny the request or ask for an environmental cleanup or removal of all liabilities.

When giving a municipality property, an agreement must be written. In this agreement, a provision may be added that the property is only used in a predefined manner. Usually, once the property is gifted the municipality is not allowed to sell any of it.

The actual use of dedicated property depends upon the attitude and needs of the municipality and its residents. As stated before, dedication for scenic protection will not

work unless there is some devotion to conservation in the minds of the residents and town officials.

#### 4.7 Administration and Financing

A common failure among conservation activists who have worked to get a good law enacted is to overlook how it will be administered and financed. It is necessary to have the appropriate funds and a trained staff or qualified volunteers to assure that the appropriate laws/programs are carried out. Concerned citizens should be utilized in the management and monitoring of these programs. Since many rural jurisdictions are large in land area and have limited staff, activities damaging to the community may go unchecked if no monitoring/enforcement program is in place. For this reason, volunteers are necessary.

Many of the techniques discussed are dependent upon citizen boards to review and approve development proposals. Obviously, it is important that board members are sincerely community minded and represent a cross-section of the community including conservation minded individuals. Unfortunately, many boards dealing with land use come to be dominated by contractors, real estate agents, large landholders, and others who may profit from development. Rural conservation leaders should be selected to help strike a balance in the decision making process of the community (Stokes, 1989: 201).

Land preservation techniques vary broadly in their ability to protect the land and bind the involved parties to the agreement(s). This is due to the structure of each

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agreement and the legal controls that are in place. Therefore agreements can range from "handshake" non-binding agreements, to the mandated and enforceable agreements which may or may not have support for their enforcement.

Just as appropriate administration is important to the success of any conservation activity, appropriate funding is just as important. Funding provides flexibility for the organization to protect a property when necessary. In addition, it provides leverage to seek larger funds from both state and federal agencies.

Funding generated from local sources is always the best way for a newly formed organization to begin. Targeting private, local funding sources can be accomplished through mailings describing the goals and objectives of the organization and the properties targeted for conservation. This will inform the public of the organization's intentions and generate support. Seeking and gaining local private sources of funding also generates initial support and proof of acceptance that the organization will need to procure governmental funding (Endicott, 1993).

Governmental funding is always a challenge to arrange, but seeking this funding should be part of any effort to develop governmental support for the organization. Other sources of funding include partnerships with other conservation organizations, membership drives and fund raising events, municipal development impact fees and state and federal program funds. All of these funding sources will not be available at once, or for every organization and will vary from time to time. Just as developing a program to target properties for conservation, so is developing a program to finance the

organization's operations. All conservation organizations should balance their activities between conservation, advertizing and developing financing.

#### **4.8 Summary of Findings**

Many of the techniques discussed here will not be implemented in Coventry, but their discussion is necessary in order to form a sufficient knowledge base for a discussion of regulatory options. It is important that the key decision makers such as the Town Council, Planning Board and Conservation Commission know that there are many potential techniques to draw from to preserve scenic areas and regulate the town's development in the future. It is the discussion of these techniques that can start the dialogue on how to protect the town's important scenic areas.

Currently the zoning and subdivision regulations have adequate provisions to maintain the current rate of scenic area loss. But to curb this loss of scenic areas, some innovations are necessary. Flexible regulatory techniques can have a positive impact on scenic areas and the face of development in Coventry.

The current use of large-lot zoning for subdivisions works to a limited extent in protecting scenic areas. Efforts need to be taken in order to protect parcels larger than the minimum required by zoning to subdivide. Increasing the minimum lot size requirements will not solve all the land conservation problems.

Some flexible techniques such as cluster development and PUD are currently in place. These techniques, if utilized to a greater extent, could be more effective in the

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protection of scenic areas. If they were better understood by town officials, their acceptance and ultimate use would result in the protection of more scenic areas. The education efforts of the Planning Department and Conservation Commission could bridge this gap in acceptance.

Because of the many problems of public perception and regulatory issues such as determining necessary parking, it seems unlikely that compact centers of development with mixed use areas and shared parking will be part of development plans in Coventry in the near future. The Comprehensive Plan does identify an area as mixed use, but it consists of very few acres of land. The limited number of acres dedicated and the lack of support translates into a bleak future for this technique.

Tax incentives offer the most tangible benefit for most property owners. Their use can provide property owners with an incentive to trade the development rights of their property for a lower tax rate and ultimately dollars in their pocket. As discussed earlier, the State offers a property tax reduction for the designation of properties as "Farm Forest and Open Space land" (RIGL 44-27). This designation offers a percentage reduction on property taxes and is quite popular. Tax programs such as this can be broadened to target specific parcels identified by the town for conservation. It also can be offered as an alternative to the federal tax reduction programs for land dedicated for conservation. In addition to these programs, the town could offer higher assessment rates for property that is ripe for development (i.e. it has sewers, water and is designated for high density development.) than property that could only support limited development. A program of

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this type could be tied to developing the necessary infrastructure which could help pay the costs of installing infrastructure

A non-monetary program will most easily receive municipal support, but should be done only when an organization for its management has been established. Notification programs work when there is a strong organizational backing. They cannot rely on municipal government for much more than seed money and direction, as staffing is usually quite limited.

Once a conservation organization is established, and has become a presence in Coventry, other non-monetary programs can be introduced. In the interim, the Conservation Commission could perform some of the initial groundwork to establish or work with an existing conservation organization.

Monetary incentive programs can provide the grease that makes the machine work. In some situations, money is the only incentive strong enough to keep a parcel of land from being developed. With these programs a conservation group or community does not have to take ownership of a property, but instead can make a minimal financial commitment to ensure its preservation. In many cases these programs provide time for the later purchase of a parcel of land. This program allows for long term protection so that funding can be arranged to purchase the property.

Many of the techniques discussed in section 4.6 of this chapter are most applicable when administered by a conservation organization, such as a land trust. This section first discusses land trusts and how they work in order to show how they would succeed in this

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environment. Land banking and land trusts are discussed generally as synonymous entities that require little differentiation. The establishment of a land trust in Coventry may be difficult at best, but it is the hope of the author that a local or regional land trust could be created. This organization could use the techniques of limited development, revolving funds, taking of easements, the acquisition of undivided interest and the outright acquisition of properties. These techniques could be enhanced by the town government's support in procuring a limited number of parcels for conservation. Ultimately, cooperation between the municipal government and a trust is essential for large scale conservation of scenic areas.

A common problem with the many so-called conservation sensitive developments, is that they are built beside or so close to public roads that they diminish the character of the area rather than enhance it. This kind of "insensitive development" serves the purpose of reducing necessary infrastructure, but at the expense of the natural landscape which has been scarred. Scenic property that is preserved should be visible from public places, such as roads, beaches, trails and paths. It should not be hidden behind the homes of an exclusive development, nor should it only be on the inside of a subdivision with obscure access. It is imperative to the construction of useful regulations that the property which is preserved, be visible and accessible to the public. It should stand out and be acknowledged as protected open space and be along local roads or adjoining collector roads buffering the subdivision for public enjoyment. The preservation of property that has limited access and visibility does little for the residents and character of the community.



## Chapter 5: Conclusion and Recommendations

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## **5.1 Conclusion**

This study has shown that the Town of Coventry has many scenic areas which are unprotected from the pressures of development. It has also demonstrated that there are numerous techniques available for the town to use to protect scenic areas. Despite the availability of these techniques, no collective effort has been made on the part of the town to preserve scenic areas. The Comprehensive Plan has identified a “degradation of scenic resources from recent development.” Without the town’s efforts, scenic areas will not be protected from market forces (BRW, 1992: D.6-18).

The Town of Coventry has many acres of scenic land and most of it will remain for years to come. Despite this projection, the town must prepare for the possibility that at some point development pressure could force these lands to be developed. The town’s past and future are tied to the way in which the land is used and misused. It is the town’s responsibility to look ahead and commit time and money for the preservation of its limited resources. Without an effort by the town, residents will lose an asset which cannot be replaced.

In order for Coventry to preserve scenic areas, it must make a commitment to scenic preservation by providing funding, staffing time and developing a program for scenic area identification and protection. Earlier efforts to establish a land bank failed due to a lack of support from both the residents and the Town Council. As a result, funding for a town land bank was not established and the idea has not since been reexamined.

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In addition to the lack of public and town council support, local boards and commissions have progressed in their efforts to preserve scenic areas. The Planning Commission, which is charged with reviewing all development plans, has not placed much weight on the importance of scenic areas when reviewing subdivisions. It has approved conventional development plans when a cluster development would have resulted in the conservation of land and a better subdivision. The Planning Commission needs to increase their advocacy role by promoting conservation initiatives and working toward more sensitive development. Also, the current development regulations lack any incentive for developers to preserve historic and/or aesthetic areas rather than develop it for homes.

The Conservation Commission has the charge of protecting the natural environment from the effects of development. Until recently, this commission has not been involved in any projects regarding the preservation of scenic areas. Traditionally the Conservation Commission is involved with most conservation efforts and preservation issues of the municipality. Although their power is limited, they can also take a greater advocacy role in the community.

An inventory of scenic areas, as suggested by RIDEM in their studies, has not been conducted by the town. The responsibility for conducting this inventory would most likely fall on the Planning Department and/or the Conservation Commission, only recently has this task been discussed.

As stated above, the opportunity to establish a land bank was presented to Coventry, but was not pursued. In addition a privately owned land trust could be

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established and yield much of the same benefits to the town. A land trust/bank presents the town with many options, in terms of techniques for the preservation of scenic areas as well as other important lands. A land trust offers an organizational structure that would be very responsive when presented with land preservation issues. The opportunity to establish a land trust may have not been seriously evaluated because of its startup cost.

Despite the many developmental techniques that exist, Coventry has chosen to rely on large lot zoning, PUD's and Clustering as their only means of preserving scenic and other important lands. Utilization of PUD's and clustering techniques has been limited for a town which has had both techniques for more than ten years. Although Coventry is one of the few towns in Rhode Island that has successfully used these techniques. This leaves the town with little more than large-lot zoning to conserve land and preserve scenic areas. In the new zoning regulations, there are more options that are offered for development that is sensitive to scenic areas. It is up to the community to decide if these options will be promoted and ultimately used to preserve scenic areas.

Priority must be given to the eastern part of town, where few scenic areas and open space areas remain. It is most important that scenic areas be protected from development and remain for the benefit of the entire town. When preserved, scenic areas offer recreation areas and open space that add to the property values and the quality of life for residents (Williamson, 1990: 67).

## **5.2 Recommendations**

There are many options for the town to consider when determining which techniques would be better to use in preserving Coventry's scenic areas. Because some techniques work best when a monitoring structure is in place, or when other techniques are already in place, the ultimate mix of techniques will depend on the town's commitment to scenic area preservation.

Elected officials and residents must be in support of efforts to preserve scenic areas. Past attempts to create a land trust have dissolved due to a lack of popular support. In order for any type of program to get underway and succeed, there must be more citizen endorsement of this effort. If support is not readily available, an informational program targeting residents about the importance of scenic preservation should be initiated.

Because of the lack of support previously given to the establishment of a land trust/bank, initial programs and techniques should not create barriers to residents nor be resource demanding. Targeting local residents for assistance will help to establish an inclusive relationship with the public. This tactic will help establish scenic area protection initiatives without the alienation of residents or government officials.

If it is decided that an aggressive approach to preservation is necessary, establishing some funding for the acquisition of specific scenic properties would be necessary. On the other hand, if the town wishes to do the minimum, but receive the maximum, it could provide seed money to establish a land trust/bank. The land trust/bank

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would then be responsible to finance the remainder of its operation and result in the protection of many scenic areas.

There are techniques that the town could incorporate into the zoning and subdivision regulations which would protect certain areas while allowing development to continue. These techniques include: TDR; overlay zoning; historic district zoning; site review; and conservation easements. They may be put into place with less financial commitment than a land trust, but can be complicated to administer and may place more demands on staff time.

Prior to employing any land preservation techniques, Coventry should conduct a comprehensive inventory of scenic areas. This was suggested by RIDEM and is referred to a number of times in the town's Comprehensive Plan. The Open Space and Recreation Plan of the Comprehensive Plan states "The town should develop an inventory of all parcels of property impacted or potentially impacted by the open space and recreation plan and monitor this inventory on a regular basis to assure assemblage of the (recreation) network in the most effective manner" (BRW, 1992: D.7.10). In addition, the Natural and Cultural Resources Implementation Action Program of the Comprehensive Plan recommends that the town "Aggressively develop a prioritized inventory of open space parcels for eventual acquisition/control as permanent open space" (BRW, 1992: E.1-20); and "Establish a program to permanently acquire and/or ensure the conservation of priority open space parcels" (BRW, 1992: E.1-20).

## *Chapter 5: Conclusion and Recommendations*

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In addition to protecting scenic areas, the town should also incorporate the protection of recreational areas into any scenic area inventory. Although these areas may be targeted for recreation, they sometimes include passive recreation areas that are important to the scenic character of the community.

The method used to conduct the inventory should, at a minimum, identify scenic areas that did not meet the acreage requirements of these previous studies. It must also meet the objectives of the Comprehensive Plan in order to be consistent. In an effort to save time in developing an inventory methodology, the inventory evaluation methods should be based on the evaluation methods identified in the two RIDEM studies.

The inventory should yield a prioritized list of scenic areas to be targeted for preservation. Preservation methods used should vary with the particularities of the individual property and the importance it has on the community at large. This list should establish which properties should be purchased, those which should be encumbered with an easement or other legal protection device, and the properties that can be protected in other ways. It should benefit the town by establishing the priority areas for a program of preservation and protection. Once the inventory is conducted, the Conservation Commission and Planning Department should be able to identify preservation methods that will best suit the properties that were identified. Public and private support may be generated through this process, if they are included in developing the list of properties.

The town should develop a program that targets properties identified in the scenic area/open space inventory for preservation. This program could be combined with the

## *Chapter 5: Conclusion and Recommendations*

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requirement that land be donated or fees paid for preservation of open space through the subdivision review process. It could offer a bonus for developers who do not develop identified properties, or allow the transfer of development rights from the targeted property to another property somewhere else in town. A hurdle for TDR to succeed is to get approval for increasing the density for the receiving zone. These alternatives could be worked out with a land trust and/or other private conservation organization, such as the Nature Conservancy or Audubon Society.

By utilizing non-profit organizations to protect scenic areas, the town can maximize the funds it uses to protect these targeted properties. It can sometimes maintain the property in a taxable status, thus have it contribute to the town's operation.

One of the strongest suggestions of this study is for the town to establish a land trust/bank. Creating a land trust/bank offers the town the best hope for the large-scale preservation of scenic areas for the town. The formation of this entity can relieve the town of responsibility and place it with a group that specializes in land conservation/preservation. The land trust/bank can be either regional or local, but should focus on the goal of preserving scenic and other important areas. A land trust would be less encumbered by town politics while a land bank would more easily receive town funding for its operation.

Once a land trust/bank is established, it should be self-perpetuating and supporting. Funding is available through grants and loans which can be utilized for preservation and acquisition efforts. Because of its private organizational status, it should be able to



## *Chapter 5: Conclusion and Recommendations*

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quickly make property acquisitions and sales that a town could not do. Because municipalities have to deal with multiple levels of bureaucracy their decision making process is many times slower than a private organization. This private organization could also provide more flexibility in the conservation mechanisms used and ultimately preserve scenic areas that might otherwise be developed.

The land trust/bank once established, can do more than preserve scenic areas. Because of its non-profit status, it is eligible for grants from public and private organizations. It can also utilize its non-profit status to make donations and purchase properties without tax burdens. This allows for greater flexibility to develop programs for the protection of scenic areas and open space. A land trust/bank can provide a vehicle for educating the public about the benefits of conservation, developing tax incentive programs, forming conservation agreements, establishing acquisition programs, connecting buyers with sellers interested in land conservation, and developing leases and grants for conservation. It can also provide coordination for the town or another non-profit to acquire scenic or other sensitive property.

Even if a land trust/bank is or is not established, there needs to be a program that helps educate the town residents and decision makers, such as the Town Council, Town Manager, Planning Commission and Conservation Commission as to the importance of protecting scenic areas and open space. Education of the public on open space needs must precede any discussion about issuing bonds for its acquisition (Williamson, 1990:

## *Chapter 5: Conclusion and Recommendations*

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67). An education program should be general enough to be understandable to most residents, but also provide enough technical information to be effective.

It is important to the credibility of the town's preservation effort that it be based on the goals and objectives identified in the Comprehensive Plan for protecting scenic and recreation areas. For this reason, all efforts to preserve scenic areas should be grounded in the goals of the Comprehensive Plan.

With or without the organizational structure of a land trust/bank, the town should utilize easements to protect scenic areas. Easements can be used for properties that are awaiting funding to their purchase and/or to increase the level of scenic protection after the property has been sold to private owners.

An initial priority that the town should establish, is to improve the current zoning and subdivision regulations, so that they provide more opportunities for protection of scenic areas. This would include: increasing the promotion of development that minimizes road creation and frontage lots along collector and arterial roads; encouraging the use of buffers between new subdivisions and collector and arterial roads; and increasing the utilization of cluster development techniques as an alternative to conventional subdivisions.

If the Planning Department evaluated the use and effectiveness of Agricultural Zoning as an alternative to the state Farm, Forest and Open Space Program, it could determine if there is a need to implement a program of this kind. This research should be done in conjunction with the Tax Assessor's Department and be based on actual

## *Chapter 5: Conclusion and Recommendations*

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properties currently taxed under the Farm, Forest and Open Space Program. This study should look at the tax advantages versus the property preserved if agricultural zoning were in place.

In addition to the above program, there should be a study of the implications of utilizing other tax incentives such as differential taxation, urban and rural service assessments, capital gains taxation and exclusive agricultural zoning incentives for scenic protection. These programs should also be evaluated in terms of their effect on scenic protection and their cost in terms of tax dollars lost or saved.

Another duty that the Planning Department can take on is to evaluate overlay zones for historic, scenic and agricultural areas which protect these areas from insensitive development. This evaluation should determine if there is enough land to make this designation and establish a reasonable amount of land that should be protected.

In addition to the numerous duties placed on the planning department, another would be to consider TDR as an alternative to haphazard development patterns. It would offer an alternative to the increasing conversion of scenic lands for commercial/residential uses along collector streets and major arterials by targeting specific areas for higher intensity development.

Easements should be utilized by the town in order to protect scenic areas that cannot be purchased or otherwise protected from development. This would offer numerous options for the preservation of scenic areas.

## *Chapter 5: Conclusion and Recommendations*

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Increasing the use of cluster developments would certainly expand the amount of land that is protected from development. It would not require any more regulation, but would require a change in attitude by the Planning Commission.

Overlay zones for the preservation of historic, scenic and agricultural areas definitely offer flexibility to regulate development. It provides the town with the ability to choose where and what will be preserved.

By utilizing the technique of TDR in order to target areas where infrastructure exists, the town will protect areas where infrastructure is absent. Use of this kind of technique would require strategic analysis of the entire town, but could result in the preservation of some important scenic areas.

A study conducted through either the Conservation Commission or Planning Department can establish the benefits and pitfalls of notification, recognition and non-binding agreement programs. This study could determine what would be best for the protection of the properties identified in the inventory.

Once a land trust is established, this organization should develop a program of management leases and loan/grant programs. This would allow for the control of properties without taking actual possession. A land trust can purchase properties in order to sell them with limited development agreements attached. This would protect scenic areas by binding the new owners to use the property in accordance with a preservation agreement.

## *Chapter 5: Conclusion and Recommendations*

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Throughout the evaluation and development of these programs and techniques the Conservation Commission should be used to study the effects they have on areas identified in the town wide inventory. Besides the intimate knowledge of the town that Planning Commission members have, they can provide assistance in collecting and analyzing data. And as suggested earlier, they can be instrumental in conducting and coordinating a town wide scenic area identification program and advocating scenic area protection. Their involvement in a notification, recognition and/or non-binding agreement program can initiate the protection of scenic areas once an inventory is conducted.

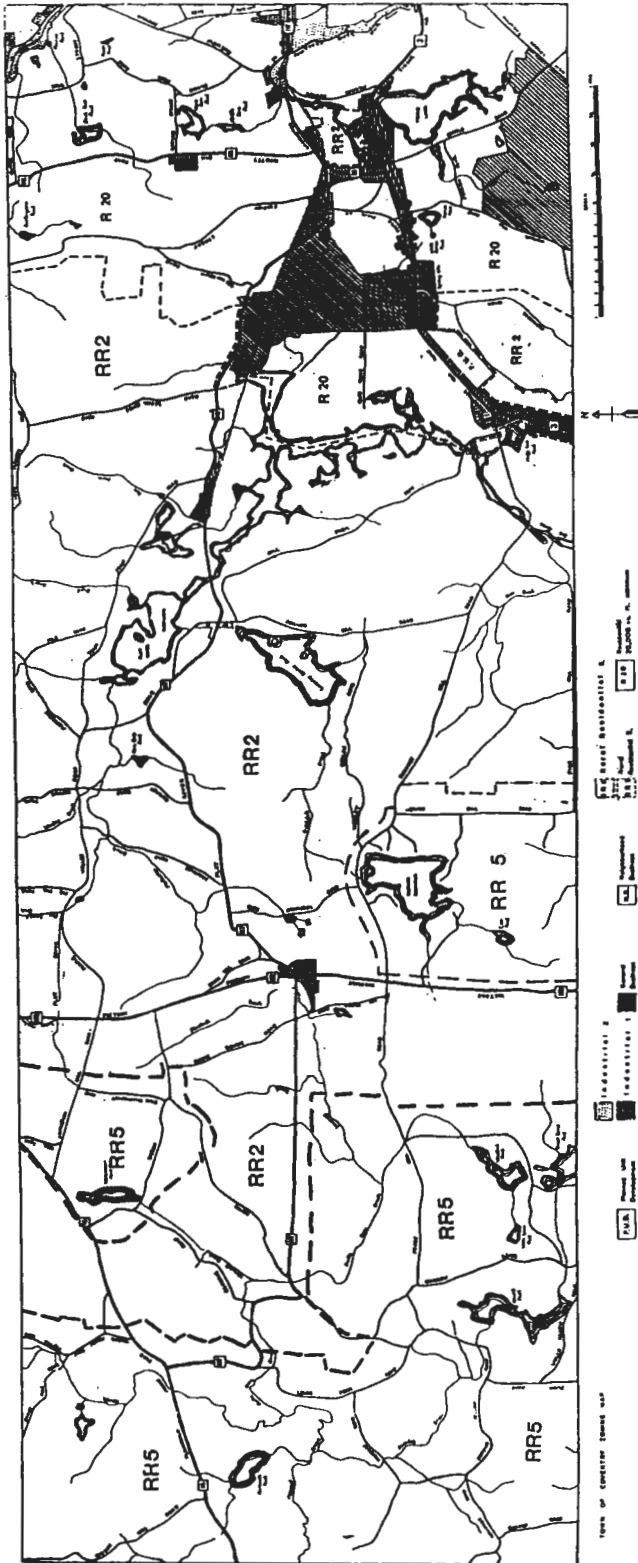
The preservation of scenic areas is not only for the present, it will benefit future generations who will have the enjoyment of open spaces and scenic areas as they grow up in Coventry. They too will have the opportunity to enjoy the same open spaces and scenic areas that were part of the childhoods of prior Coventry residents.

## Appendices A-G

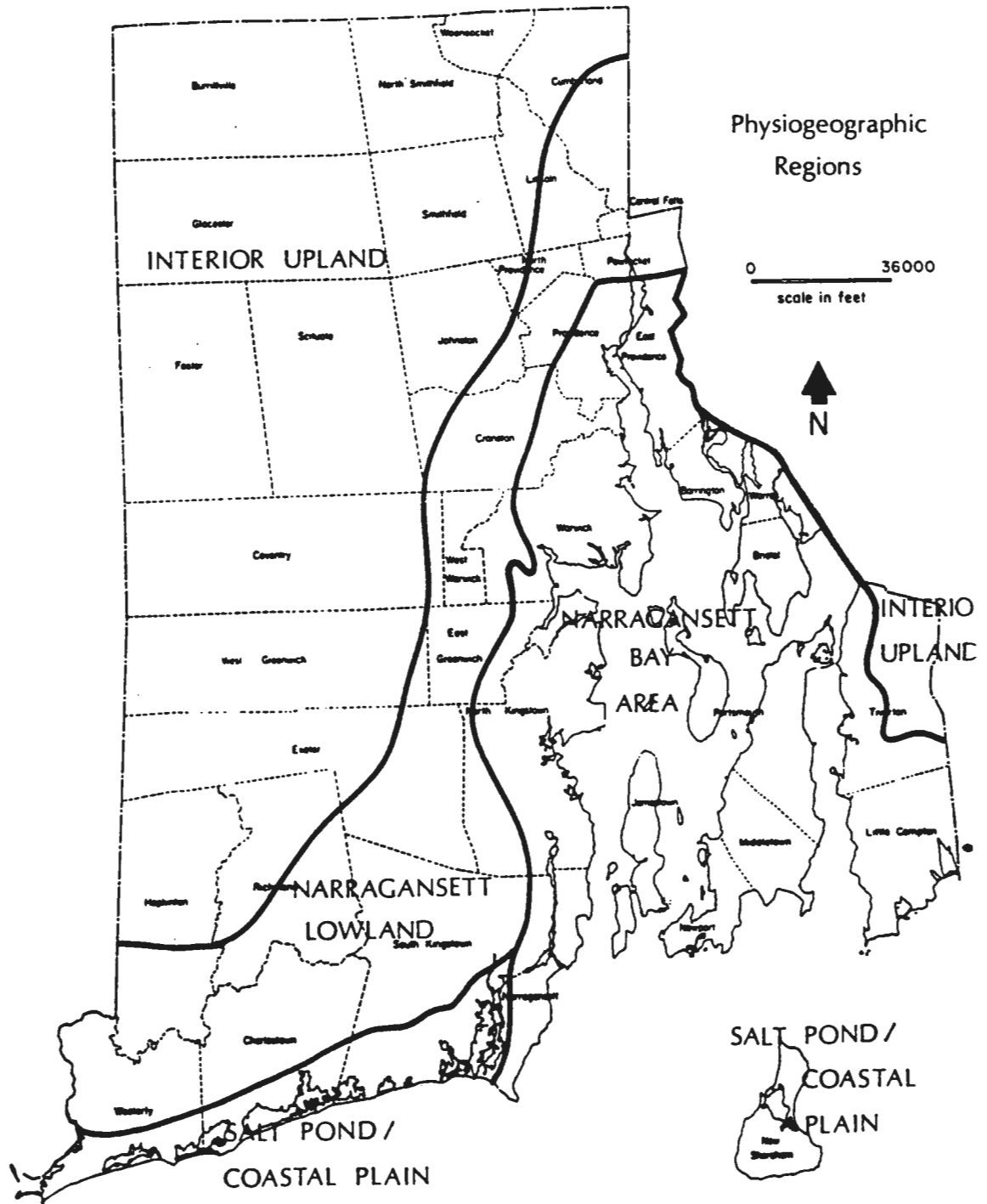
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Zoning Map, Town of Coventry



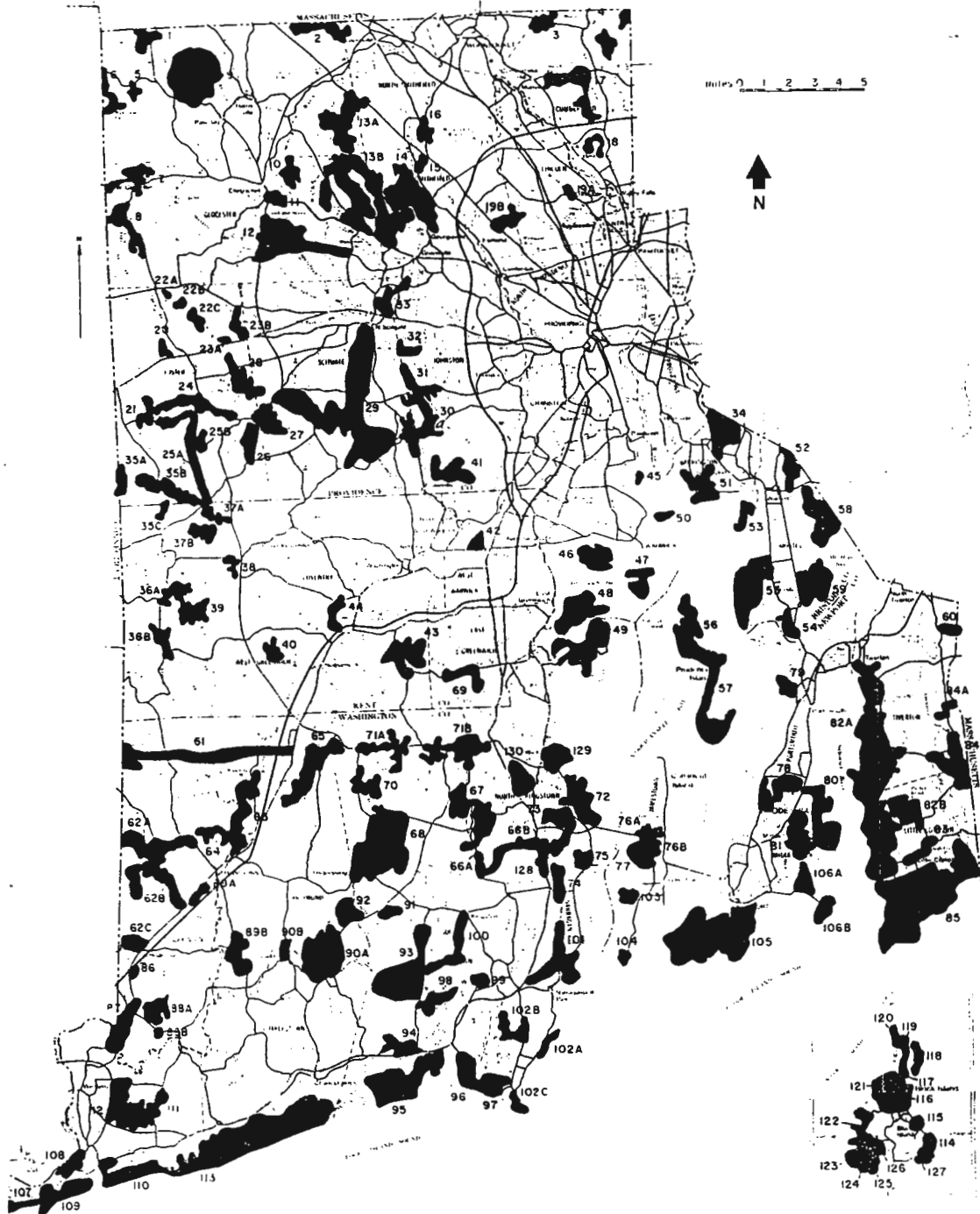
Rhode Island Landscape Inventory, Physiogeographic Regions



Source: The Rhode Island Landscape Inventory, 1990



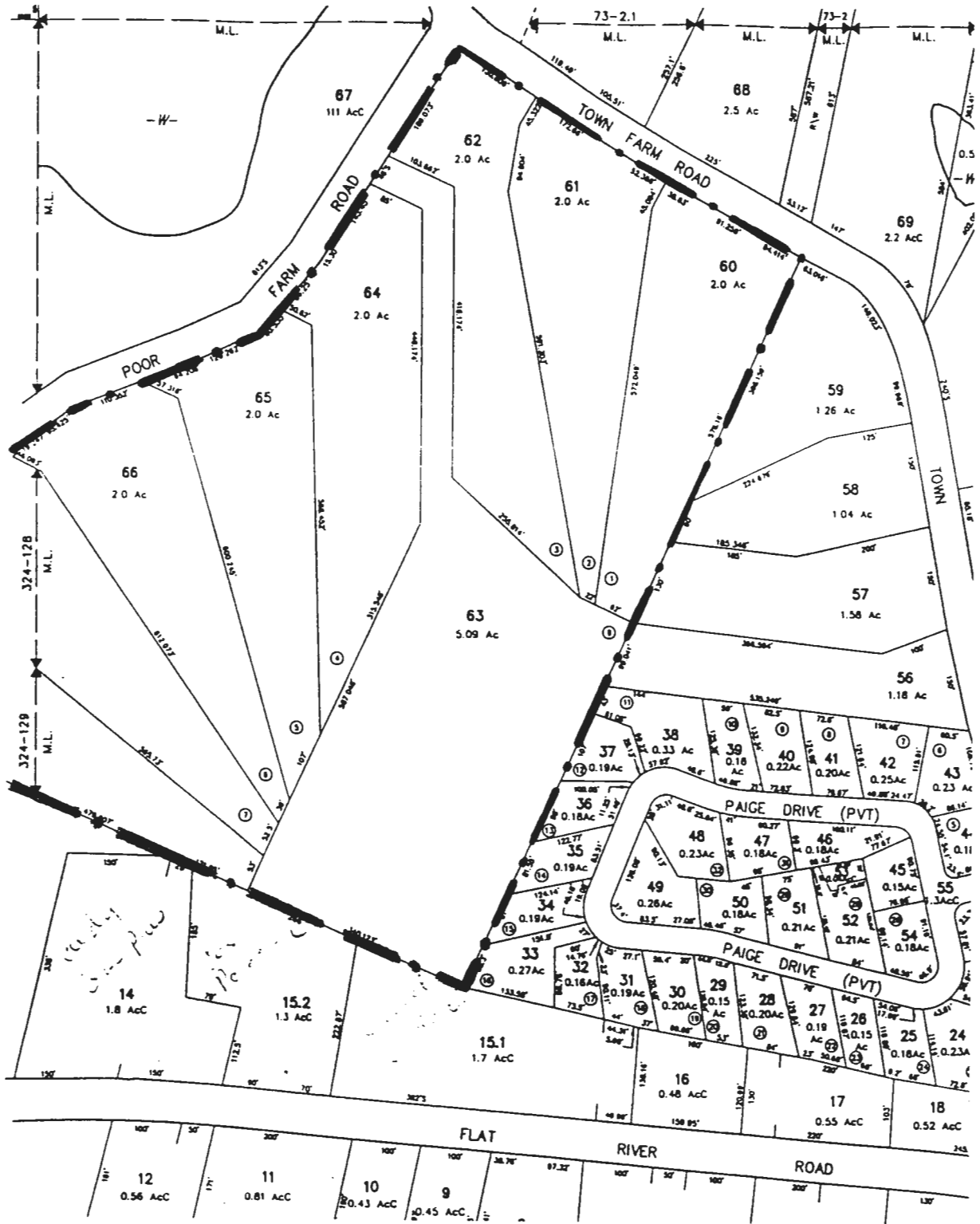
Rhode Island Landscape Inventory, Inventory Sites



THE RHODE ISLAND LANDSCAPE INVENTORY  
INVENTORY SITES

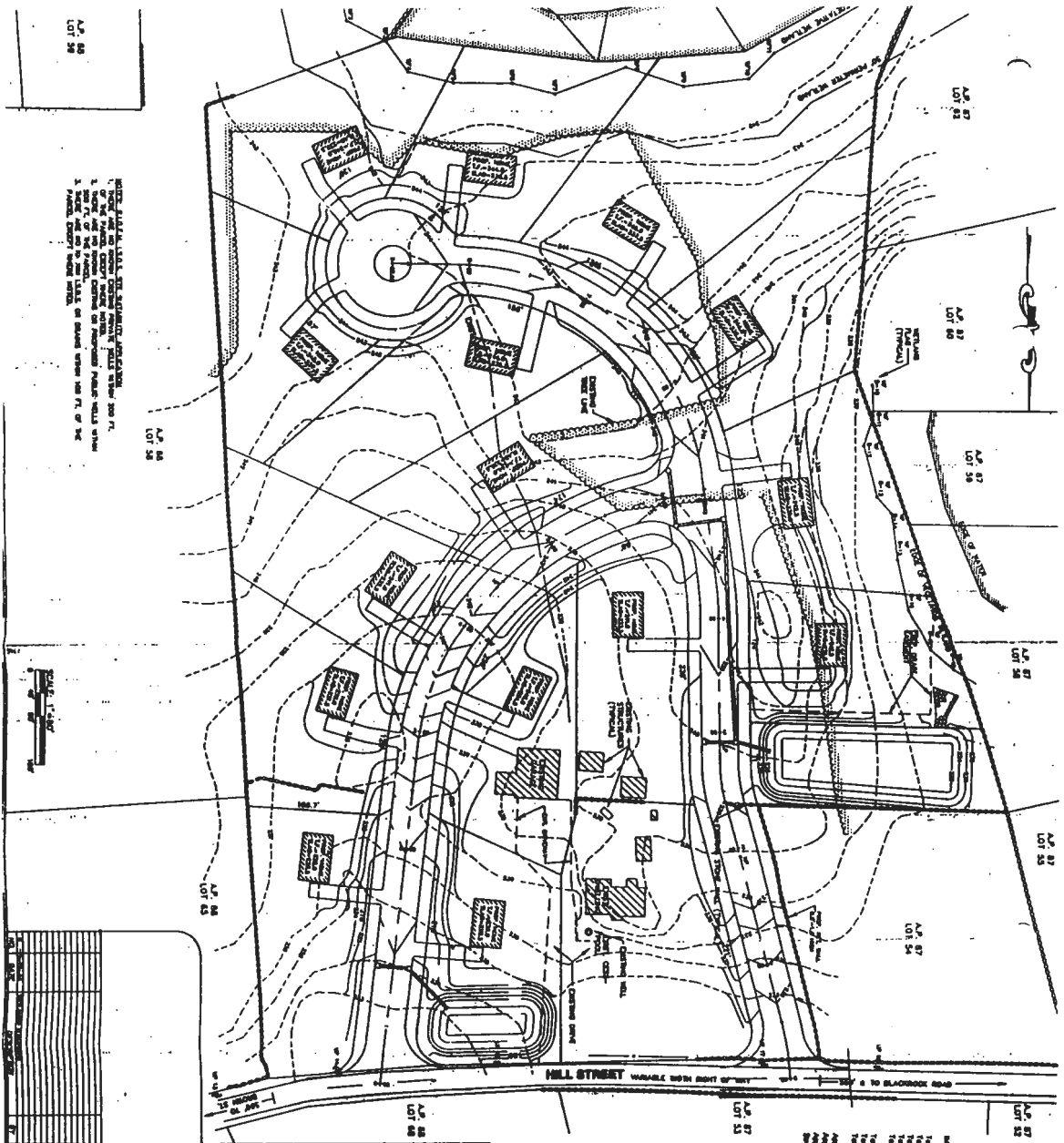
Appendix D

Sample Sites, Town Farm/Poor Farm Roads



Appendix E

Sample Sites, Hill Street Farms



INDEX: ALL LOTS SHALL BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL. THE CITY ENGINEER SHALL REVIEW THE LOTS AND SHALL BE RESPONSIBLE FOR THE LOTS. THE CITY ENGINEER SHALL BE RESPONSIBLE FOR THE LOTS. THE CITY ENGINEER SHALL BE RESPONSIBLE FOR THE LOTS.



NO.	DESCRIPTION	AREA
1	LOT 37	1.5000
2	LOT 38	1.5000
3	LOT 39	1.5000
4	LOT 40	1.5000
5	LOT 41	1.5000
6	LOT 42	1.5000
7	LOT 43	1.5000
8	LOT 44	1.5000

**HILL STREET FARMS**  
 A & R PROPERTIES, INC.  
 100 W. BIRCH STREET, SUITE 200  
 TAMPA, FL 33602  
 (813) 988-0800 FAX (813) 988-0800

DESIGNED BY  
**OPRETE ENGINEERING ASSOCIATES, INC.**  
 211 WEST AVENUE, SUITE 200  
 TAMPA, FL 33602  
 (813) 988-0800 FAX (813) 988-0800

**LEGEND**

- EXISTING STONE WALL
- EXISTING SIDE WALK
- DOOR OF ROAD
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING WALKWAY
- DOOR OF VESTIBULE RETURN
- EXISTING 1/2" x 2" CURBS
- BY FOUNDATION RETURN
- LIGHTY FILL & SAND

**NOTIFICATIONS**

Final Public Hearing of a tentative subdivision plat is proposed for 1:30 PM on 1/14/04 at the City of Tampa, Florida, Office of the City Engineer, 211 West Avenue, Suite 200, Tampa, FL 33602. The tentative subdivision plat is available for public review at the City Engineer's Office, 211 West Avenue, Suite 200, Tampa, FL 33602, from 9:00 AM to 4:00 PM, Monday through Friday. The tentative subdivision plat is available for public review at the City Engineer's Office, 211 West Avenue, Suite 200, Tampa, FL 33602, from 9:00 AM to 4:00 PM, Monday through Friday.

## PRIVATE LAND PRESERVATION ORGANIZATIONS

### NATIONAL ORGANIZATIONS

The Nature Conservancy

Massachusetts/Rhode Island Field Office  
294 Washington Street, Room 740  
Boston, MA 02108  
617-423-2545

Trust for Public Land

New England Regional Office  
33 Union Street, Fourth Floor  
Boston, MA 02108  
617-367-1616

American Farmland Trust

1717 Massachusetts Avenue, N.W.  
Washington, DC 20036  
202-332-0763

Land Trust Alliance

1319 F. St. NW Ste. 501  
Washington, DC 20004-1106  
Jean Hocker  
202-638-4725

Audubon Society of Rhode Island

12 Sanderson Road  
Smithfield, RI 02917  
401-231-6444

Institute for Conservation Economics

57 School Street  
Springfield, MA 01105  
413-746-8660  
Gregg Gramm

### LOCAL ORGANIZATIONS

Aquidneck Island Land Trust

Kathy Irving, President  
223 Carroll Avenue  
Newport, RI 02840  
846-4390

Blackstone River Watershed Assoc.

c/o Northbridge Town Hall  
Whitinsville, MA 01588  
(508) 752-3444

Attleboro Land Trust

P.O. Box 453  
Attleboro, MA 2703-0008

Block Island Conservancy

Robert Ellis Smith, President  
P.O. Box 84  
Block Island, RI 02807  
466-3111

Barrington Land Conservation Trust

Charlotte Sornborger  
I Wildacre Lane  
Barrington, RI 02806  
245-8467

Block Island Land Trust

Heidi M. Ellis, Admin. Assistant  
Town of New Shoreham  
Town Hall, Box 220  
Block Island, RI 02807  
466-3207

*Appendix F*

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Bonnet Shores Fire District

Anita J. Langer  
17 Richard Smith Road  
Narragansett, RI 02882  
783-4506

Bristol Land Conservation Trust

P.O. Box 413  
Bristol, RI 02809

Conanicut Island Land Trust

Jack Hubbard  
41 Emerson Road  
Jamestown, RI 02835  
941-2559

Cranston Land Conservation Trust

Joseph Accetta, Chairman  
160 Midway Road  
Cranston, RI 02920  
942-0800

Cumberland Land Trust

Charles H. White, President  
328 Abbott Run Valley Road  
Cumberland, RI 02864  
333-3858

East Greenwich Land Trust

Jane Weidman, Chairperson  
P.O. Box 111  
East Greenwich, RI 02818  
886-8645

East Providence Land Trust

P.O. Box 16201  
East Providence, RI 02916-0696  
434-6119

East Providence Municipal Land Trust

Bruce B. Chick, Chairman  
14 Josephine Avenue  
East Providence, RI 02916  
738-3660

East Providence Land Conservation Trust

Frances C. Trafton  
P.O. Box 16201  
East Providence, RI 02916  
434-6119

Foster Land Trust

Bruce Campbell  
111 Plain Woods Road  
Foster, RI 02925  
397-5070

Glocester Land Trust

Robert G. Huckins, Chair  
1470 Putnam Pike  
Chepachet, RI 02814  
276-5900 (W)  
568-5148 (H)

Land Conservancy of North Kingstown

Muriel Flood, Treasurer  
P.O. Box 1499  
North Kingstown, RI 02852  
294-3789

Lincoln Land Conservation Trust

Ruth B. Tetreault, President  
36 Lakeview Avenue  
Lincoln, RI 02865

Little Compton Agricultural Conservancy Trust

Stetson Eddy, Secretary  
P.O. Box 253  
Little Compton, RI 02837  
624-6613

*Appendix F*

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Mashantucket Land Trust

Anne H. Nalwalk, President  
P.O. Box 49  
Old Mystic, CT 06372

Narragansett Land Conservation Trust

Brenda Dillman, Environ. Coordinator  
25 Fifth Avenue  
Narragansett, RI 02882  
789-1044

Narrow River Land Trust, Inc.

Linda Steere, President  
P.O. Box 641  
Wakefield, RI 02980  
783-6740

Narrow River Preservation Society

Rob Leeson  
23 Brown Street  
Wickford, RI 02852-5037  
294-7120

New England Forestry Foundation

Keith Ross, Director of Land Protection  
283 Main Street  
Cambridge, MA 02142  
(617) 864-4229

North Providence Land Trust

Roy Sabo  
25 Sadler street  
North Providence, RI 02911  
353-8713

North Smithfield Land Trust

Peter J. Lemay, Vice President  
94 Mt. Pleasant Road  
Slatersville, RI 02876-0356  
(508) 793-3415

Pawtuxet Land Trust

Martha Smith, President  
P.O. Box 8907  
Warwick, RI 02888-8907  
941-6058

Prudence Conservancy

Alan D. Beck, Chairman  
P.O. Box 156  
Prudence Island, RI 02872  
683-5061

Rhode Island Community Land Trust

93 Tobey Street  
Providence, RI 02909

Sakonnet Preservation Association

Michael B. Forte, President  
11 High Meadow Drive  
Little Compton, RI 02837  
277-3308

Scituate Land Trust

Al Vernava  
59 Countryside Lane  
N.Scituate, RI 02857

Seekonk Land Conservation Trust

Nancy Messenger  
450 Prospect Street  
Seekonk, MA 02771  
336-8985

South County Conservancy

Gordon Foer  
P.O. Box 1387 (7 Country Drive)  
Charlestown, RI 02813  
364-8788

Appendix F

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South Kingstown Land Trust

Roger Freeman, Treasurer  
50 Westcove Close  
Wakefield, RI 02879  
789-5880

Southside Community Land Trust

Helen Drew Exec. Director  
288 Dudley Street  
Providence, RI 02903  
273-9419

Swansea Land Trust

Jeanne Wadleigh  
187 Scavicw Avenue  
Swansea, MA 02777  
(508) 679-0799

Warren Land Conservation Trust

Dick Hallberg, President  
P.O. Box 565  
Warren, RI 02835  
245-3350

Warwick Land Trust

Paul Huling  
107 Fairway Lane  
Warwick, RI 02889  
739-8539

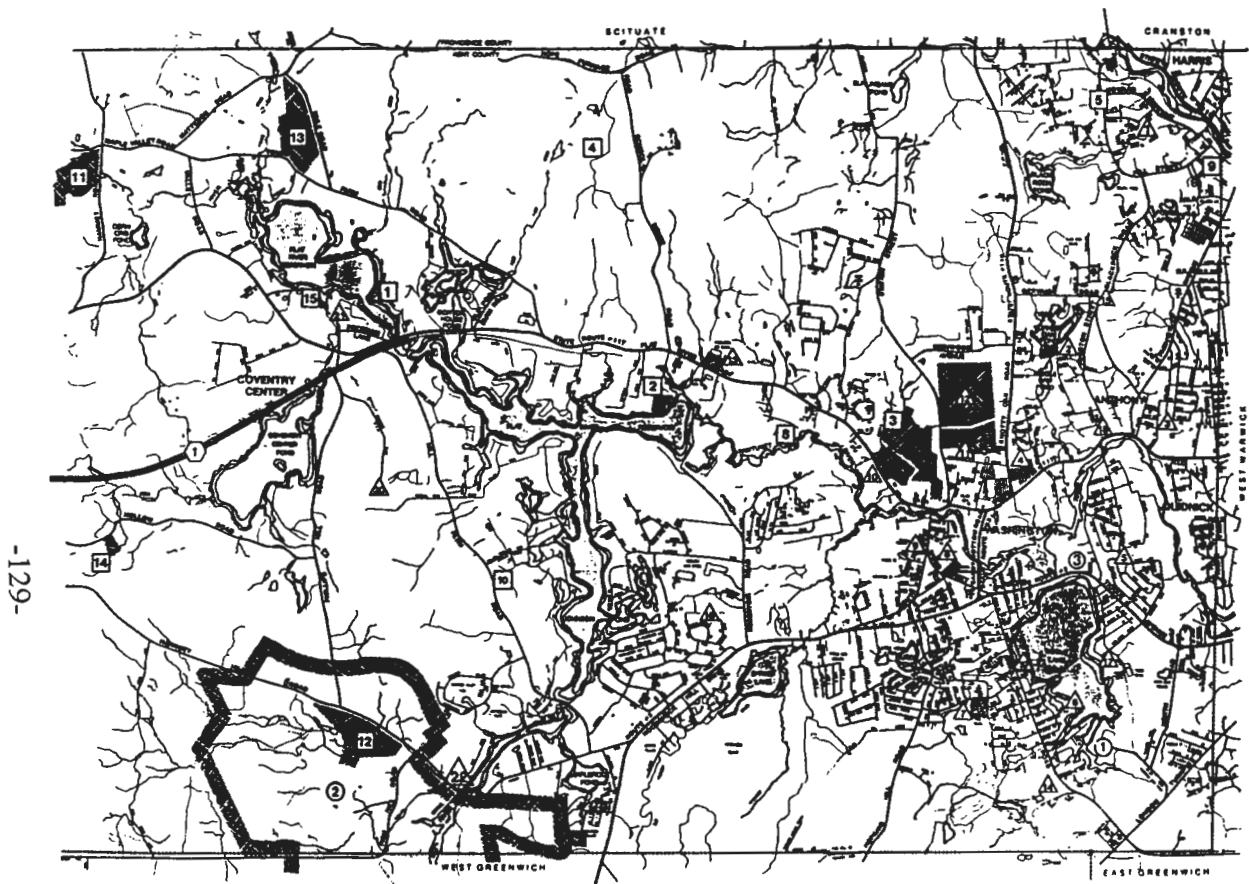
Westerly Land Trust

Harvey C. Perry  
12 Margin Street  
Westerly, RI 02891  
596-3339 (H) 348-1269 (W)

Wood-Pawcatuck Watershed

Association

Lori Barber  
P.O. Box 61  
Hope Valley, RI 02832  
539-9017



-129-

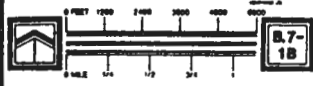
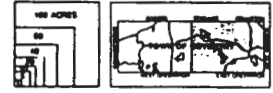
# Comprehensive Community Plan

TOWN OF COVENTRY, RHODE ISLAND

## RECREATION, CONSERVATION AND OPEN SPACE

JURISDICTION	SITE NUMBER	SITE NAME
STATE	1	LAKE TOUGUE BOAT LAUNCH
STATE	2	BIG RIVER RESERVOIR
STATE	3	LAKE TOUGUE PUBLIC ACCESS
STATE	1	TRESTLE TRAIL
LOCAL	1	HARRIS PLAYGROUND
LOCAL	2	UPPER DAM POND
LOCAL	3	OLDNECK SCHOOL
LOCAL	4	RICE FIELD
LOCAL	5	OAK HAVEN SCHOOL
LOCAL	6	BIRNAR POINT BEACH AREA
LOCAL	7	HOPKINS HILL SCHOOL
LOCAL	8	WASHINGTON SCHOOL
LOCAL	9	SCHOOL ADMINISOR CENTER
LOCAL	10	PARK FIELD
LOCAL	11	COVENTRY JUNIOR HIGH SCHOOL
LOCAL	12	FOSTER MEMORIAL PARK
LOCAL	13	WASHINGTON OAK SCHOOL
LOCAL	14	ARNOLD ROAD PARK
LOCAL	15	BLACK ROCK SCHOOL
LOCAL	16	COVENTRY HIGH SCHOOL
LOCAL	17	TOUGUE SCHOOL
LOCAL	18	TOWN GREEN
LOCAL	19	WETERHANS MEMORIAL PARK
LOCAL	20	CENTRAL COVENTRY PARK
LOCAL	21	BEELY WATERFRONT
LOCAL	22	ZERKE'S BOAT RAMP
PRIVATE	1	COLWELL'S CAMP
PRIVATE	2	CAMP AYCOCK
PRIVATE	3	WASHINGTON GOLF
PRIVATE	4	SAYWELL AND HOPE FURNACE
PRIVATE	5	CHASE FIELD
PRIVATE	6	SOUTH BRANCH WATER FOWL
PRIVATE	7	PHENIX-HARRIS WALKWAY
PRIVATE	8	HILL FARM FIELD
PRIVATE	9	CAMP HAMILTON
PRIVATE	10	COVENTRY PHOENIX COUNTRY CLUB
PRIVATE	11	MILE ROAD LOT
PRIVATE	12	WHALLEY HOLLOW ROAD (ASH)
PRIVATE	13	FLAT RIVER BOAT LAUNCH

DEVELOPMENT RIGHTS, EASEMENTS, LEASES, ETC.



B.7-18



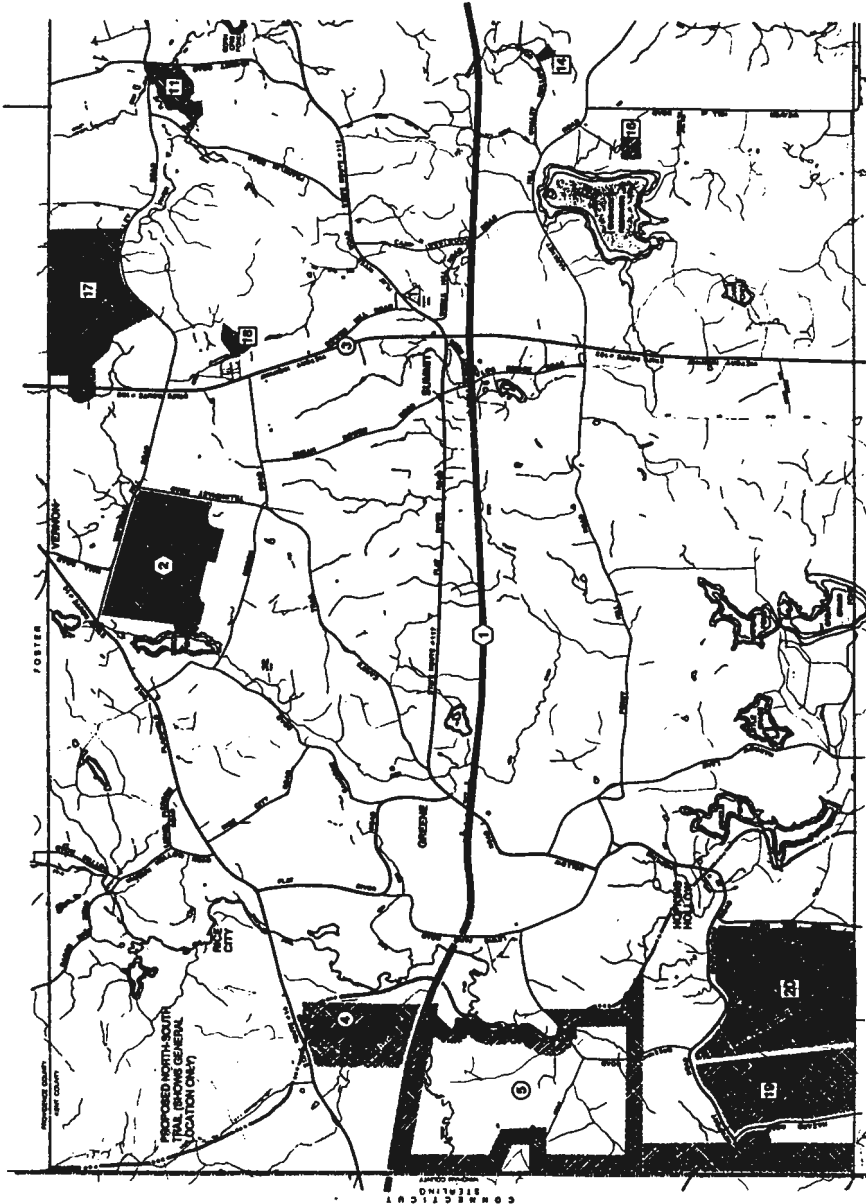
Recreation, Conservation and Openspace Properties in Coventry, R.I.

**RECREATION, CONSERVATION AND OPEN SPACE**

ABANDONMENT	SITE NUMBER	SITE NAME
STATE ○	3	NATHANIEL GREENE PARK
STATE ○	4	CARIBOLE POND MOUNTAIN AREA
STATE ○	5	NICHOLAS FARM
STATE ○	7	TRESTLE TRAIL
PRIVATE □	11	CAMP HAMILTON
PRIVATE □	14	WHALLEY HOLLOW ROAD (ASPI)
PRIVATE □	16	CAMP WESTWOOD
PRIVATE □	17	PARKER WOODLAND (ASPI)
PRIVATE □	18	HICKORY RIDGE CAMP
PRIVATE □	19	MCALPINE MEMORIAL PRES (ASPI)
PRIVATE □	20	HENRY J. LARSON WILDLIFE PRESERVE

LOCAL	SYMBOL	DESCRIPTION
LOCAL	△	1 WESTERN COVENTRY SCHOOL
LOCAL	○	DEVELOPMENT RIGHTS, CARES, HOTEL, LEASES, ETC.

# Comprehensive Community Plan

TOWN OF COVENTRY, RHODE ISLAND

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