

## **SECTION 5: INVENTORY OF LANDS OF CONSERVATION AND RECREATION INTEREST**

The previous sections of this plan have identified areas within the Town of Gill that are significant for their cultural, historical, scenic, archeological or ecological values. This information is helpful for understanding the character of Gill and for outlining issues that may be of particular interest in open space and recreation planning decisions.

### **What is open space?**

The term “open space” is often used to refer to land types such as conservation land, forested land, recreation land, agricultural land, corridor parks, green buffers and any open area owned by an agency or organization dedicated to conservation, according to the Mass Division of Conservation Services. Open space may also be defined as any parcel of land or water that remains either in its natural state or in agricultural use, and is otherwise free from intensive development. It can also include water bodies such as lakes and wetlands. The definition of open space can depend in part on the context of its location. In an urban area a vacant lot or a small wetland may be open space. In a town such as Gill, agricultural fields, the river’s edges and the Town Forest are counted among its open spaces. For the purposes of this plan open space is further defined by having some level of protection from development.

Protecting open space serves not only to preserve land but also to:

- Preserve areas of cultural, historical, scenic, archeological or ecological values
- Provide space for food production and forest products
- Offer opportunities for outdoor recreation
- Protect ecological functions areas such as flood plains and estuaries (green infrastructure)
- Conserve habitat vital for endangered plant and animal species
- Allow public access and ecotourism potential
- Mitigate the impacts of natural hazard events such as flooding

This section of the Gill Open Space and Recreation Plan provides a comprehensive inventory of all of the lands that provide open space, wildlife habitat, agricultural and forest products, watershed protection, scenic beauty, and recreation opportunities for the benefit of Gill residents. The inventory includes public, private, and non-profit conservation foundation lands and shows the location, types, and distribution of open spaces in relation to the population and other values that depend on the protection that open spaces provide. Information provided includes current land use, the degree of protection, as well as existing land management practices, where available. The inventory identifies the natural resource areas still in need of protection and suggests the types and ideal locations of additional recreational facilities. This information, especially when mapped, can help show patterns of protected land. For example, protecting land in Gill’s flood plains is important in order to preserve its vital ecological functions and to protect

their adjacent water bodies. Mapping protected land in flood plains may reveal a key unprotected parcel which could serve as an important link between other tracts of already protected areas and which could be prioritized for protection when the opportunity becomes available. Open space protection is important because, as natural areas are fragmented and lost to development, the benefits these spaces provide to people, plants, and animals are diminished over time.

## **A. OPEN SPACE AND LEVELS OF PROTECTION FROM DEVELOPMENT**

In the Gill Open Space and Recreation Plan, the focus is on undeveloped land that is valued by residents because of what it provides: actively managed farm and forestland; wildlife habitat; protection and recharge of groundwater; public access to recreational lands and trail systems; important plant communities; structures and landscapes that represent the community's heritage; flood control; and scenery. The term 'natural resource' describes the biological and physical components of an ecosystem that people depend on for their existence and, for some, their livelihood. These components are air, surface and ground water, sustainable wood products, soil nutrients, vegetation, fisheries, and wildlife. Recreational facilities can include open space, parks, and developed areas like tennis courts and swimming pools. Recreational facilities also include those that provide access to open space and natural resources, such as boat ramps and trails, or provide a means for active transportation, such as bike paths and sidewalks.

Gill is graced with abundant open space; indeed, 56% of the town's lands are under permanent or temporary protection. The majority of these lands, and in particular those under the temporary protection of Chapter 61 provisions, are owned and maintained by Gill residents, who farm the soils, manage the woodlots, or provide passive recreational access to the natural beauties of the land through a growing network of well-used trails. The town is indebted to these stewards.

Properties under permanent protection constitute 21 percent of the total lands in Gill. Of those, the majority are privately owned: 495 acres are held under Conservation Restrictions, another 868 with Agricultural Preservation Restrictions, and the balance owned by private non-profit conservation organizations and other private entities. Nearly 274 acres are owned by the Commonwealth of Massachusetts. The town itself owns a small number of parcels under permanent protection, including cemeteries (7 acres) and the Town Forest (176 acres).

Private properties with temporary protection add another 3,261 acres of open space, nearly 35 percent of Gill lands. These are owned by residents who have enrolled land under the Chapter 61 tax programs. Farmlands (Chapter 61A) comprise 1,172 acres, forest lands (Chapter 61) make up 1,530 acres, and another 234 acres are in Chapter 61B, the open space/recreation designation. FirstLight owns an additional 325 acres of land that is temporarily protected. As long as the economy can support these land stewards, Gill will continue to enjoy the benefits these open lands provide the town.

Town-owned properties with limited protection cover 60 acres, including the Town Hall, Municipal Building (Highway, Fire & Police), Slate Library, Elementary School, Riverside Municipal Building, the Riverside Sewer Pumping Station, and the Mariamante parcel.

Patterns of open space tell us a lot about the land base itself. Gill’s terrain varies greatly in slope from level floodplains to steep river valley terraces. Elevations in Gill range from 150 feet at the junction of the Fall and Connecticut Rivers to 816 feet at the top of Pisgah Mountain. Unsorted glacial deposits of soil and rocks, or drumlins, are present throughout Gill’s landscape.

### **A.1 Permanent Protection**

Open space can be protected from development in several ways that differ in the level of legal protection they provide, the method by which they are protected, and by the type of landowner. When land is considered to be “permanently protected,” it is intended to remain undeveloped in perpetuity. This level of protection is ensured in one of two ways: (1) ownership by a state conservation agency, a not-for-profit conservation land trust, or the local Conservation Commission; or (2) attachment of a conservation restriction or similar legal mechanism to the deed.

Land is considered to be permanently protected from development when it is owned by the Commonwealth of Massachusetts and managed by a state conservation agency, including the Department of Fish and Game (DFG) or the Department of Conservation and Recreation (DCR). Land is also considered permanently protected when it is owned by the town and is under the authority of the Conservation Commission, or when it is owned by a land trust for conservation purposes. Land acquired by a public agency for the purpose of water supply protection is also considered to be permanently protected.

Private landowners can also protect their properties through the attachment of a conservation restriction (CR). A CR is a legally binding agreement between a landowner (grantor) and a holder (grantee)—usually a public agency or a private land trust—whereby the grantor agrees to limit the use of his/her property by forfeiting interests in the land (development being one type of interest) for the purpose of protecting certain conservation values. The conservation restriction may run for a period of years or in perpetuity and is recorded at the Registry of Deeds. Certain income, estate or real estate tax benefits may be available to the grantor of a conservation restriction.

There are several types of conservation restrictions. Some protect specific resources, such as wildlife habitat, or farmland. Actively farmed land with prime soils or soils of statewide importance may be eligible for enrollment in the state’s Agricultural Preservation Restriction (APR) Program. Adopted by the State Legislature in 1977, the APR Program ensures the permanent protection of large blocks of farmland. Administered by the Massachusetts Department of Agricultural Resources (MDAR), this program offers farmers the difference between the “fair market value” and the “agricultural value” of their land. In exchange, a permanent deed restriction is placed on the property, which precludes uses that may harm the agricultural viability of the land. The farmer continues to own the land and can sell it, but only for agricultural uses, making it economically feasible for farmers to keep farming.

Removing permanent protection from any parcel of land that is in the APR Program, protected with a conservation restriction, owned by a state conservation agency, a land trust or a town for conservation purposes, or acquired by a fire or water district for the purpose of water supply

protection requires a vote by two thirds of the State Legislature as outlined in Article 97 of the Amendments to the Massachusetts State Constitution. For the purposes of this Open Space and Recreation Plan, cemeteries are also considered to be permanently protected from development.

The “permanent protection” conveyed by Article 97 does have its limits. The State Legislature has, on dozens of occasions, voted to release this protection at the request of local communities, so that conservation land can be used for schools, roads, economic development, or other public projects not related to resource protection. Reforms have been proposed to make this process more difficult. Recent court cases have also addressed Article 97 protection, such as when Berkshire Superior Court Judge John A. Agostini ruled in May 2016 that eminent domain through the federal Natural Gas Act of 1938 trumped the Article 97 provisions in the state Constitution, allowing the Tennessee Gas Pipeline Co. to proceed with plans to extend a natural gas pipeline through a section of the Otis State Park in Sandisfield. It is important for local advocates of conservation to be vigilant of attempts to remove the protection status from open space in the Town of Gill.

### **A.2. Temporary Protection**

The Farmland Assessment Act was enacted by the State Legislature in 1973 and amended in 2006. Parcels enrolled in Massachusetts Chapter 61 (forestry), 61A (agriculture) and 61B (open space/recreation) tax programs created by this Act are considered to be “temporarily protected” from development. This program offers landowners reduced local property taxes in return for maintaining land in productive forestry, agricultural or recreational use, or in a wild condition, for a period of time. These “chapter lands” provide many public benefits from maintaining wildlife habitat and recreational open space to sustaining rural character and local forest and farm-based economic activity.

Another benefit of the Chapter 61 programs is that they offer towns the opportunity to protect land. When a parcel that has been enrolled in one of the Chapter programs is proposed for conversion to a use that would make it ineligible for the program, the town is guaranteed a 120-day waiting period during which it can exercise its right of first refusal to purchase the property. After a Purchase and Sale Agreement has been signed, the municipality has ninety days to complete the purchase if it elects to buy the property (or assign the right). The right of first refusal can be sold to, or given to, a land trust that can often respond much more quickly than the Town can. It is important for the Town of Gill not to consider land under Chapters 61 (forest), 61A (farm) or 61B (open space/recreation) as permanently protected. At the same time, the value the program offers to the Town should not be disregarded.

### **A.3. Limited Protection**

If a Town-owned parcel of land is under the legal authority of the Select Board, rather than the Conservation Commission, it is considered to have limited protection from development. The parcel could be called a wildlife sanctuary or a town forest, but may not have the long-term protection afforded by Conservation Commission lands. In this case, converting a town forest to a soccer field or a school parking lot could be decided by the Select Board or Town Meeting.

A parcel of land used for the purposes of water supply protection is considered in much the same way. Unless there is a legal restriction attached to the deed or if the deed reads that the land was acquired expressly for water supply protection, the level of protection afforded these types of parcels varies depending on the policies of each community. In most cases, the water district would be required to show the Massachusetts Department of Environmental Protection just cause for converting the use of the land. However, this is not an insurmountable hurdle. The Town of Athol took their surface drinking water supplies off-line after developing a productive well field. A change in land use around the reservoir from water supply protection to active recreational use may occur.

## **B. INVENTORY OF PROTECTED OPEN SPACE**

The ways in which lands are protected from development produce different values. For example, lands that are permanently protected through the use of a conservation restriction (CR) or agricultural preservation restriction (APR) can stay in private ownership. This results in having the decisions regarding the property's management in the hands of individuals, instead of a non-profit or a state or federal agency. In this case the land also remains on the local property tax rolls, and contributes to the local economy if actively managed for forestry or agriculture. Although public access is sometimes required in conservation restrictions purchased by state conservation agencies and land trusts, it is not guaranteed. Lands that are purchased in fee by state agencies and large land trusts are likely to provide access to the general public and sometimes offer payments in lieu of taxes to the Town.

Table 5-1 offers a summary of all types of open space in Gill, categorized by private and public ownership as well as those with permanent protection and temporary protection. In all, there are 5,431 acres of land under some level of protection in Gill. With a total land area of 9,478 acres, about 56 percent of all land in Gill is under some level of protection. Of this protected land, 90 percent is privately owned. Privately owned permanently protected land comprises 29 percent of the total open space in Gill. Privately owned temporarily protected land makes up nearly 62 percent of the open space, representing 34 percent of the Town's total land area.

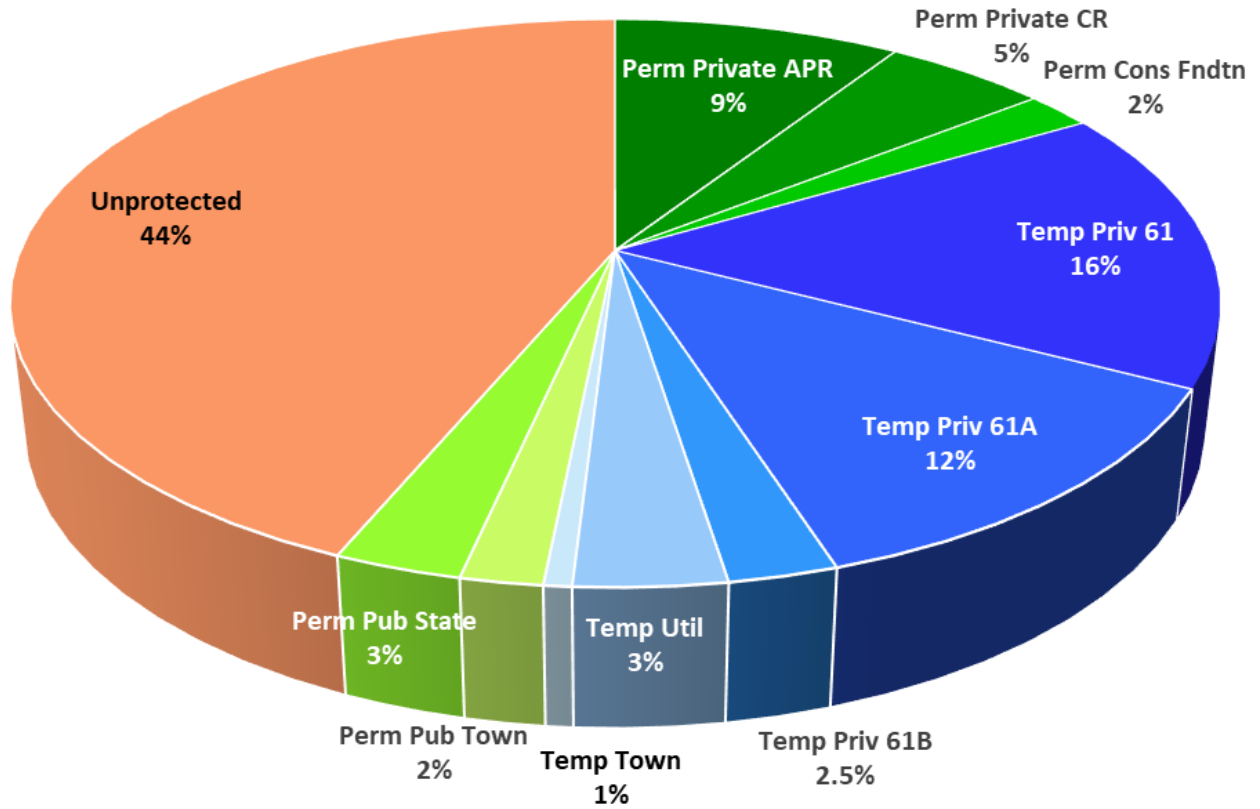
These totals are estimates based on the information available. For land protected with a conservation restriction (CR) or agricultural preservation restriction (APR), the entire acreage of a parcel is counted as permanently protected, although it is likely that some of these restrictions only apply to major portions of a parcel. APR and CR parcels that are also enrolled in the Chapter 61 program are counted only once as permanently protected land, and are not included in the Chapter 61 acreage totals. The Open Space and Recreation Inventory Map at the end of Section 5 shows the location of all protected open space in Town.

**Table 5-1: Summary Open Space by Ownership and Level of Protection in Gill**

<b>PRIVATE PARCELS</b>	<b>Area in Acres</b>	<b>% of Total Open Space in Gill</b>	<b>% of Total Land Area in Gill</b>
<b>Privately Owned PERMANENTLY Protected Open Space</b>			
Permanently Protected Agricultural Lands: Table 5-2	868	16.3%	9.2%
Permanently Protected Forestland: Table 5-4	495	9.3%	5.2%
Permanently Protected Conservation Foundation Owned Land: Table 5-6	200	3.7%	2.1%
	1,563	29.3%	16.5%
<b>Privately Owned TEMPORARILY Protected Open Space</b>			
Temporarily Protected Agricultural Lands (Chapter 61A): Table 5-3	1,172	21.9%	12.4%
Temporarily Protected Forestland (Chapter 61): Table 5-5	1,530	28.6%	16.1%
Temporarily Protected Open Space and Recreation Lands (Chapter 61B): Table 5-8	234	4.4%	2.5%
Temporarily Protected Utility-Owned Land: Table 5-7	325	6.1%	3.4%
	3,261	61.1%	34.4%
<b>TOTAL PRIVATE LAND WITH SOME LEVEL OF PROTECTION</b>	<b>4,824</b>	<b>90.3%</b>	<b>50.9%</b>
<b>PUBLIC PARCELS</b>			
	<b>Area in Acres</b>	<b>% of Total Open Space in Gill</b>	<b>% of Total Land Area in Gill</b>
<b>Publicly Owned PERMANENTLY Protected Open Space</b>			
Permanently Protected State-Owned Land : Table 5-9	274	5.1%	2.9%
Permanently Protected Town-Owned Land: Table 5-10	176	3.3%	1.9%
Permanently Protected Cemeteries: Table 5-11	7	0.1%	0.1%
	457	8.6%	4.8%
<b>Publicly Owned TEMPORARILY Protected Open Space</b>			
Temporarily Protected Town-Owned Land: Table 5-12	60	1.1%	0.6%
<b>TOTAL PUBLIC LAND WITH SOME LEVEL OF PROTECTION</b>	<b>517</b>	<b>9.7%</b>	<b>5.5%</b>
<b>TOTAL PROTECTED OPEN SPACE (Private and Public Ownership)</b>			
	<b>5,341</b>	<b>Acres</b>	
<b>TOTAL LAND IN GILL</b>			
	<b>9,478</b>	<b>Acres</b>	
<b>PERCENT TOTAL PROTECTED OPEN SPACE</b>		<b>56%</b>	
<b>TOTAL PERMANENTLY PROTECTED OPEN SPACE (Private and Public Ownership)</b>			
	<b>2,020</b>	<b>Acres</b>	
<b>PERCENT TOTAL PERMANENTLY PROTECTED OPEN SPACE</b>		<b>21%</b>	

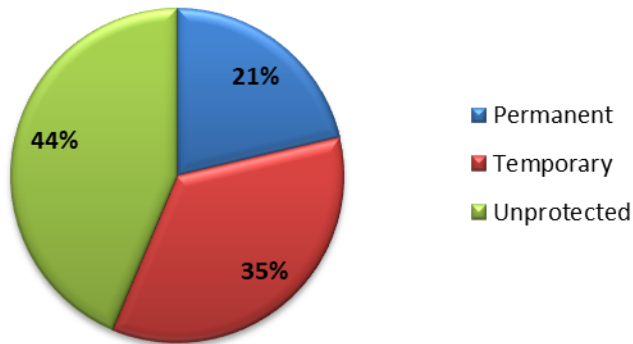
Source: Town of Gill Assessor's Maps, 2018; 2018 OSRP Working Group

### Protection Status of All Land in Gill

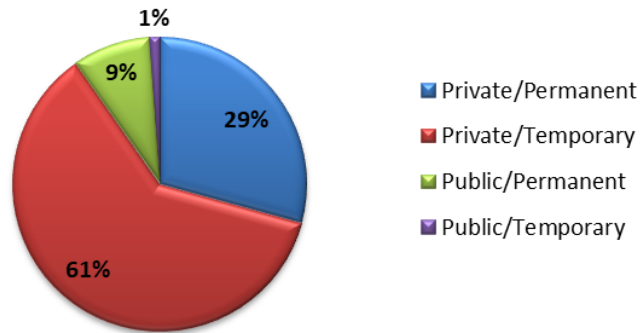


- Perm Private APR
- Perm Private CR
- Perm Cons Fndtn
- Temp Priv 61
- Temp Priv 61A
- Temp Priv 61B
- Temp Util
- Temp Town
- Perm Pub Town
- Perm Pub State
- Unprotected
-

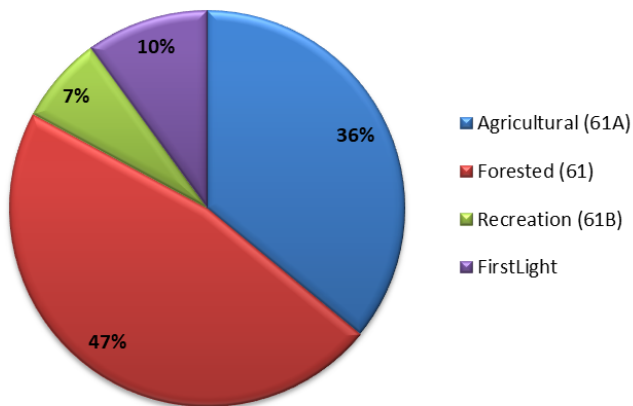
**Protection Status of Land in Gill**  
 (5,341 protected acres as % of total land area)



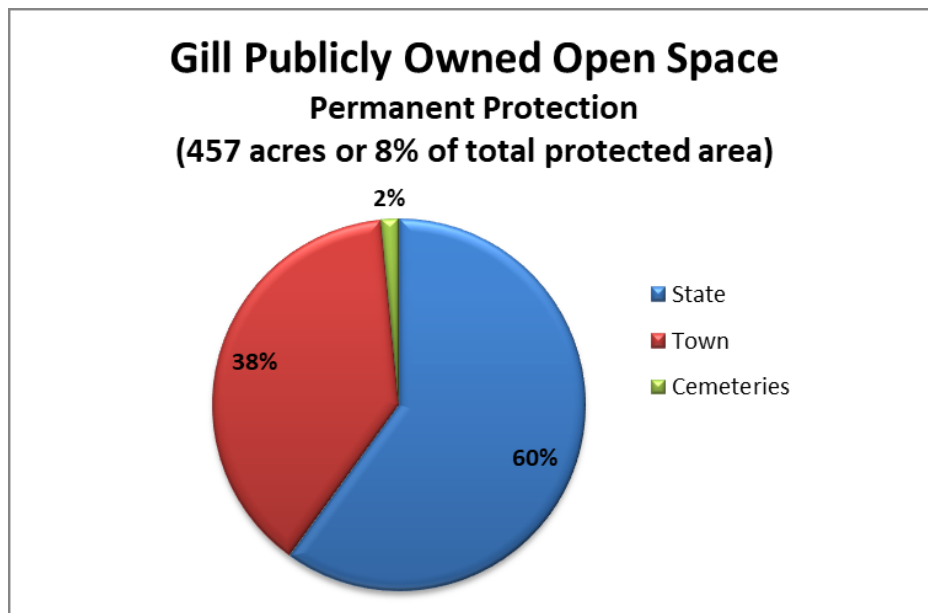
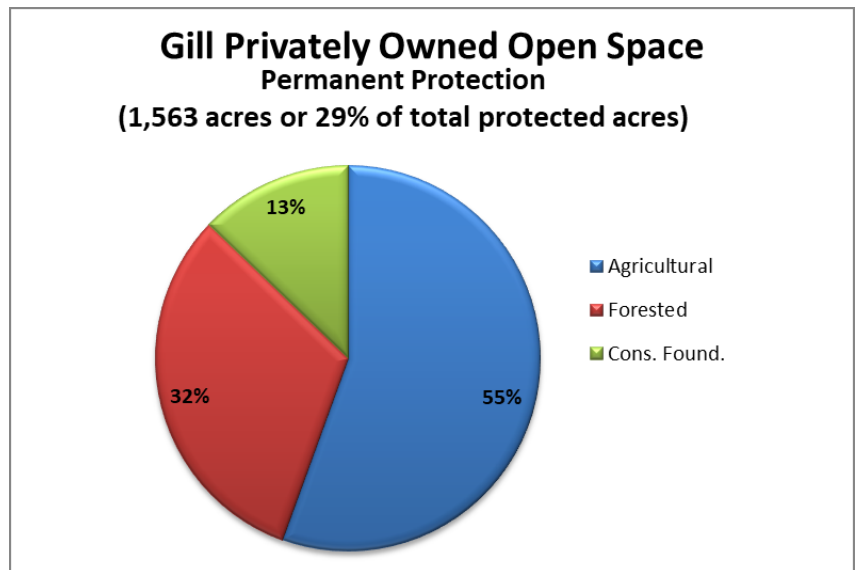
**Protected Open Space in Gill**  
 (by ownership/protection level as % of 5,431 acres of protected land)



**Gill Privately Owned Open Space**  
 Temporary Protection  
 (3,261 acres or 62% of total protected acres)







It is important to consider land protection on a regional scale beyond the borders of Gill for a number of reasons. Forests clean the air, filter water supplies, control floods and erosion, sustain biodiversity and genetic resources, provide wood products and recreation, and sequester carbon. It takes large, intact natural landscapes to sustain these benefits over the long term. These services have tremendous value, from supporting the local economy through forest product jobs, outdoor recreation, and farming, to performing functions that otherwise would need to be engineered by humans. For example, the Massachusetts Audubon Society has estimated that the nonmarket value of the natural areas within the State—for flood control, climate mitigation, and water filtration—is over \$6.3 billion annually.

## **B.1 Privately Owned Open Space Parcels**

### ***Privately Owned Agricultural Land***

There are 868 acres of permanently protected privately owned farmland, which constitute 16 percent of the total amount of open space in Gill with some level of protection from development. This land is protected by the Agricultural Preservation Restriction (APR) Program. These APRs are held by the Massachusetts Department of Agricultural Resources (MDAR), the Mount Grace Land Conservation Trust, the Franklin Land Trust, and Massachusetts Audubon. Information on permanently protected farmland in Gill is shown in Table 5-2, including ownership, holder of the restriction, location, map and lot numbers, acreage and value.

There are 1,172 acres of temporarily protected privately owned farmland, which make up about 22 percent of the total amount of open space in Gill with some level of protection from development. Information on temporarily protected farmland in Gill is shown in Table 5-3, including ownership, map and lot numbers and acreage. This land is enrolled in Chapter 61A.

Lands in the Chapter 61 program are considered only temporarily protected because a landowner may remove land that is enrolled in the Ch. 61 program at any time and pay any additional taxes due. If the landowner receives a formal offer from another party to purchase his/her parcel of land, which is in one of the Ch. 61 programs (61, 61A, 61B), the landowner must notify the Town. The Town has 120 days from the day the offer is made to exercise its right-of-first-refusal or transfer this right to a conservation organization. The Town would likely be much more successful in taking advantage of this opportunity if a Chapter 61 protocol is established ahead of time to outline the steps involved in the process. Ideally, the Town should also prioritize parcels or groups of parcels of conservation interest ahead of time.



Many agricultural lands in Gill are temporarily protected under the Chapter 61A program.

**Table 5-2: Privately Owned Permanently Protected Agricultural Lands (APRs)**

<b>Owner/ Manager</b>	<b>Holder of APR</b>	<b>Location/Site Name</b>	<b>Acres</b>	<b>Assessor's Map</b>	<b>Assessor's Lot</b>	<b>Value</b>
Bascom Hollow Farm LLC	MDAR	0 Bascom Rd	8.50	215	23	Prime Farmland Soils
Bascom Hollow Farm LLC	MDAR	0 Bascom Rd	85.70	215	22.2	Prime Farmland Soils
Bascom Hollow Farm LLC	MDAR	0 Bascom Rd	74.08	215	22.3	Prime Farmland Soils
Crosby Patricia H.	MGLCT	151 Center Rd	12.11	214	5.1	Prime Farmland Soils
Dunklee Revocable Trust	MDAR	North Main Rd	92.00	203	3	Prime Farmland Soils
Flagg Daniel R.	FLT	0 Boyle Rd	5.42	211	3	Prime Farmland Soils
French Richard C.	FLT	0 Main Rd	37.00	213	17	Prime Farmland Soils
French Richard C.	FLT	267 Main Rd	134.00	213	4	Prime Farmland Soils
Hatch Clifford C.	MDAR	0 Main Rd	30.20	211	4.1	Prime Farmland Soils
Hatch Clifford C.	MDAR	0 Boyle Rd	10.07	210	8.2	Prime Farmland Soils
Lilly Keith E.	MDAR	292 Main Rd	43.85	213	15	Prime Farmland Soils
Gardner, Elizabeth S.	MDAR	385 Main Rd	5.58	211	7	Prime Farmland Soils
Podlesny Frank E.	MDAR	0 Center Rd	19.00	209	8	Prime Farmland Soils
Podlesny Frank E.	MDAR	0 Ben Hale Rd	5.40	209	13	Prime Farmland Soils
Remillard Jeffrey R.	MDAR	0 Bascom Rd	52.90	215	24.1	Prime Farmland Soils
Split River Farm LLC	MDAR	0 River Rd	17.00	220	13	Prime Farmland Soils
Split River Farm LLC	MDAR	Stratton Pisgah Mtn Rd	62.80	220	11	Prime Farmland Soils
Split River Farm LLC	MDAR	Stacy Pisgah Mtn Rd	52.00	227	10	Prime Farmland Soils
Storrow Thomas W.	MDAR	0 River Rd	30.00	219	9	Prime Farmland Soils
Storrow Thomas W.	MDAR	0 River Rd	17.76	219	7.1	Prime Farmland Soils
Urgiel Alexander V. Jr.	MDAR	0 Munns Ferry Rd	18.90	204	2	Prime Farmland Soils
Urgiel Alexander V. Jr.	MDAR	464 Main Rd	54.00	204	6	Prime Farmland Soils
<b>TOTAL ACRES:</b>			<b>868.27</b>			

**Source:** Town of Gill Assessor's Maps, 2018; 2018 OSRP Working Group.

**Table 5-3: Privately Owned Temporarily Protected Agricultural Land (Chapter 61A)**

Owner	Location	Acres	Assessor's Map	Assessor's Lot
Cole Karen L.	457 Main Rd	7.54	204	16.1
Cotter Patrick M.	0 Munns Ferry Rd	9.10	203	5.3
Cotter Patrick M.	53 Munns Ferry Rd	36.15	203	11
Cotter Patrick M.	0 Munns Ferry Rd	55.30	203	5.2
Cutting Frank J.	81 Ben Hale Rd	13.60	203	4.2
Cutting Frank J.	0 Boyle Rd	77.00	206	1
Cutting Real Estate Trust	81 Ben Hale Rd	21.00	207	1.2
Cutting Real Estate Trust	81 Ben Hale Rd	36.00	207	4.1
Cutting Real Estate Trust	81 Ben Hale Rd	73.00	207	1.1
Flagg, Shirley E.	430 Main Rd	151.00	204	13.2
Flagg, Shirley E.	Cole Main Rd	45.20	204	8
Flagg, Shirley E.	421 Main Rd	134.00	204	14
Giknis James A.	155 French King Hwy	50.00	103	5
Hastings Ernest M.	0 West Gill Rd	73.40	207	6.1
Hastings Ernest M.	314 West Gill Rd	47.00	207	5
Hatch Clifford C.	411 Main Rd	40.00	211	10.1
Johnson Kenneth E.	15 Vassar Way	13.47	212	15
Keech Linda	47 Franklin Rd	45.00	216	14
Keech Linda	47 Franklin Rd	15.00	217	1.11
Kramer Susan J.	54 Boyle Rd	34.03	206	28-21
Lemieux Noreen	119 River Rd	20.00	219	10
McComb James H.	0 Dole Rd	6.51	208	11.2
McComb James H.	58 Dole Rd	11.57	208	11.1
Schechterle Steven J.	257 West Gill Rd	24.00	209	5
Schechterle Steven J.	36 Hoe Shop Rd	12.45	209	3.2
Urgiel Alexander V. Jr.	0 Munns Ferry Rd	14.68	204	3.1
Wiancko Laura & Greenstein Judd S.	0 Franklin Rd	34.00	217	35
Zak Farm Trust	0 River Rd	14.00	212	8

<b>Owner</b>	<b>Location</b>	<b>Acres</b>	<b>Assessor's Map</b>	<b>Assessor's Lot</b>
Zak Farm Trust	South Main Rd	10.50	213	5
Zak Farm Trust	0 Lyons Hill Rd	2.80	212	22
Zak Farm Trust	North Main Rd	44.30	211	22
Zak Farm Trust	0 Lyons Hill Rd	0.50	213	6
	<b>TOTAL ACRES:</b>	<b>1,172.10</b>		

**Source:** Town of Gill Assessor's Maps, 2018; 2018 OSRP Working Group.

Much of the land enrolled under Chapter 61A also abuts rivers and streams. While agriculture can have negative impacts on water quality, these impacts can be reduced or avoided through the use of best management practices. When best management practices are observed, agriculture is compatible with watershed protection because it keeps the land open, while development results in conversion of land to impervious surfaces with negative impacts on water quality.

Agricultural lands enrolled under the Chapter 61A program offer much value to the town even if the farmlands are only temporarily protected. These agricultural parcels often contain prime farmland soils that should be preserved for continuing use. These privately owned open spaces also contribute to the town's tax base and generate revenue, employment, and food products. In addition, some landowners may allow access to their property for recreational purposes, like hiking or snowmobiling. Most Chapter 61A landowners take pride in their land and practice good stewardship. They help to define a sense of place for Gill and contribute to community stability.

### **Privately Owned Forested Land**

Approximately 495 acres are permanently protected privately owned forestland, which constitute approximately 9 percent of the total amount of open space in Gill with some level of protection from development. This land is protected by conservation restrictions (CRs). These restrictions are held by the Massachusetts Department of Agricultural Resources. Information on permanently protected farmland in Gill is shown in Table 5-4, including ownership, holder of the restriction, location, map and lot numbers, and acreage.

**Table 5-4: Privately Owned Permanently Protected Forested Land (CRs)**

<b>Owner</b>	<b>Holder of CR</b>	<b>Location</b>	<b>Acres</b>	<b>Assessor's Map</b>	<b>Assessor's Lot</b>
Bathory Michael J.	Department of Conservation and Recreation (DCR)	0 River Rd	31.00	220	10
Bathory Michael J.	DCR	0 River Rd	76.00	220	5
Brown Allen Tupper	DCR	58 River Rd	31.00	212	18
French Richard C.	DCR	0 Barney Hale Rd	13.75	221	11.1
French Richard C.	DCR	0 Barney Hale Rd	103.00	218	4
French Richard C.	Mount Grace Land Conservation Trust (MGLCT)	0 Mountain Rd	10.50	217	22
French Richard C.	DCR	0 Barney Hale Rd	19.00	219	14
Jenkins Peter L.	DCR	76 River Rd	83.32	218	5
Jenkins Peter L.	DCR	0 Barney Hale Rd	0.70	219	16
Jenkins Peter L.	DCR	3 Barney Hale Rd	4.01	219	17
Polatin Christopher	MGLCT	0 Mountain Rd	88.00	218	2.1
Wallace Allen	DCR	143 River Rd	34.40	220	8
<b>TOTAL ACRES</b>			<b>494.68</b>		

**Source:** Town of Gill Assessor's Maps, 2018; 2018 OSRP Working Group.



Forest land in Gill includes sugar bush, which supplies sap for local maple sugaring products.

Properties with conservation restrictions may have the potential for passive recreational use or for activities such as fishing or hunting but recreational use is dependent upon the wishes of the landowner.

Privately owned forestland with temporary protection from development is shown in Table 5-5. Approximately 1,530 acres are under the Chapter 61 program, which make up 29 percent of the total amount of open space in Gill with some level of protection from development.

**Table 5-5: Privately Owned Temporarily Protected Forestlands (Chapter 61)**

Owner	Location	Acres	Assessor's Map	Assessor's Lot
B And G Golf Associates	231 West Gill Rd	107.00	214	8
Berniche Charlene	127 West Gill Rd	79.00	216	4
Caron Thomas L.	195 French King Hwy	41.00	226	21
Cowls W D Inc~	0 Pisgah Mtn Rd	39.65	227	12
Diemand Daniel	8 Hickory Hill Rd	22.44	210	4
French Richard C.	0 Mountain Rd	35.50	222	5.2
French Richard C.	74 Mountain Rd	23.50	222	5.B
French Richard C.	0 Mountain Rd	19.00	222	11
French Richard C.	0 Center Rd	33.00	213	13
French Richard C.	0 Ben Hale Rd	27.00	207	2
Georgian Bernadette S.	0 Franklin Rd	77.00	217	37
Giknis James A.	0 Barney Hale Rd	24.30	221	5
Giknis James A.	0 Mountain Rd	12.00	221	6
Giknis James A.	0 French King Hwy	78.00	226	22
Giknis James A.	0 Mountain Rd	23.00	222	1
Giknis James A.	0 Mountain Rd	6.00	222	3
Motha & Herbert	31 Hoe Shop Rd	13.79	215	20
Hisz Michael A.	0 Main Rd	81.00	222	14
Krejmas Bruce E.	0 West Gill Rd	67.00	215	17
Krejmas Bruce E.	0 West Gill Rd	3.80	215	18
Lafleur Arthur J.	40 Atherton Rd	66.00	215	15
Lewandowski Jeffrey L & Gauthier Suzan	250 Mountain Rd	28.49	221	2.13

Owner	Location	Acres	Assessor's Map	Assessor's Lot
Nowill Paul	351 West Gill Rd	26.00	207	11.1
Parsons Irrevocable Trust	Rear Mountain Rd	36.10	221	14
Parsons Irrevocable Trust	0 Mountain Rd	67.78	218	3.1
Parsons Irrevocable Trust	0 Mountain Rd	4.62	221	2.9
Purington Ray	29 Atherton Rd	45.96	215	14.2
Schechterle Steven J.	257 West Gill Rd	61.00	209	3.1
Stotz Living Trust~	0 West Gill Rd	31.00	224	45
Stotz Living Trust	0 West Gill Rd	11.00	223	7
Stotz Living Trust	0 West Gill Rd	18.00	223	12
Striebel Stephen P.	Off Main Rd	50.00	205	10
Theriault Mark R.	9 West Gill Rd	21.38	224	39
Wiancko Laura & Greenstein Judd S.	25 Green Hill Rd	70.00	217	36
Zak Farm Trust	20 Lyons Hill Rd	180.00	212	20
<b>TOTAL ACRES</b>		<b>1,530.31</b>		

**Source:** Town of Gill Assessor's Maps, 2018; 2018 OSRP Working Group.

All the parcels in Table 5-5 are temporarily protected in Chapter 61. Protection of these parcels is short term. There are no public grants awarded as a result of the program. The owner agrees not to change the land's use for ten years while paying reduced property taxes during that time period. These lands are located in the Residential/Agricultural zoning district.

Chapter 61 lands are managed for forest products, which result in the employment of loggers, foresters, and local mill workers, income for landowners, and the availability of locally grown wood for flooring, furniture making, and firewood. Many forested lands also provide recreational value for Gill residents. The Chapter 61 program contributes to the preservation of forested landscapes valued by Gill residents.

Privately owned forestland offers many values to the community and is an important resource for several reasons. Many forestlands are large parcels with a low degree of fragmentation, preserving wildlife and plant habitats. When these forestlands are protected from development, they help to protect and provide clean water, air, and healthy wildlife populations. Forest soils have a high infiltration capacity, absorbing moisture and permitting little surface runoff. Once absorbed, water is released gradually, reducing flooding during large rain events and maintaining stream flow during low water months. Because forest soils are absorptive, soil erosion is reduced and fish habitat is preserved.

### ***Privately-Owned Open Space and Recreational Land***

There are 200 acres of privately owned permanently protected open space accounting for about 4 percent of the total amount of open space with some level of protection that is owned by non-profit conservation organizations. These include The Nature Conservancy (TNC), the Connecticut River Watershed Council (CRWC), and the Mount Grace Land Conservation Trust (MGLCT). Information on the parcels is shown in Table 5-6.



**Table 5-6: Conservation Foundation Owned Open Space Permanently Protected from Development**

Owner	Location	Acres	Assessor's Map	Assessor's Lot
CRWC	0 West Gill Rd	7.80	223	9
MGLCT	0 Barney Hale Rd	17.00	227	3
MGLCT	0 Center Rd	5.60	209	6
TNC	3 Pisgah Mountain Rd	13.70	228	8
TNC	0 Pisgah Mountain Rd	41.00	227	15
TNC	0 Pisgah Mountain Rd	10.40	227	14
TNC	0 Pisgah Mountain Rd	20.00	227	13.1
TNC	0 Pisgah Mountain Rd	20.86	227	16.2
TNC	Rear French King Hwy	58.00	228	10
TNC	0 Pisgah Mountain Rd	6.00	227	11
<b>TOTAL ACRES:</b>		<b>200.36</b>		

**Source:** Town of Gill Assessor's Maps, 2018; 2018 OSRP Working Group.

Other privately owned land in Gill that has temporary protection from development is land owned by FirstLight Power Resources. FirstLight Power Resources currently has licenses to operate the Turners Falls Dam and Northfield Mountain Hydroelectric Projects on the Connecticut River. These projects affect the Connecticut River, which borders the town of Gill. FirstLight Power owns most of the land in Gill along the Connecticut River. Land along the Connecticut River has many values for open space: it provides flood control, wildlife habitat, beautiful scenery and recreational opportunities. Most of the utility-owned land along the river is forested. FirstLight Power's ownership and management of this land is a condition of its Federal Energy Regulatory Commission (FERC) license for its hydroelectric facilities in Montague and Erving. Therefore, all land subject to the FERC license is considered to have limited protection from development.

Under its FERC license, FirstLight is required to provide recreational benefits to the communities bordering the river. In Gill, the company currently maintains a campground and canoe/kayak rental facility at Barton Cove. Facilities available for rent include a picnic pavilion for up to 100 people on the Connecticut River and a yurt that accommodates up to 30 people.

The hydroelectric power facilities on the Connecticut River owned by FirstLight Power are currently undergoing FERC relicensing, as the current license expires in April 2018. As discussed in Section 3: Community Setting, the process includes a review of how the hydroelectric facilities impact the river and communities through a number of required studies and public meetings. The Town of Gill, along with other local and regional stakeholder organizations, has been an active participant in the process. Through the process the Town has requested that under the new license, recreational access to the Connecticut River will be improved for residents. Specific improvements include: maintaining an acceptable minimum flow for recreation, such as white water rafting, and to support fish habitat; and providing Gill residents with adequate, user friendly public access points to the Connecticut River for

recreation, especially a public boat ramp and a dedicated canoe/kayak lane behind the island in Barton Cove.

The FERC license agreement requires that FirstLight Power Resources obtain flowage rights to the land bordering the river. Flowage rights are similar to land easements and allow for the impacts of a project dam including backwatering onto adjacent properties. The company is responsible for minimization and prevention of soil erosion and other adverse effects associated with hydroelectric projects within the flowage boundary. FirstLight Power Resources has implemented an erosion control plan to manage these properties. The erosion control plan outlines bank stabilization repair and erosion prevention measures that should be undertaken while FirstLight Power Resources operates the projects.

The primary purpose of the erosion control plan is riverbank stabilization and erosion control. In addition, FirstLight Power Resources has committed to provide recreational and environmental education facilities in areas impacted by the projects. These facilities serve to protect the areas scenic and historical assets as well as wildlife species habitat and are located in Gill, Northfield, and Montague.

The property owned by FirstLight Power Resources is considered temporarily protected as open space for the duration of the project license. The company owns parcels totaling about 325 acres as shown in Table 5-7, or about 6 percent of the total protected open space in Gill.

**Table 5-7: Utility Company Land with Temporary Protection**

Owner	Location	Acres	Protection	Assessor's Map	Assessor's Lot
Firstlight Hydro Generating Company	0 Riverview Dr	4.50	FERC	101	58
Firstlight Hydro Generating Company	0 Oak St	0.66	FERC	101	59
Firstlight Hydro Generating Company	0 Oak & Grove St	1.00	FERC	101	83
Firstlight Hydro Generating Company	0 Elm St	0.14	FERC	101	84
Firstlight Hydro Generating Company	0 Oak St Grove	0.32	FERC	101	85
Firstlight Hydro Generating Company	3 Riverview Dr	0.31	FERC	101	89
Firstlight Hydro Generating Company	0 Riverview Dr	23.18	FERC	101	118A-E
Firstlight Hydro Generating Company	0 Riverview Dr	20.40	FERC	101	119A-C
Firstlight Hydro Generating Company	0 Riverview Dr	2.00	FERC	101	120
Firstlight Hydro Generating Company	82 French King Hwy	2.06	FERC	102	26
Firstlight Hydro Generating Company	39 Oak St	0.86	FERC	102	31
Firstlight Hydro Generating Company	39 Oak St	0.34	FERC	102	32
Firstlight Hydro Generating Company	39 Oak St	0.64	FERC	102	33

Owner	Location	Acres	Protection	Assessor's Map	Assessor's Lot
Firstlight Hydro Generating Company	On Connecticut River/ Barton Cove Facility	160.34	FERC	103	17A,C-S,Z
Firstlight Hydro Generating Company	Rear Main Rd	26.75	FERC	203	6A-C
Firstlight Hydro Generating Company	Rear Main Rd	27.50	FERC	204	7A-D
Firstlight Hydro Generating Company	Rear River Rd	21.50	FERC	219	6A
Firstlight Hydro Generating Company	0 French King Hwy	4.00	FERC	224	43
Firstlight Hydro Generating Company	0 French King Hwy	28.50	FERC	228	9A-B
<b>TOTAL ACRES:</b>		<b>325.00</b>			

**Source:** Town of Gill Assessor's Maps, 2018; 2018 OSRP Working Group.



The public can access Barton Cove via the public boat ramp or via the Barton Cove Camp-ground and Canoe/ Kayak area owned by FirstLight Power.

Other than lands owned by FirstLight Power, there is relatively little privately-owned recreational land in the Town of Gill. Most of the properties are enrolled in Chapter 61B (234 acres), which is similar to Chapter 61 and 61A but is designed specifically for land in recreational use. Included in this category is the Oak Ridge Golf Course, owned by B &G Golf Associates, on West Gill Road.

**Table 5-8: Privately Owned Temporarily Protected Open Space and Recreation Lands (61B)**

Owner	Location	Acres	Assessor's Map	Assessor's Lot
B and G Golf Associates	231 West Gill Rd	17.64	214	9
Boyer Natalie	176 West Gill Rd	21.10	215	6
Dale Cynthia S.	0 French King Hwy	0.75	226	3
Dale Cynthia S.	0 French King Hwy	7.39	226	2
Draper William J.	38 Pisgah Mtn Rd	7.00	227	16.1
Holmes George E. Jr.	0 Main Rd	35.00	214	3.1
Kramer Susan J.	0 Cross Rd	16.74	210	14
Lemieux Noreen	119 River Rd	38.00	219	12
Meyer Timothy P.	53 Highland Rd	66.85	222	4
Putnam Jane	3 River Rd	24.00	212	9
<b>TOTAL ACRES</b>		<b>234.47</b>		

Source: Town of Gill Assessor's Maps, 2018; 2018 OSRP Working Group.

## **B.2 Publicly Owned Open Space**

Publicly owned protected open space makes up approximately 10 percent of all of the open space that has some level of protection in town. The following inventory includes those parcels that are owned by the Commonwealth of Massachusetts, the Town of Gill, and state conservation organizations.

### *State-Owned Open Space*

A total of 274 acres of permanently protected publicly owned state land are located in Gill, accounting for 5.1 percent of the total amount of open space in Gill. This land includes open space owned by the Department of Conservation and Recreation and by the Department of Fish and Game. These lands are described in Table 5-9.

**Table 5-9: State Owned Permanently Protected Land**

Property Owner	Site Name	Assessor's Map	Assessor's Lot	Acres	Current Use
DCR	Connecticut River Greenway State Park (CRGSP)	220	4	180.00	Conservation and Recreation
DCR	CRGSP	228	1	14.20	Conservation and Recreation
Department of Fish and Game	Barton Cove Boat Ramp	102	28	4.20	State Boat Ramp
DCR	CRGSP	228	6	40.20	Conservation and Recreation
DCR		224	41	5.20	Conservation and Recreation
DCR		228	7	15.00	Conservation and Recreation
DCR		224	30	15.10	Parking area next to Green River Honda
<b>TOTAL ACRES:</b>				<b>273.90</b>	

Source: Town of Gill Assessor's Maps, 2018; 2018 OSRP Working Group.

***Town-Owned Open Space***

The Town owns four cemeteries, which are considered permanently protected from development, as shown in Table 5-10. In addition, the Town owns four parcels of permanently protected open space that make up the Town Forest, consisting of 176 acres or about 3 percent of the total open space in Gill, as shown in Table 5-11 on the following page.

Table 5-10 lists the cemeteries in Gill that are owned by the town and are permanently protected from development. Most cemeteries represent well-maintained open space areas that are sometimes appropriate for walking and bird watching. These parcels total almost 7.5 acres, a tiny percentage of the overall protected open space in Town.

**Table 5-10: Town Owned Permanently Protected Cemeteries**

Owner/Property Manager	Site Name/Location	Assessor's Lot	Assessor's Map	Acres
Town of Gill	North Cemetery/0 Main Rd.	204	15	1.80
Town of Gill	Center Cemetery/0 Main Rd.	212	1	0.80
Town of Gill	West Cemetery/0 Hoe Shop Rd.	214	11	0.47
Town of Gill	Riverside Cemetery/0 Main Rd.	224	6	1.60
Town of Gill	Riverside Cemetery/0 Main Rd.	224	7	2.80
<b>TOTAL ACRES:</b>				<b>7.47</b>

**Source:** Town of Gill Assessor’s Maps, 2018; 2018 OSRP Working Group.

The Town of Gill also owns 60 acres of open space under limited protection, or 1 percent of the total protected open space in Gill (see Table 5-12 below). These parcels are under the authority of the Select Board and are considered to have limited protection from development. If residents wanted to sell Town land for development, the Select Board or a Town Meeting vote could provide the authority.



Slate Library is one of Gill’s twelve town-owned parcels with limited protection.

It is not unusual for a community to set aside land for future expansion of schools, sports fields, police and fire stations, and drinking water supplies. Open space planned for these purposes might be used as open space today and placed under the authority of the Select Board. It may also be sensible to place town-owned land that clearly contains wetlands or wildlife habitat, but which does not provide for easy development, under the authority and protection of the Conservation Commission.



**Table 5-11: Town-Owned Permanently Protected Land**

Property Owner/ Manager	Site Name/ Location	Current Use	Condition	Recreation Potential	Public Access?	Type of Public Grant Received	Zoning	Degree of Protection	Acres	Assessor's Map	Assessor's Lot
Town of Gill/ Conservation Commission	Town Forest/ Hoe Shop Road	Conservation Recreation	Undeveloped	Trails, hunting, fishing	Yes, but undeveloped	Donation from Franklin Land Trust	Residential-Agricultural	Permanent	61.00	208	1
Town of Gill/ Conservation Commission	Town Forest/ Hoe Shop Road	Conservation Recreation	Undeveloped	Trails, hunting, fishing	Yes, but undeveloped	Donation from Franklin Land Trust	Residential-Agricultural	Permanent	112.63	208	7
Town of Gill/ Conservation Commission	Town Forest/ Hoe Shop Road	Conservation Recreation	Undeveloped	Trails, hunting, fishing	Yes, but undeveloped	Donation from Franklin Land Trust	Residential-Agricultural	Permanent	2.15	208	7.1
Town of Gill/ Conservation Commission	Town Forest/ 325 Main Road	Conservation Recreation	Undeveloped	Trails, hunting, fishing	Yes, but undeveloped	Donation from Franklin Land Trust	Residential-Agricultural	Permanent	2.59	208	7.2
<b>TOTAL ACRES</b>									<b>175.78</b>		

Source: Town of Gill Assessor's Maps, 2018; 2018 OSRP Working Group.

**Table 5-12: Town-Owned Land Under Limited Protection**

Property Owner/ Manager	Site Name/Location	Current Use	Condition	Recreation Potential	Public Access?	Type of Public Grant Received	Zoning	Degree of Protection	Acres	Assessor's Map	Assessor's Lot
Town of Gill	Riverside Municipal Building (Old Green School)	Historical Commission, Water District, Playground, Private School	Good	Ball fields, basketball, potential site for rec facility and/or senior center	Yes	N/A	Residential-Agricultural	Limited	1.50	101	14
Town of Gill	Riverside Sewer Pumping Station	Pumping Station	Good	None	No	N/A	Village Residential	Limited	0.12	101	117
Town of Gill	Elementary School	Elementary School	Good	Playground structures, ball fields	Yes	N/A	Residential-Agricultural	Limited	13.30	211	5
Town of Gill	Elementary School Nature Area	Education	Not maintained	Trails, education	Yes	N/A	Residential-Agricultural	Limited	6.60	211	6
Town of Gill	Slate Library	Library	Good	Site for educational events	Yes	N/A	Residential-Agricultural	Limited	0.80	212	2
Town of Gill	Common	Events	Good	Outdoor public performances	Yes	N/A	Residential-Agricultural	Limited	0.32	212	26
Town of Gill	Town Hall	Administrative	Good	Site for educational events	Yes	N/A	Residential-Agricultural	Limited	0.47	212	27
Town of Gill	Boyle Parcel (Center Road)	Hay field	Rented	Ball fields	No	N/A	Residential-Agricultural	Limited	2.90	212	30
Town of Gill	Municipal Building	Highway, Police, Fire	Good	None	No	N/A	Residential-Agricultural	Limited	4.30	217	20
Town of Gill	0 River Rd.	Undeveloped Land	Good	River access	No	N/A	Residential-Agricultural	Limited	1.00	220	12
Town of Gill	325 Main Rd.	Undeveloped Land	Good	Trails	No	N/A	Residential-Agricultural	Limited	17.00	221	7
Town of Gill	Mariamante	Undeveloped Land	Hayfield	Educational or historical site	No	N/A	Residential-Agricultural	Limited	12.00	224	34.1, 34.2, 34.3, 34.4, 34.5, 34.6
<b>TOTAL ACRES</b>									<b>60.31</b>		

Source: MassGIS 2018; Town of Gill Assessor's Maps, 2018; 2018 OSRP Working Group.

