



Ridgefield Conservation Commission

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Guidelines for Easement Changes and Land Swaps

The Town of Ridgefield has the same responsibility for administering easements and considering land swaps as does a land trust. Even though many of our easements are not tax deductible, we maintain the same fiduciary duty to diligently preserve and protect them as applies to charitable trusts. We must preserve the community's trust by upholding the legal and ethical obligations contained in conservation properties and easements. Therefore, no change will be done for the benefit of a private landowner if it does not conform to the following:

1. Any easement change or land swap should not alter the conservation purpose of the easement or the swapped land. Any change to a donated easement or land swap must be consistent with the documented intent of the donor or grantor.
2. Any easement change or land swap should strengthen and improve the conservation value of the easement or the swapped land. No exchange should be done that does not increase the conservation value of the easement or the swapped land.
3. Any easement change or land swap should have a public benefit that exceeds any private benefit. The impact on neighboring property owners should be considered as part of the evaluation of the public benefit.
4. The monetary value of the exchange should be one in which the new land has the same or greater value than the original. If warranted, an appraisal should be done to substantiate this.

It should be noted there is never an obligation to approve an easement change or land swap even if it meets all the criteria for a change.

Administratively:

- Major alterations can be presented to the Attorney General's office to see if they meet the standards of the protection of a charitable trust (i.e., that they protect the interest of the general public).
- The public and any abutters to the easement or land swap parcels shall be notified of any proposed change.
- The requirements of CGS Title 7-98-7-163e and the Ridgefield Charter Section 3-9 regarding the sale, lease, transfer, or purchase of town real estate will apply regarding public notices, public hearings, and town meetings.
- The applicant will pay all costs associated with any activity related to a request for an easement change or land swap including appraisal, survey, and legal fees.

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