

## Implementing the Greenway Network

Identifying and establishing a map of resources included in the Whitemarsh Greenway Network is only the first step to protecting these areas. Map #3 depicts the recommended greenway network for Whitemarsh Township. Having a strong implementation plan with recommendations of tools and techniques to actually protect the greenway network resources is critical to success.



### *Greenway Implementation Recommendations*

The Whitemarsh Township Greenway Implementation Plan recommendations are organized by general strategies and by area of the Township. Using the tools described below, the developed strategies will help ensure conservation of watershed resources while facilitating the establishment of greenways and trail development. A combination of these tools will likely be required to successfully and fully implement the greenway and trails recommendations included in this plan. Each strategy has an associated time frame for completion. Those strategies assigned with a short-term time frame (S) can be initiated and immediately implemented. Projects with a mid-term time frame (M) can be undertaken approximately one year from adoption of this Plan. Long term (L) project assignments should be undertaken within two to five years of Plan adoption.

Table #5 provides general strategies regarding greenway development that are applicable to the entire greenway. The table ranks individual strategies in terms of its priority, provides methods to achieve each strategy, provides potential funding sources, and give project partners and the entity responsible for management of the strategy. One of the most important of these strategies is public outreach and education. The Township should hold public meetings regarding the greenway plan, put the greenway plan on the Township website or send information to households regarding the greenway plan and its impacts on residents. Educating the public about conservation and greenway planning will help facilitate implementation of plan strategies, and increase resident's awareness and understanding of conservation issues to the extent that this is a system, it is all important, and it is designed to be implemented in its entirety.

### *General Recommendations*

- Conduct outreach and education about the greenway network with residents.
- Develop a marketing plan for the greenway through signage, the Township website, newsletters and mailers to increase awareness
- Utilize a project management software program to help manage completion of the Implementation Plan projects
- Work with adjacent Townships to connect the greenway, trails and sidewalks
- Partner with private conservancies and land trusts to conserve land and protect natural resources within the greenway network throughout the Township as provided by this plan.

### *Land Protection/Property Acquisition*

The following is a list of land protection recommendations when implementing the Whitemarsh Greenway Network:

- Prepare and adopt an Official Map that shows parcels needed for future public infrastructure projects, including open space and trails projects. The parcels should be coordinated with priorities of the current Township Open Space Plan, and this greenway plan.
- Prepare a Conservation Easement Plan and establish a Township-based Conservation Easement Program
- Obtain conservation easements on all unprotected parcels identified in the Township's Open Space Plan.
- Obtain conservation easements along all scenic roadways identified in the Township's Comprehensive Plan.
- Pursue grant funding, particularly through Montgomery County's Green Fields /Green Towns program to increase and enhance the Township's open space system.
- Work with the County and private landowners to participate in Montgomery County's Agricultural Land Preservation Program.

### *Land Use Management*

- Prepare an Annual Budget for greenway and trail development, management, operation and maintenance
- Amend the Comprehensive Plan and ordinances, as appropriate, to reflect the intent of the Greenway Plan
- Create an Agricultural Security Area to help protect agriculture and farming in the Township
- Adopt a tree canopy protection ordinance to protect trees from improper or undesirable clearing
- Permit and promote the naturalization of stormwater detentions basins
- Amend Article XXXVI, Conservation Design Overlay District, to include a percentage of woodlands as constrained lands
- Change or establish the Conservation Design Overlay District to cover the entire Township land area.
- Establish a historical advisory board to oversee the protection of the Township's historic district
- Create a historic resource overlay zoning district to protect and preserve historic structures and resources
- Create a Transfer of Development Rights program, with *sending* areas identified inside the greenway network, and *receiving* areas in growth zones of the Township.

### *Land Stewardship*

- Pursue grant funding from the Department of Environmental Protection for stream bank restoration projects, including the establishment of riparian buffer areas, removal of invasive vegetation species, and tree planting along stream banks.
- Perform streambank restoration projects along Township waterways
- Prepare a Conservation and Environmental Management Plan to guide long-term maintenance of the greenway
- Work with an urban forester or arborist to help maintain and protect Township trees, especially in the Central District
- Develop Township and County trails as recommended by the Township Trail Master Plan and the County
- Work with the National Wildlife Federation to implement the residential Backyard Habitat Program to generally improve habitat areas, and National Audubon's At Home Program to provide nesting and feeding areas for birds.

### *Trails Recommendations*

- Pursue grant funding for the development of trail facilities, pathways, sidewalks, and bike lanes as recommended in the Township Open Space and Trails Plans.
- Implement all priority sidewalk and trail improvements as recommended on page 91 of the Township Comprehensive Plan and in the Township's Trail Plan.
- Implement the County Bike Mobility Plan's primary and secondary bicycle routes, and those set forth in the Township Comprehensive Plan.
- Improve Urban Greenways within certain portions of the Township, particularly within the Central District. These areas contain significant open space resources that have incomplete sidewalks, no sidewalks and no street trees to shade the way for pedestrians attempting to access these open space areas. Streets which provide direct connections to parks and school lands should be provided with sidewalks or multi-use trails and properly placed street trees to improve the streetscape, encourage pedestrian circulation, and enhance the community character and ecology of the urban areas of the Township.
- The Schuylkill River Heritage Trail and the county's Spring Mill Park create an existing recreational greenway along the Schuylkill River. Acquisition of a conservation easement on the Ashford Farms parcels would expand this greenway and protect the floodplains and wetlands in this area from encroachment by unplanned development.

### *District Specific Recommendations*

#### *Broad Axe District Conservation Greenway*

The principal purpose of this greenway is the conservation and enhancement of natural resources regardless of public access. Protection of woodlands and small streams should be a main focus of this greenway. The Township should consider either direct acquisition of conservation easements of larger parcels in the Broad Axe District, pursuant to a formal conservation easement program, or work with conservancies or land trusts for acquisition of conservation easements. Parcels of particular importance, such as single-

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family “country estates” of twelve acres or greater, include those with sensitive environmental resources such as streams, floodplains, wetlands and woodlands.

Two significant, protected areas of open space are located in the Broad Axe District. The culturally important Highlands open space provides a potential public greenway access area. The 44-acre Highlands tract is located at the northwest corner of Skippack Pike (Route 73) and Sheaff Lane and contains a mansion, outbuildings and significant trees open meadow areas. The second potential access point is Willow Lake Farms, owned by the Wissahickon Valley Watershed Association and located west of the Highlands on Skippack Pike.

In keeping with the Township Open Space Plan, the following areas should be considered as priority conservation areas within the Broad Axe District Greenway:

- From the south side of Route 73 to the north side of Tamarack Road, roughly between the western Township boundary to the Turnpike.
- From the north side of Route 73 to the south side of Spruce Road.
- Several parcels adjacent to the west side of the Wissahickon Creek.

Although most of the Broad Axe District Greenway in the township will not have public access, several important trails will pass through the area. The following trails are recommended for development in the Broad Axe District as indicated in the Township Open Space Plan:

- Along Lafayette Avenue for the Joshua Road/Lafayette Road Trail.
- Extending west from Lafayette Avenue along the north side of Skippack Pike to link to the Highlands and Willow Lake Farms.
- Extending east from Lafayette Avenue along the north side of Skippack Pike to link to the Fort Washington State Park.

In summary, the Broad Axe District Greenway should serve primarily as a conservation greenway within the township. The most important strategy for this area is working with private landowners to secure conservation easements, and improved land stewardship practices.

### *Stenton-Wissahickon Conservation and Recreation Greenway*

The Montgomery County Open Space Plan describes the Wissahickon Greenway as one of the County’s existing primary greenways. Within Whitemarsh Township, the Wissahickon Greenway is located within the Stenton-Wissahickon (S-W) District. The Wissahickon Greenway in Whitemarsh Township serves conservation and recreation greenway functions and is primarily comprised of Fort Washington State and Wissahickon Valley Park. Much of the Wissahickon Creek in the S-W District is protected from development due to its location within parkland. However, certain natural resources and open space areas in this district are not permanently protected from development, including the Whitemarsh Valley Country Club, The Philadelphia Cricket Club, Sunnybrook Golf Club, the quarry land, the McNeil undeveloped land, and

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Erdenheim farm lands. As an example, the Philadelphia Cricket Club parcels contain substantial floodplain areas along Lorraine Run, which should be protected from future development.

Conservation easements on land with significant natural resources will provide permanent protection of these resources while providing for continued use of the parcel. Recreational trails are not appropriate for private recreation tracts and industrial uses.

This district contains a concentration of historic and cultural resources along the Wissahickon Green Ribbon Trail. A National Register Historic District is located in the southwest corner of the district, together with one individual historic resource. These resources, particularly the historic district, should be considered actively protected and preserved.

Parcels of particular importance for conservation include those with sensitive environmental resources such as streams, floodplains, and woodlands and parcels adjacent to existing open space areas such as Fort Washington State Park, Wissahickon Valley Park, Philadelphia Cricket Club, and the Erdenheim Farm parcels. Areas to be considered for greenway conservation in the Stenton-Wissahickon District include:

- Larger parcels zoned A and LIM
- Parcels zoned CLI on the north/west side of Camp Hill Road
- Philadelphia Cricket Club parcels
- Quarry parcels
- Sunnybrook Golf Club
- Erdenheim Farm parcels
- Whitemarsh Valley Country Club
- Carson Valley School

In terms of recreation, the Wissahickon Valley Park and Fort Washington State Park currently provide access to the Green Ribbon Preserve Trail which will be an important segment of the Township's greenway system. Trailhead facilities are also available in these parks. Another potential greenway access area in the Stenton-Wissahickon District is the Erdenheim Farm tract in the southern portion of the district.

Trail recommendations proposed for development in the Stenton-Wissahickon District are described below. In keeping with the Open Space Plan, the following trails are recommended for development:

- Along Joshua Road for Joshua Road Trail
- Southwest from Joshua Road Trail along the Penn Central Railroad right-of-way
- East from the Joshua Road Trail along Stenton Avenue.
- East along Stenton Avenue until the proposed trail meets the Wissahickon Trail
- south/ southeast from Stenton Road along Flourtown Road until the trail intersects with Joshua Road Trail.

- On the west side of Joshua Road, extending along the north side of Flourtown Road, extending west either to the proposed trail along the Penn Central Railroad Right-of-way or along the Reading Railroad right-of-way to the Township line, to create a loop trail around the quarry lands.

In summary, the Stenton-Wissahickon Greenway should be considered a conservation and recreation greenway area, with the principal purposes of resource conservation and the provision of recreational opportunities. The Township should consider either direct acquisition of conservation easements of larger private recreation, industrial and undeveloped parcels in the Stenton-Wissahickon District Greenway, or work with conservancies or land trusts for acquisition of conservation easements.

### *Central District Urban Greenway*

This area of the Township is more urban in form, and as such, should primarily serve to connect the Stenton-Wissahickon and Riverfront - Miquon conservation greenway areas. The Central District has a substantial existing greenway corridor, consisting of Cedar Grove Park, Kline Park, Green Valley Country Club and Miles Park, however only the municipal parks have public recreation access. This existing greenway area could be enhanced and expanded through acquisition of a conservation easement or a right-of-way for a trail adjacent to the stream within the vacant industrial parcel south and east of Kline Park. This easement or right-of-way would serve both conservation and recreational purposes by providing access to the stream from the parks to the north and south of the industrial tract. Future development of the industrial tract should be adequately screened and buffered from the easement/right-of-way area. The PECO right-of-way in the southern portion of the Central District provides a natural habitat corridor area and although quite steep in areas, could provide access connectivity within the overall greenway system.

Significant unprotected areas in the Central District include the PECO utility right-of-way between Butler Pike and Barren Hill Road, the Aqua Pennsylvania Bubbling Springs parcel adjacent to the southern end of the PECO parcels, the WZZD radio tower site west of Green Valley Country Club (GVCC) and the Alan Corson House parcel. These areas contain primary and secondary conservation resources consisting of tributaries to the Schuylkill River, floodplains, prime agricultural soils, and woodlands.

The Central District contains many historic and cultural resources, with concentrations of resources on the western Township line and on the southeast side of the district. These concentrated resource areas should be considered as potential greenway hubs.

Existing public facilities and schools within the Central District will provide potential access points to the Township greenway system, including Miles Park, Cedar Grove Park, Spring Mill Park, Leeland Park, Plymouth-Whitemarsh High School, Colonial Elementary School, Whitemarsh Elementary School, St. Philip Neri Elementary School, and the Whitemarsh Township Building. Schools and parks may provide parking areas, bathrooms, and other support facilities for greenway and trail users.

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The Central District in the most densely developed portion of Whitemarsh, however significant greenway network opportunities are located within it, including public parks and school lands. These resources can be connected through the proposed Township and County trails, and sidewalk extension and improvement projects that include significant tree planting and landscaping. Linking the district's park and recreation resources and schools and the enhancement of the Central District in general should be the primary focus of this area.

Additionally, a voluntary program promoting urban tree planting would be appropriate for this area. The Township should consider either direct acquisition of conservation easements of larger private recreation, industrial and undeveloped parcels in the Central District, or work with conservancies or land trusts for acquisition of conservation easements. Parcels of particular importance for conservation include those with sensitive environmental resources such as streams, floodplains, and woodlands and land which connect existing open space areas. In keeping with the recommendations of the Open Space Plan the following properties should be considered for greenway conservation:

- PECO Right-of-way parcels on the western side of the district
- The Zaid property on the west side of Joshua Road within the LIM District
- Additional parcels within the LIM District
- The WZZD Parcel, west of the Green Valley Country Club
- Tree Farm parcel-2389-2391 Harts Lane
- Nolen parcel-Germantown Pike
- Barren Hill Firehouse parcel-647 Germantown Pike
- 634 Germantown Pike
- Green Valley Country Club-201 Ridge Pike
- Aqua Pennsylvania Bubbling Springs parcel, adjacent to PECO tract
- Parcels adjacent to Leeland Park.

A right of first refusal agreement should be secured for the Green Valley Country Club, so that in the event that the golf course is placed for sale on the real estate market, the Township will have the option to purchase for a limited amount of time before the property is sold on the open market. This can be achieved by developing an Official Map for the Township.

Trails proposed for construction in the Central District, either by the Township or County should be considered as opportunities for the creation of an urban greenway, through the planting of trees and the addition of landscape treatments adjacent to the trail. As recommended in the Township Open Space Plan the following trails are recommended for development:

- Along Joshua Road south to Ridge Pike, for the Joshua Road Trail, turning west along Ridge Pike until Kline Park, heading south through Kline Park along the Creek, then through privately owned land until the intersection with Cedar Grove Road
- From Joshua Road Trail, northeast on Flourtown Road

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- Entire length of Cedar Grove Road, turning south onto Center Street
- Along the entire length of Germantown Pike
- Along Ridge Pike from the western Township boundary east to Church Road
- Along the railroad right-of-way in the northeastern corner of the District
- North from Germantown Pike through the school parcel, turning east through the playing fields through privately owned land to the Joshua Road Trail, following the Joshua Road Trail north and turning east to connect to the elementary school parcel
- North from Germantown Pike through the school parcel, turning east through the playing fields, turning north on Franklin Lane, then east on Emerson Drive to the Joshua Road Trail, following the Joshua Road Trail north and turning east to connect to the elementary school parcel, continuing through the CCRC District land and the Woodland easement to Thomas Road, turning left and following adjacent to Thomas Road to the intersection with the proposed trail along Flourtown Road
- Heading east from the Joshua Road Trail, extending along Ridge Pike to Oaklyn Road. Heading south on Oaklyn Road, turning east onto Revere Road then turning south onto Mulberry Road. Turning north/west on Holly Lane to Evergreen. East on Evergreen, through the Institutional zoned parcel fronting Ridge Pike and Church Road. Heading south along Church Road until The Preserve open space on the north side of Barren Hill Road. Following Barren Hill Road south, west for short distance on Cedar Hill Road to Center Street and into Spring Mill County Park.
- Along the PECO right-of-way to connect to Cedar Grove Park
- Extending southwest from the PECO right-of-way, along Durant Street to Leland Park.

It is also recommended that urban greenways be created through sidewalk redevelopment or sidewalk extension projects. All sidewalks should connect, especially in the Central District, and sidewalks should be enhanced with street trees, and where appropriate benches, trash receptacles, pedestrian scale lighting, way-finding signage, crosswalk striping or brick treatments, landscaping and vest pocket parks. The planting of street trees and shrubs will also improve the local ecology and help slow the velocity of stormwater runoff and vehicular traffic.

### *Miquon/Riverfront District Conservation and Recreation Greenway*

It is recommended that the Miquon/Riverfront District be considered as a multipurpose greenway area due to the number of primary and secondary natural resources and recreation resources, including the Schuylkill River, Manor Creek, Spring Mill County Park and the Schuylkill River Greenway and Trail. The Township should consider either direct acquisition of conservation easements of larger private recreation, industrial and undeveloped parcels in the Miquon/Riverfront District, or work with conservancies or land trusts for acquisition of conservation easements. Because of the industrial heritage of these properties, environmental assessments should be conducted to evaluate the conditions of the properties before acquisition is undertaken. Parcels of particular importance for conservation include those with sensitive environmental resources such as

areas within the Schuylkill River floodplain. In keeping with the recommendations of the Open Space Plan, the following properties should be considered for greenway conservation:

- 200 Center Street
- East 33 property
- Ashford Farms
- PECO transmission line easement

An additional specific greenway recommendation is the acquisition of conservation easements within the Riverfront Redevelopment District adjacent to the Schuylkill River Trail right-of-way in order to expand and enhance the riparian buffer in this area. It is further recommended that a right of first refusal agreement should be secured for the Ace Country Club, so that in the event that it is put up for sale, the Township will have the option to purchase it, for a limited amount of time, before the property is sold on the open market.

Several historic and cultural resources are located in this district and access should be provided from them to the Schuylkill River Trail along additional recreational trails. Directional signage would facilitate trail users access to these nearby resources.

Trail recommendations proposed for development in the Miquon/Riverfront District are described below.

- Extending north from the Schuylkill River Trail and turning west around the north side of Spring Mill Park to connect to the recommended trail on Cedar Grove Road.
- Extending north from the Schuylkill River Trail along Manor Road, turning east along the PECO easement, to connect to the Fairmount Park Commission lands.

In summary, expansion of, and connection to, the Schuylkill River Greenway and Trail should be the primary focus of the Miquon – Riverfront Greenway. This expansion should connect to other trails and greenways in the Township. Fortunately, this District also includes a SEPTA rail station which serves as a transportation hub for commuters and those visiting the Township from outside areas. The rail station, Schuylkill River Trail and Township trails could provide a safe and clean alternative means of travel for commuters other than the automobile.

### ***Greenway Management Strategies***

Various individuals, organizations, and governmental entities are already working together to protect open space and the existing greenway in Whitemarsh Township. Some of these organizations and agencies will play a role in management of the Whitemarsh Greenway. Responsibilities of the organization(s) that ultimately serve this role are described below.

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- Promote and support implementation of the recommendations of this Greenway Plan.
- Conduct public outreach to educate area residents about the need for greenways.
- Participate in fundraising activities for greenway projects.
- Sponsor greenway events and programs.
- Encourage the adoption of zoning and subdivision and land development ordinances that promote the establishment of greenways and trails.
- Work with other agencies and municipalities to implement plan strategies.

### *Short-term Greenway Partners*

In the short-term, management organizations can work together to begin to implement some of the strategies listed above. Potential partners are described below.

#### *Adjacent Municipalities*

Adjacent municipalities should be consulted as to the planning, alignment and connectivity of the greenway across the Township's boundaries. These municipalities include Upper Dublin, Springfield, Philadelphia, Conshohocken, Plymouth, and Whitpain.

#### *Wissahickon Valley Watershed Association*

The Wissahickon Creek Watershed Association (WVWA) is dedicated to the preservation and enhancement of the Wissahickon Green Ribbon Trail, and the existing greenway along Wissahickon Creek. WVWA also owns Spring Mill Farm on the western side of the Township. The Township will need to work with WVWA to provide access to parcels that may be needed along Wissahickon Creek to complete the greenway, and to provide access to Willow Lake Farm.

#### *Schuylkill River Greenway Association*

The Schuylkill River Greenway Association may provide technical and financial assistance to the greenway management team through its Management Plan and various studies, reports and manuals related to greenway and trail planning and development.

#### *Montgomery County Land Trust*

The Montgomery County Land trust (MCLT) accepts conservation easements from landowners in Montgomery County, and serves as permanent land stewards of the easements they accept. MCLT addresses personal and municipal land conservation questions, maximizes the effectiveness of the Montgomery County Open Space Program, educates, advises, and facilitates open space preservation, and develops and presents educational workshops on land preservation and managed growth.<sup>9</sup>

#### *Montgomery County Agricultural Land Preservation Board*

The Montgomery County Agricultural Land Preservation Board (MCALPD) works with Montgomery County farmers to preserve agricultural lands by taking agricultural easements which permit farming and related practices, but preclude the land from being

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<sup>9</sup> Source: MCLT website, 2006.

developed. MCALPD should be considered a partner in securing agricultural easements to implement the Whitemarsh Township Greenway.

#### *Private Sector Partners*

Businesses, local organizations and individuals may also play significant roles in greenway management. Businesses can sponsor or host greenway projects or events, make land donations, financial contributions, host in fundraising events, and contribute to the management of greenway facilities through limited term agreements.

#### *Long-term Greenway Management*

##### *Wissahickon Valley Watershed Association*

The WVWA already owns and manages an existing greenway system in Whitemarsh Township, The Wissahickon Green Ribbon Preserve. WVWA will be a valuable partner to the Township that can provide input and information on greenway acquisition, ownership and management techniques. WVWA owns a significant tract in the Township, Willow Lake Farm, in the northwestern portion of the Township, which should be incorporated into the overall Township greenway system. As a non-profit partner, WVWA can receive funds from some private foundations for which the Township is ineligible. Partnering with WVWA can increase the sources of funding available to implement the greenway plan.

##### *Montgomery County*

Montgomery County will likely own and manage its proposed trails through Whitemarsh and will therefore be a key partner in greenway conservation within Whitemarsh Township. The Township and County will need to collaborate and coordinate in order to implement both the County and Township trails and greenways. Additionally, Spring Mill County Park in the far southern end of the Township should be incorporated into the overall greenway system. Furthermore, Montgomery County is responsible for the management of its portion of the Schuylkill River Greenway and Trail in the Township. The County is also a significant source of funding for open space projects through its Green Fields/Green Towns Program.

##### *Department of Conservation and Natural Resources*

Fort Washington State Park is owned by the Department of Conservation and Natural Resources (DCNR) and is a key destination point within the Township greenway system. The park serves recreation, natural resource and heritage resource conservation functions. The Township should work with DCNR to enhance this resource and improve connectivity to it. DCNR is also the most significant source of state funding for the implementation of greenways in Pennsylvania through the Community Conservation Partnerships Program grants.

#### *Greenway Conservation Strategies*

General conservation strategies apply to most or the entire greenway network. These strategies include:

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- Land protection/property acquisition
- Land stewardship
- Land use management enabled by the Municipalities Planning Code

Land conservation techniques to be utilized within the Whitemarsh Township Greenway Plan are described below and should be implemented in order to create a protected network of sensitive natural and historic resources and open space areas.

### *Land Protection/Property Acquisition*

The temporary or permanent protection of land by the purchase of property is the most effective way to control and conserve the resources found on that land.

#### *Temporary Binding Agreements*

A temporary binding agreement is a short-term mechanism for securing a parcel of land.<sup>10</sup> Temporary binding agreements typically take one of two forms, described below.

#### *Management Agreements*

Management agreements are held between a landowner and a greenway organization and describe who will manage the parcel and the manner in which it will be managed for the duration of the agreement.

#### *Formal Land Lease*

In a formal land lease, the greenway organization is the lessee of the land and is permitted to control access to the land and can control current land use (such as forestry). In some instances, the greenway organization pays rent to the landholder for use of the land.

#### *Greenway Easements*

The Township's greenway system will involve existing privately owned land that is not proposed for development. One method that can be used to encourage land conservation by private property owners is to compensate them for sale of an easement through a Conservation Easement Program administered by Whitemarsh Township.

An easement is a mutually binding legal contract between a landowner and an individual or organization, such as Whitemarsh Township or the Montgomery County Lands Trust, who has requested a special interest or right in the land.<sup>11</sup> By donating or selling an easement to an organization, the landowner rescinds some of his or her rights to the property. The easement typically describes the physical limits of the easement area, uses, access and management responsibilities associated with the property.

Greenway easements can be either affirmative or negative. Affirmative easements permit the easement holder the rights of access, use and improvement of the property, as in the case of trail development. Negative easements allow the easement holder to restrict land

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<sup>10</sup> *Greenways*, Loring LaB. Schwarz, ed., *The Conservation Fund*, 1993, p. 102.

<sup>11</sup> *Greenways*, Loring LaB. Schwarz, ed., *The Conservation Fund*, 1993, p. 102.

uses on the property but do not permit access to the property. Several specific types of greenway easements can be utilized to conserve greenway land, and are described below.

#### Public Access Easement

A public access easement provides public access to a defined area of land for a specific purpose, such as a greenway used for a multi-use trail.

#### Conservation Easements

Conservation easements limit the use and development of land to protect natural resources, and also allow the land owner the right to use and/or live on the land.

#### Preservation Easements

Preservation easements protect the historical integrity of structures or landscape features and may provide guidelines for improvements to the resource.

#### *Securing Title*

Acquisition of the title to property is another method of securing land for greenways. Property can be conveyed several ways, which are described below.

#### Fee Simple Acquisition

Fee simple acquisition involves the conveyance of all rights associated with land ownership, including use, access, development, subdivision, and disposition. Because fee simple acquisition involves transfer of all rights to the property, it is typically the most costly form of land acquisition.

#### Donations and Gifts

A donation or gift of land involves a property owner giving all or a portion of his or her property to the greenway organization, which may qualify the donor for property tax credits or estate or income tax deductions.

#### Purchase and Lease Back

In a purchase and lease back scenario, a property owner would sell his or her property to the greenway organization that would in turn enter into a lease agreement with the property owner who becomes the lessee, and pays an annual fee to use the land. This arrangement is sometimes used by farmers who need to raise operating cash.

#### Bargain Sale

Bargain sale involves a property owner who sells a parcel of land at less than market value so that the difference can be used as a charitable tax deduction. This arrangement allows the seller immediate cash for the property and may reduce capital gains taxes.

#### Right of First Refusal

Right of first refusal, also called an *option*, is a legal agreement that a greenway organization would enter into with a property owner that provides the greenway organization to have the first opportunity to purchase the property before it is listed for

sale on the open market. The greenway organization is given a limited amount of time (usually up to 90 days) to exercise the option to purchase the land.

#### **Purchase of Development Rights**

A greenway organization that purchases the development rights to a property precludes the property from development by the owner. The property owner retains all other rights associated with land ownership. This mechanism provides the land owner with cash and the ability to stay on his or her property.

#### ***Land use management enabled by the Municipalities Planning Code - Regulatory Mechanisms for Greenway Conservation***

Several tools are available to local governments to facilitate conservation of greenway land, including comprehensive plans, ordinances, zoning districts, and the transfer of development rights. These tools are described below.

#### ***Comprehensive Plans***

Although not a regulatory device, a comprehensive plan that is adopted by a municipality establishes future land use policies, typically for ten years or more. A future land use map is prepared which graphically depicts how land is intended to be used over that ten-plus year horizon. The intent of a comprehensive plan in terms of land use objectives should be reflected in zoning ordinances. Such plans should designate and depict the recommended Whitemarsh Greenway Network.

#### ***Zoning Ordinances***

Zoning regulations are considered a “police power” of local government enacted to protect the public’s health, safety and welfare. Separate districts are shown on a zoning map, and the permitted land uses and dimensional requirements of those uses are contained in the ordinance language. Zoning ordinances should be designed to provide for appropriate density and intensity of land uses. Zoning ordinances must be generally consistent with the recommendations of the adopted Comprehensive Plans, according to Pennsylvania Acts 67 and 68, enacted in 2000.

#### ***Official Map***

The Official Map, as defined in Article 4 of the Pennsylvania Municipalities Planning Code, can serve as a valuable tool in implementing a community’s comprehensive plan and capital improvement plan. It is probably one of the least used and least understood tools included in the Municipalities Planning Code. The Official Map and Ordinance identifies specific parcels or portions of private property within a municipality where open spaces are desired (for parks, playgrounds, etc.) or where public improvements (such as road widening) are envisioned. It also demonstrates the intent of the governing body to acquire land for these municipal purposes.

#### ***Conservation Design Zoning***

A particularly effective type of residential design, Conservation Subdivision Design, can be incorporated into local zoning ordinances. Conservation Design zoning involves the protection of sensitive natural and historic resources and large, central open space areas

on a site through compact, traditional neighborhood design techniques. A primary objective of Conservation Design zoning is the creation of connected open spaces in greenway areas. Conservation Design zoning also requires amendments to the subdivision and land development ordinance.

In addition, greenways within proposed land development projects must be designed in accordance with the requirements of the Township's Conservation Subdivision Design (CSD) ordinances, which are included in the AAAA, AAA, AA, and A zoning districts. According to these requirements, permitted uses in open space/greenway areas include: wildlife sanctuaries, nature preserves, forest preserves, fishing areas, passive areas of public and private parklands and reforestation, agricultural uses, forestry operations approved by the Montgomery County Conservation District, passive uses areas such as camps, campgrounds, picnic areas, and golf courses, active recreation areas such as ball fields, playgrounds, and courts, and centralized water or sewer lines and public utility transmission lines.<sup>12</sup>

The CSD ordinance requires that new land development projects be configured according to a five-step design process that requires the protection of a certain percentage of the tract as permanent open space. The steps, based on the Natural Land Trust's 2001 publication, *Growing Greener: Conservation by Design*, can be summarized as:

- Delineation of common open space
- Location of building sites
- Alignment of streets and trails
- Drawing the lot lines
- Location and design of water management facilities.

The Conservation Subdivision design process requires that the location of sensitive natural features determines the layout and size of house lots, rather than the typical yield design based on minimum lot area zoning requirements. Environmental features of the site are viewed as positive attributes and treated as required open space, which can be owned and maintained by a homeowner's association, land trust, conservancy, the municipality or a private individual. Open space areas are useable areas of land rather than being relegated as hard-engineered stormwater detention basin areas or unusable land near the perimeter of developments.

It is important to note that the use of Conservation Subdivision Design ordinances, such as Natural Lands Trust's *Growing Greener: Conservation By Design*, implies that an area is targeted for residential development; therefore, it is an inappropriate land use management tool for areas where residential development is undesirable. In such cases, an alternative tool, like an official map, can be utilized to specifically identify an area to be permanently protected through acquisition for parks or open space protection.

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<sup>12</sup> *Whitemarsh Township Zoning Ordinance, §116-269, January 2006, p. 116-152 – 116-153.*

### *Transfer of Development Rights*

The transfer of development rights (TDRs) involves a landowner selling his or her development rights to a developer who in turn transfers these development rights to another area where increased residential density is desired. These types of ordinances involve a designated sending area (the area in which parcels to be conserved are located) and a receiving area (the area where increased density is acceptable). Recommended sending areas include all areas included in the Hay Creek Greenway Network. Recommended receiving areas include those areas identified by the Comprehensive Land Use plans for Southern Berks and the entire Berks County designated as *Growth Areas*.

### *Greenway Overlay Districts*

Overlay districts can be established within a zoning ordinance to provide additional regulations to underlying zoning districts. Greenway overlay districts may be associated with riparian buffer areas, which are essentially no-build zones adjacent to waterways that are intended to protect floodplain areas, wetlands, and woodlands found in those areas. Trail development is typically permitted in greenway overlay districts. An overlay district acts much the same as a regular zoning district, but overlays may be easier to create or modify to add additional protection for the Greenway Network.

### *Subdivision Regulations*

Subdivision regulations can include performance standards that must be met with regard to the impact of development on the landscape, particularly in wetland, woodland, and steep slope areas. Subdivision ordinances can also require the dedication of trail right-of-way and construction as part of the subdivision process. Fee-in-lieu programs should be included within subdivision regulations, wherein a developer is provided with the option of paying money for recreation land development or open space protection rather than dedicating the land itself.

### *Land stewardship*

The positive land stewardship ethic found in Whitemarsh Township is apparent, as evidenced by the relative rural character of the Township while being located in an ever suburbanizing area. Whitemarsh Township can harness this ethic using the following techniques.

#### *Develop landowner outreach and education programs.*

The majority of land in Whitemarsh Township is privately owned, and is susceptible to poor land stewardship activities because of its suburban surroundings. Whitemarsh Township should provide landowners with information and assistance in a user-friendly manner that highlights what constitutes good land stewardship, and the importance of using good land stewardship practices on private property.

#### *Develop and adopt forest canopy and woodland protection ordinances.*

Forest canopy and woodland protection ordinances are useful tools for protecting forest resources that are scarce in South East Pennsylvania. It is important that state foresters be involved with drafting this ordinance, to make sure it is technically sound. Existing ordinances may be used as a template, or draft, to follow as an example. Lower Merion

Township, Montgomery County, has an ordinance which minimizes the amount of tree clearing and forest canopy disturbance on each lot, and appoints a municipal arborist to review and permit all plans for tree removal.

### *Conclusion*

Achieving a sustainable greenway network in Whitemarsh Township will require a diligent, ongoing effort. Certain general implementation strategies that provide consistent and ongoing opportunity should be pursued prior to more specific recommendations. This greenway plan has been prepared in order to share a vision of what the citizens of Whitemarsh Township hope to accomplish for their community. Education and outreach efforts to inform people of this community vision will be ultimately important to achieving success. People can only help implement a vision if they understand that vision; therefore, an education and outreach program should be immediately implemented.

This Greenway Plan should act as the glue to pull and hold together the various planning efforts completed to date, including the Open Space Plan which identifies significant remaining parcels of Open Space for acquisition, the Parks and Recreation Plan that identifies additional parkland areas for development or redevelopment, and ongoing Trail Planning efforts. It will be important to institutionalize the opportunity for the Township to purchase or protect land that its citizenry have identified as necessary for maintaining a high quality of life. As such, developing an Official Map to specifically locate and identify these important areas helps solidify the community vision. More importantly, the Official Map will provide the Township with the Right of First Refusal, essentially giving them the right to purchase said property for fair market value, if so desired, prior to its sale to any other entity. Also, conservation subdivision ordinances should be utilized immediately, and as frequently as possible, in order to protect land through Whitemarsh Township's normal land development process.

Developing an annual budget for greenway network implementation, including development, management, operation and maintenance is a critical first step toward success. The residents of the Township have shown great foresight in developing self tax programs which go toward preservation of some of the last significant natural areas within the Township for the enjoyment of future generations. It will be of no benefit to establish an Official Map, if no funding is available to pay for properties when they become available. The Township must be ready to take the advantage when an opportunity arises. Developing an annual budget will help financially prepare for the opportunities sure to come in the near and distant future.

Accomplishing these three implementation recommendations will have a tremendous effect on achieving a sustainable greenway network. Embellishing these recommendations with the more specific implementation strategies found in this and other Township plans will help to create a sustainable, healthy, and vibrant Whitemarsh Township.

Table 5: Greenway Implementation Plan

**Whitemarsh Township Greenway Implementation Plan**

| Strategies for the Broad Axe District Greenway           |   |          |  |   |   |   |
|--|---|----------|--|---|---|---|
| No.  | Strategy  | Priority | Conservation Method  | Potential Funding Sources                                 | Project Partners                            | Management Organizations                    |
| 1  | Acquire conservation easements on unprotected, privately owned parcels within the greenway network  | S        | Conservation Easements   | Township funds, GF/GT, PECO Green Region                  | Private landowners, MCLT                    | Whitemarsh Township, MCLT                   |
| 2  | Develop Joshua Road/ Lafayette Road Trail   | *        | Right-of-Way Acquisition   | GF/GT   | MC  | MC  |
| 3  | Develop the Cross County Trail on the north/west side of the Wissahickon Creek  | *        | Right-of-Way Acquisition   | GF/GT   | MC, WVWA                                    | MC, WVWA                                    |
| 4  | Develop a trail on Skippack Pike to connect Joshua Road Trail with Willow Lake Farm and the Highlands   | M        | Trail development  | GF/GT, DCNR PA Rec.Trails, SRHA, PECO Green Region        | WVWA  | Whitemarsh Township                         |
| 5  | Pursue habitat and native species restoration projects to improve and sustain the local ecology   | L        | Invasive plant removal, native species plantings, habitat protection projects  | PECO Green Region   | WVWA, private landowners, MC                |   |
| Strategies for the Stenton-Wissahickon District Greenway |   |          |  |   |   |   |
| 1  | Acquire conservation easements on unprotected, privately owned parcels (Erdenheim tracts, the quarry, McNeil, Philadelphia County Club and Sunnybrook Golf Course) and along scenic roadways  | S        | Conservation Easements   | GF/GT, PECO Green Region                                  | Private landowners, MCLT                    | Whitemarsh Township, MCLT                   |
| 2  | Secure a right of first refusal for the Sunnybrook Golf Course  | M        | Right of first refusal   | N/A   | Sunnybrook Golf Course                      | Whitemarsh Township, Sunnybrook Golf Course |
| 3  | Develop Joshua Road/ Lafayette Road Trail   | *        | Right-of-Way Acquisition   | GF/GT   | MC  | MC  |
| 4  | Develop the Cross County Trail  | *        | Right-of-Way Acquisition   | GF/GT   | MC, WVWA, DCNR, adjacent municipalities     | MC, DCNR                                    |
| Strategies for the Central District Urban Greenway       |   |          |  |   |   |   |
| 1  | Acquire fee simple title or conservation easements on unprotected, privately owned parcels (PECO, Zaid, WZZD, GVCC, Tree Farm, Nolen, Barren Hill Fire House, Aqua PA, & parcels adjacent to Leland Park) and along scenic roadways | S        | Fee simple acquisition, Conservation Easements, Negotiated dedications         | GF/GT, DCNR C2P2, SRHA, PECO Green Region                 | Private landowners, MCLT                    | Whitemarsh Township, MCLT                   |
| 2  | Protect and plant street trees and promote urban greening with a focus on the area on the west side of Joshua Road, from Kline Park north to the school campus  | M        | Green infrastructure, tree planting, landscaping                               | DCNR Community Forests Program, TE, CDBG                  | MC, DCNR, Shade Tree Commission, developers | Whitemarsh Township                         |
| 3  | Expand and extend sidewalks to schools, parks, neighborhoods and shopping areas.  | M        | Sidewalk and trail development   | CDBG, GF/GT, HS/SR2S                                      | MC, developers                              | Whitemarsh Township                         |
| 4  | Secure a right of first refusal for GVCC  | M        | Right of first refusal   | N/A   | GVCC  | Whitemarsh Township, GVCC                   |
| 5  | Develop Joshua Road/Kline Park Trail  | *        | Right-of-Way Acquisition   | GF/GT   | MC  | MC  |
| 6  | Develop the Cross County Trail  | *        | Right-of-Way Acquisition   | GF/GT   | MC, adjacent municipalities                 | MC  |
| Strategies for the Miquon/Riverfront District Greenway   |   |          |  |   |   |   |
| 1  | Acquire conservation easements on unprotected, privately owned parcels and along scenic roadways  | S        | Conservation Easements   | GF/GT, PECO Green Region, SRHA                            | Private landowners, MCLT                    | Whitemarsh Township, MCLT                   |
| 2  | Acquire fee simple title to the 200 Center Street parcel  | M        | Fee simple acquisition   | GF/GT, PECO Green Region, SRHA, DCNR C2P2                 | MC, SRHA                                    | MC  |
| 3  | Develop a trail that links the Schuylkill River Trail to Cedar Grove Road (along Center Street)   | M        | Right-of-Way Acquisition if 200 Center Street is not acquired                  | GF/GT, PECO Green Region, SRHA, DCNR PA Rec. Trails       | MC, SRHA                                    | MC  |
| General Strategies                                       |   |          |  |   |   |   |
| 1  | Conduct outreach and education about the greenway with residents  | S        | Public meetings, website information, mailings                                 | Township funding  | Private landowners, MC                      | Whitemarsh Township                         |
| 2  | Prepare and adopt an Official Map that shows parcels needed for future public infrastructure projects, including open space and trails projects   | S        | Official Map   | Township funding, DCED                                    | MC  | Whitemarsh Township                         |
| 3  | Prepare an Annual Budget for greenway and trail development, management, operation and maintenance  | S        | Annual Budget for Greenway   | Township Open Space funding                               | MC  | Whitemarsh Township                         |
| 4  | Amend Article XXXVI, Conservation Design Overlay District, to include a percentage of woodlands as constrained lands  | S        | Ordinance Amendment  | Township funding  | N/A   | Whitemarsh Township                         |
| 5  | Amend the Comprehensive Plan and ordinances as appropriate to reflect the intent of the Greenway Plan   | S        | Adopt Greenway Plan as Policy  | County and Township funding                               | MC  | Whitemarsh Township                         |
| 6  | Pursue grant funding, particularly through GF/GT, to increase and enhance the Township's open space system.   | S        | Pursue grant funding   | Township funding (match requirements)                     | MC  | Whitemarsh Township                         |
| 7  | Develop a marketing plan for the greenway through signage, the Township website, newsletters and mailers to increase awareness  | S        | Publish information on website, in newsletter, in mailings, and on new signage | N/A   | WVWA, MC                                    | Whitemarsh Township                         |
| 8  | Prepare a Conservation Easement Plan and establish a Township-based Conservation Easement Program   | S        | Conservation Easement Plan and Program   | Township Open Space funding, GF/GT                        | Private landowners                          | Whitemarsh Township                         |
| 9  | Perform streambank restoration projects along Township waterways  | S        | Removal of invasives, streambank stabilization, tree and shrub planting        | DEP Growing Greener Program                               | DEP   | Whitemarsh Township                         |
| 10   | Create an Agricultural Security Area to help protect agriculture and farming in the Township  | S        | Agricultural Security Area   | County and state funding                                  | MC  | Whitemarsh Township                         |
| 11   | Work with the County and private landowners to participate in Montgomery County's Agricultural Land Preservation Program  | S        | Purchase of agricultural easements on farmland                                 | Montgomery County Farmland Preservation Program           | MCALPB                                      | MC  |
| 12   | Prepare a Conservation and Environmental Management Plan to guide long-term maintenance of the greenway   | S        | Conservation and Environmental Management Plan                                 | Township Open Space funding                               | MC, WVWA                                    | Whitemarsh Township                         |
| 13   | Utilize project management software to help manage completion of the Implementation Plan projects.  | S        | Project management software  | Township funding  | N/A   | Whitemarsh Township                         |
| 14   | Adopt a tree canopy protection ordinance to protect trees from clearing or damage   | M        | Ordinance  | Township funding  | MC  | Whitemarsh Township                         |
| 15   | Work with an urban forester or arborist to help maintain and protect Township trees   | M        | Tree maintenance   | Township funding  | MC  | Whitemarsh Township                         |
| 16   | Create a historic resource overlay zoning district to protect and preserve historic structures and resources  | M        | Overlay zoning district  | PHMC  | PHMC  | Whitemarsh Township                         |
| 17   | Permit and promote the naturalization of stormwater detentions basins   | M        | Subdivision and land development ordinance                                     | Township funding  | MC, developers                              | Whitemarsh Township                         |
| 18   | Establish a historical commission to oversee the historic district  | M        | Historic Commission  | Township funding  | PHMC  | Whitemarsh Township                         |
| 19   | Develop Township and County trails as recommended by the Township Trail Master Plan and the County  | M        | Right-of-Way & Fee simple acquisition, Negotiated dedications                  | GF/GT, PECO Green Region, SRGA, DCNR PA Rec. Trails, CDBG | Private landowners, MC                      | Whitemarsh Township                         |
| 20   | Work with adjacent Townships to connect the greenway, trails and sidewalks  | L        | Tree planting, trail and sidewalk projects                                     | GF/GT, PECO Green Region, SRGA, DCNR PA Rec. Trails, CDBG | Adjacent Townships                          | Whitemarsh Township, Adjacent Townships     |
| 21   | Implement National Wildlife Federation's Back Yard Habitat and National Audubon's At Home Programs  | L        | Riparian buffer areas, tree planting   |   | PA Audubon, WVWA                            | WVWA, Whitemarsh Township                   |

Notes: MC: Montgomery County, WVWA: Wissahickon Valley Watershed Association, MCLT: Montgomery County Lands Trust, SRGA: Schuylkill River Greenway Association, DEP: Dept. of Environmental Protection, DCNR: Dept. of Conservation and Natural Resources, GVCC: Green Valley Country Club, GF/GT: Green Fields/Green Towns Funding.

HS/SR2S: PennDOT's Hometown Streets, Safe Routes to School Program, DCNR C2P2: Dept. of Conservation and Natural Resources Community Conservation Partnership Program, MCALPB: Montgomery County Agricultural Land Preservation Board.

\* The timeframe for County trail construction is as recommended by Montgomery County and the Township Trail Master Plan.