

## About Land Trusts

Land trusts are charitable organizations that conserve land by purchasing or accepting donations of land and conservation easements. Land trust work is based on voluntary agreements with landowners and creating projects with win-win outcomes for communities.

Nearly a hundred land trusts work to protect important lands across Pennsylvania. Governed by unpaid boards of directors, they range from all-volunteer groups working in a single municipality to large multi-county organizations with a dozen or more staff. They depend on landowner goodwill, member support and other donations for their continuing efforts.

Some land trusts address a wide variety of conservation needs. Some focus on a single conservation priority. Land trusts may conserve land to protect our rivers, streams and groundwater. They may protect community open space for new parks, scenic views, wildlife preserves or neighborhood gardens. They may conserve productive farmland or working forests. Some focus on protecting biodiversity while others preserve traditional hunting grounds.

Regardless of size or conservation focus, Pennsylvania's land trusts share a commitment to conserving natural resources for the people of today and for the generations not yet born.



The mission of the Wildlands Conservancy is to preserve, protect, and enhance the land, water, ecological, and recreational resources within the Lehigh River watershed, and beyond.

Visit [www.wildlandspa.org](http://www.wildlandspa.org)

## Conservation Options

Land trusts and landowners as well as government can access a variety of voluntary tools for conserving special places. The basic tools are described below.

A land trust can **acquire land**. The land trust then takes care of the property as a wildlife preserve, public recreation area or other conservation purpose.

A landowner and land trust may create an agreement known as a **conservation easement**.

The easement limits certain uses on all or a portion of a property for conservation purposes while keeping the property in the landowner's ownership and control.

Landowners can **donate** land and easements. These charitable gifts may qualify the donor for federal tax deductions. In unusual cases, the land trust may offer to **purchase** a property interest for an agreed-to price using donations from others.

A land trust can acquire a property, place a conservation easement on it, and then sell it to a **conservation buyer**—someone who wants to own a conserved property.

Sometimes a municipality or state agency wishes to conserve a property but can't meet the financial or timing demands of the landowner. A land trust can help by **acquiring and then donating or selling** the land to the government when the government is ready.

The Pennsylvania Land Trust Association promotes voluntary land conservation by supporting land trusts and building a positive climate for conservation in Pennsylvania.



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*It has been my opinion,  
that he who receives  
an Estate from his ancestors  
is under some kind  
of obligation to transmit  
the same to their  
posterity.*

~Benjamin Franklin



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Pennsylvania's Land Trusts  
Conserving our Commonwealth

Wildlands  
Conservancy

# Washington's Crossing

## History, Community Values and Development Collide

**N**ear the very banks where George Washington launched his nation-defining attack, an 80,000-square-foot shopping plaza was planned.

Businessman Sam Marrazzo had purchased 22 wooded acres wedged between Washington's Crossing Historic State Park and the Delaware Canal State Park with the goal of building a supermarket.

But residents of Washington's Crossing—a small village named for that fateful Christmas night of 1776—protested the project.

Nine years later, the historic property became parkland.

“The land in Washington's Crossing was preserved because of the awareness of the people in the area,” said Dennis Collins, director of land preservation for the Wildlands Conservancy. “The development would have had major traffic and scenic impacts on what some consider the most historic site in our country.”



General George Washington leads his men into New Jersey. Each Christmas Eve this scene is reenacted at Washington's Crossing Historic State Park to honor the troops who crossed the icy Delaware River in 1776.

### The conflict

John D. Titterton, now a township supervisor, was just another citizen voicing his disapproval when Marrazzo submitted the supermarket project for municipal approval.

“We have images of American icons that we carry around with us,” Titterton said. “If I say the Statue of Liberty,

you can picture that... say Mount Rushmore and it appears in your mind. This development was akin to building a McDonald's on Mount Rushmore."

Sam Marrazzo wasn't thinking about history when he saw a sign offering 22 acres of commercial land for sale. He's in the business of developing and owning supermarkets in New Jersey and Pennsylvania. As a businessman and a resident of the village, Marrazzo knew no large markets existed within township lines.

The Washington's Crossing site had almost everything: a good price, a great location, and a growing community. It just made sense.

What the site didn't have was a zoning ordinance conducive to Marrazzo's plans. Upper Makefield Township's zoning ordinance set a limit on the size of any new building project; Marrazzo's plan exceeded

the maximum size allowance. The struggle began when he applied for a variance.

Thousands of people signed a petition asking the township not to approve any zoning changes. Hearings on the issue were packed with residents. Each time Marrazzo was told he wasn't in compliance, he redrafted his construction plans. Each time he was met with more opposition.

While Marrazzo was shot down again and again, it was almost inevitable that he would eventually submit a development plan that required minimal or no variances. And when he did, the historic property would be developed in spite of the community's wishes and efforts. Even if Marrazzo gave up and sold the property, the next owner would be back seeking a development approval.

Fortunately, there was a solution.

### The solution

It became clear that the best way to end the struggle was to buy the land at fair market value—to fairly compensate Marrazzo for his investment—and conserve it. However, as much as this made sense, there were serious obstacles.

Where was the money? The township was not prepared to pay the full value of the property. The Pennsylvania Department of Conservation and Natural Resources was interested in adding the land to the Delaware Canal State Park but couldn't come up with money in a timely fashion. Most importantly, would Marrazzo agree to sell?

State park officials asked the Wildlands Conservancy to help broker a deal. The Conservancy, like other nonprofit land trusts, conserves land by reaching voluntary agreements with landowners for the purchase or donation of property.

"Our job was to kind of steer things around," said Collins of the Wildlands Conservancy. "We know how to do these kind of deals; we've done many before."

Marrazzo agreed to sell the land for \$2.2 million.

## "This development was akin to building a McDonald's on Mount Rushmore."

- John D. Titterton,

The Conservancy took out a bank loan for \$1.5 million to help finance the land purchase and began raising money in earnest. The Conservancy hoped to receive a Keystone Recreation, Park and Conservation Fund grant for the conservation project. Keystone Fund grants, administered by the Pennsylvania Department of Conservation and Natural Resources, require that recipients match the funds they are awarded dollar for dollar. \*

The Conservancy met the financial challenge, garnering a \$1,050,000 Keystone Fund grant and the required matching funds, including \$200,000 from the Pennsylvania Department of

Transportation's scenic byways program, \$500,000 from the township's open space fund and roughly \$450,000 from the Bucks County Agricultural Preservation Fund.



In 1999, the Wildlands Conservancy and Upper Makefield Township became co-owners of the land—about six years after Marrazzo made his first application for a variance.

"I think it turned out pretty well," said Richard Gestrich, Upper Makefield Township manager since 1982. "During the process, I received emails from all over the U.S.—and even Canada—from people who didn't want to see the tract adjacent to the park developed."

In 2002, the Conservancy and the township gave the land to the state to expand the Delaware Canal State Park. The township retained its historic and scenic character. Marrazzo invested the sale money in the renovation of an older shopping center about 12 miles away.

"As long as they're happy, I'm happy," Marrazzo said. "We found it's best to go where you're wanted."

\* The Pennsylvania General Assembly created the Keystone Recreation, Park and Conservation Fund in 1993 with a 48-0 vote in the Senate and a 196-3 vote in the House. The Keystone Fund has supported more than 1,600 community park and recreation projects, protected tens of thousands of acres of natural areas, built hundreds of miles of recreational trails, supported state parks and forests, and more.

# Voters Value Open Space

Residents of Upper Makefield Township have voted in several referendums to fund open space protection. The township is one of a growing number of communities with residents willing to pay more in wage, property or sales taxes to buy and conserve open space.

In November 2002, voters across the United States approved ballot measures that contained \$3 billion for conserving open space. The 94 successful measures were among 111 considered on state and local ballots—a passage rate of 85 percent.

Voting results in Pennsylvania were even stronger. Conservation referenda were held in two counties and eleven local municipalities during 2002. All thirteen conservation measures passed with an average of 70 percent of voters voting in favor.

Voter support makes sense. Buying open space protects quality of life. It can also save residents tax dollars.

Consider a 100-acre farm or woodlot. As is, it requires next to nothing in government services. Developed, the land could fit 100 homes on one-acre lots, each with a family in need of schools, road maintenance, snow removal, and

other municipal services. The new tax revenues from these new families almost never cover the cost of services provided by the school district and municipality. Consequently, taxes increase.

It's simple math. Conserving land costs less.

"People in rapidly growing communities are starting to realize that they are going to pay taxes either by putting aside land now or in school taxes later," said Michael Frank, director of community planning for Heritage Conservancy. "The payback for preserving land comes a lot sooner."



A walk along the 60-mile towpath of the Delaware Canal is a stroll into American history. The Marrazzo property expanded this park that is adjacent to Washington's Crossing Historic State Park.