

2017-2

OPEN SPACE TAX ABATEMENT ORDINANCE

BE IT ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF NEW HARTFORD IN MEETING ASSEMBLED:

1. The Town of New Hartford hereby establishes an open space tax abatement program pursuant to C.G.S. §12-129r, as the same may be amended from time to time, in accordance with the terms and conditions set forth herein.
2.
 - (a) Any owner of open space land in the Town of New Hartford, including forest land, the preservation or restriction of the use of which would (A) maintain and enhance the conservation of natural or scenic resources, (B) protect natural streams or water supply, (C) promote conservation of soils, wetlands, beaches or tidal marshes, (D) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open spaces, (E) preserve historic sites, or (F) promote orderly urban or suburban development may apply to the New Hartford Open Space Preservation Commission for an abatement of real property taxes as provided in C.G.S. §12-129r in an amount not to exceed the fair market value of the conservation easement to be granted to the Town of New Hartford in exchange for said abatement.
 - (b) The amount of the tax abatement in the aggregate shall be determined by the Board of Selectmen. Said tax abatement shall be apportioned over a period of time not to exceed twenty (20) years as determined by the Board of Selectmen.
 - (c) No tax abatement under the terms of this ordinance shall be granted until the property owner has executed and delivered to the Town of New Hartford a conservation easement in form and content approved by the Board of Selectmen and has provided a certified appraisal performed by a duly licensed real estate appraiser of the fair market value of the property proposed for such abatement both with and without the conservation easement required hereunder.
 - (d) No tax abatement shall be granted hereunder until such abatement has been recommended by the Board of Selectmen to and approved at Town Meeting.
3.
 - (a) All applications for tax abatement hereunder shall be submitted to the New Hartford Open Space Preservation Commission on forms supplied by the Commission.

The New Hartford Open Space Preservation Commission shall review each application and shall forward each such application to the Board of Selectmen within thirty (30) days of receipt, together with a recommendation from the

Commission indicating whether or not the application meets the eligibility criteria contained in this section. Each such recommendation shall include specific reasons in support of the findings expressed therein.

(b) Upon receipt of an open space tax abatement application and the accompanying recommendation from the New Hartford Open Space Preservation Commission, the Board of Selectmen shall approve the application, reject the application or return the application to the Commission for further information. If an application is rejected, the Board of Selectmen shall state its reasons for rejection upon the record. The applicant may file a revised application with the New Hartford Open Space Preservation Commission that addresses the reasons for its rejection by the Board of Selectmen.

4. Tax abatements granted pursuant to the terms of this ordinance may be assigned to any real property in the municipality owned by the applicant, including but not limited to the conserved property, at the time when the tax abatement is granted. Tax abatements granted pursuant to the terms of this ordinance may be transferred to subsequent owners of the real property subject to said abatement; provided, however, that the terms and conditions of said abatement shall not be amended or extended.

5. Tax abatements hereunder shall apply to real estate taxes on the October 1, 2016 grand list and thereafter.

6. This ordinance shall become effective fifteen (15) days after its publication in a newspaper having circulation in the Town of New Hartford.

EFFECTIVE: October 6, 2017