

THE AMERICAN GREENWAYS PROGRAM



THE CONSERVATION FUND

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Property Owner and Tenant Concerns

People and institutions who own land along proposed greenway corridors are an important group. It is always a good idea to meet with property owners one-on-one. When approaching landowners, try to anticipate their concerns so that you can answer their questions and calm any fears. Ask about their concerns. Try to determine whether their concerns are real or the result of misinformation, hostility toward government, or simple territorial instincts. Always listen carefully and make sure landowners know you take these matters seriously. Landowner opposition can sink a greenway project or color public attitudes so that funding is difficult to secure. Remember, the greenway will affect them as much as anyone, so explain how the greenway will benefit them. Common landowner concerns are:

- *Liability.* Always be prepared to discuss liability issues. What happens if someone is injured on the landowner's property? Is the landowner covered by adequate insurance, either his or her own or as provided by the land trust or state or local government liability legislation?
- *Crime.* Even though there has been no documented increase in criminal activity on greenways, crime is almost always a concern. In *Greenways for America* (pp.186,187), Charles Little cites the example of Seattle's Burke-Gilman Trail. Police officers who patrolled the trail were interviewed about problems with crime and vandalism. Their response was that "there is not a greater incidence of burglaries and vandalism of homes along the trail." The police noted that problems in parks are generally confined to areas of easy motor vehicle access. Despite fears that greenways will be used by "outsiders," it's usually the local citizens who use the path. Merely opening a greenway to public use may, in fact, discourage unsavory activities in derelict areas. Safety issues will be different in a small, rural trailway than in a large recreational greenway in a big city. See *Fact Sheet No. 4*
- *Property Taxes and Property Values.* Some people favor developing open space to expand the tax base. Expansion of the tax base, however, does not necessarily mean increased revenue to the local government. Development almost always means an increase in infrastructure and public service requirements, and the cost of providing these services often outweighs the additional tax revenue.
 - The other property tax issue you will probably face is a concern that the local government will increase taxes to pay for the greenway. In fact, increased tax revenues are usually generated by an increase in property values on land near the greenway. The exceptions would be jurisdictions where property assessments lag behind market values and states that have passed legislation limiting real-estate tax increases. Some communities have levied additional taxes to pay for greenways, but these taxes usually take the form of special assessments. Landowners who donate easements can actually *reduce* their own property tax assessments. In addition, easements reduce the cost of full acquisition for the town.
- *Private Property Rights.* Some landowners are opposed to putting land into public ownership for any reason. You simply may not be able to change their minds, but we advocate that you stress the benefits to the community, *their* community.

- *Maintenance.* Be prepared to answer a landowner's concern that the government can't maintain what it already manages, let alone new property.
- *Privacy.* Landowners may be concerned about trespassing and privacy or about the trail interfering with agricultural or business activities on their property. To address this concern, some greenways use fences and landscaping to buffer private property; others, like the Stowe Recreation Path, literally give the landowners a blank map and let them site the path across their property. *See Fact Sheet No. 4*
- *Land Use.* Be prepared to explain the concept of conservation easements. Organizations like the Land Trust Alliance (www.lta.org or 202-638-4725) and local land trusts can offer you assistance and provide you with information about easements and how other groups have used them.

This fact sheet is one of a series produced by the American Greenways Program. For additional information, to order materials, or to receive information about grants, please contact:

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