

**NASSAU COUNTY PLANNING COMMISSION
REPORT COMMENTING ON THE RECOMMENDATION
OF
NASSAU COUNTY OPEN SPACE AND PARKS ADVISORY COMMITTEE
RESOLUTION FOR THE ESTABLISHMENT
OF
A NASSAU COUNTY OPEN SPACE FUND**

NCPC FILE NO. OSPAC 4-2002

WHEREAS, pursuant to Local Law 9-2001, the NASSAU COUNTY PLANNING COMMISSION (“COMMISSION”) issues the following written recommendation to the NASSAU COUNTY LEGISLATURE and the NASSAU COUNTY EXECUTIVE regarding the recommendation of the NASSAU COUNTY OPEN SPACE & PARKS ADVISORY COMMITTEE (“OSPAC”); and

WHEREAS on April 3, 2002, OSPAC unanimously recommended to the COMMISSION by the attached resolution the establishment of dedicated open space from the proceeds from the sale of any Nassau County owned property; and finds that:

1. OSPAC is very concerned with the dwindling amount of open space in Nassau County and the lack of resources being dedicated to preserve this limited natural resources;
2. The proceeds from the sale of vacant County-owned property as well as a portion of the proceeds from the sale of developed property would be an ideal source to establish a fund to purchase open space;
3. The sole purpose of the fund would be to fund the purchase of open space by Nassau County; and
4. Proceeds should be deposited in a dedicated fund and not be commingled with the County’ general operating budget
5. Disbursement of the monies shall only occur upon recommendation by OSPAC and the COMMISSION to the NASSAU COUNTY LEGISLATURE and NASSAU COUNTY EXECUTIVE;
6. Other sources of monies for this dedicated fund should be explored, including private gifts and grants;
7. The County should use this dedicated fund to work with other agencies and municipalities that also have funding available in a joint effort to protect and acquire open space.
8. This dedicated fund should be a priority for Nassau County

WHEREAS, the COMMISSION, having reviewed and carefully considered the attached OSPAC resolution, makes the following findings with respect to the subject property:

1. Acknowledges the desirability of a dedicated fund or independent trust fund accepting public and private contributions whose purpose is to purchase open space
2. Recognizes the current financial conditions affecting Nassau County may presently make it impracticable to permit the dedication of the proceeds of this sale to such funds; and
3. Notes that according to Local Law 9-2001 OSPAC identify and make recommendations regarding financing mechanisms articulated in the Nassau County Open Space Plan of March 2001 to fund the acquisition, preservation, protection, restoration or enhancement of open space, parks and areas of recreational, cultural, archeological, habitat or historic significance or of an otherwise environmentally sensitive nature that has been identified and prioritized.
4. The Nassau County Comprehensive Plan (1999) specifically cite a policy recommending the establishment of an Environmental Fund to protect, preserve and acquire open space and natural resources in the County
5. The Nassau County Open Space Plan (2000) specifically recommends the establishment of a County Land Trust to be established in Nassau County. The land trust is a private, non-private organization formed to protect and preserve valued natural resources.
6. The Nassau County Open Space Plan (2000) discusses the role of OSPAC as “...identifying funding sources in connection with the preservation and, where appropriate, acquisition...” (IV-2)
7. The County-wide trust could work directly with private landowners to protect and preserve open space;
8. In addition to public funding there are other options noted by the Nassau County Opens Space Plan (2000) which should be pursued by Nassau County in its effort to fund the protection and acquisition of open space including but not limited to corporate donations; corporate sponsorship; grants and loans from foundations; and fees for naming rights
9. Requirement that a sum of money be paid *in lieu of* the dedication of land. This money can be used to pay for the cost of acquiring open space elsewhere in Nassau County. The amount and cost should be calculated proportionate to the amount and cost of the open space that needs to be acquired to meet the additional open space needs generated by the new development not unmet needs resulting from prior development.

10. Revenue collected must be deposited into a special account that is reserved and exclusively for park, recreation and open space purposes so that over time the accumulated funds may be used to acquire larger tracts of more suitable land in danger of development.

RESOLVED, based on the above findings the COMMISSION, hereby concurs with OSPAC in part with respect to the establishment of a County Open Space Fund and recommends its establishment; and be it further

RESOLVED, that the COMMISSION recommends with respect to the use of the proceeds from the sale of County property that a portion of the proceeds be set aside in a dedicated open space fund in accordance with the Nassau County Master Plan and Nassau County Open Space Plan; and be it further

RESOLVED, that the LEGISLATURE and COUNTY EXECUTIVE also consider fully the supplementation of Nassau County Open Space fund with the other mechanisms discussed above.

