

# Article 28

## Guideline for Preservation of Public Access to Open Space

WHEREAS the Town desires, consistent with the preservation and protection of natural resources and the environment and the legitimate interests of private property owners and the Town, that reasonable public access to Concord's trails, forests, fields, rivers, and other open spaces should be preserved and, where possible, expanded or created:

THEREFORE the Town urges the Select Board and Town Manager to adopt policies to require Town Officials, Committees, and Departments to use this principle as guidance and consider it a priority in their actions and deliberations, including any policies, decisions, negotiations, recommendations, and regulations that would or could affect public access to Concord's open spaces, or take any other action relative thereto.

## Article 28:

### Guideline for Preservation of Public Access to Open Space

Proposed Motion: Petitioner moves that the Town take affirmative action on Article 28 as set forth below:

WHEREAS the Town desires that *reasonable **public** access to Concord's trails, forests, fields, rivers, and other **public natural** open spaces **that are owned or controlled by the Town of Concord** should be preserved and, where possible, expanded or created, so long as such public access is consistent with 1) the preservation and protection of natural resources and the environment, 2) the legitimate interests, **rights, and responsibilities** of the Town, and 3) the legitimate interests **and rights** of private property owners **and does not infringe on private property rights,***

## 28: Guideline for Preservation of Public Access to Open Space

THEREFORE the Town urges the Select Board and Town Manager to adopt policies to **encourage** Town Officials, Committees, Boards, and Departments to use this principle as guidance and consider it **one of their** priorities in their actions and deliberations, including any policies, decisions, approvals, negotiations, recommendations, regulations, **and daily operations** that would or could affect public access to **Concord's Town-owned or controlled public** open spaces.

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# Why Does This Article Matter?

- This article ensures the citizens of Concord a voice in affirming shared core values
  - Conservation of Concord's natural landscapes
  - Enjoyment of public natural open spaces
  - Public access to the Town's public natural open spaces
- This article makes these implicitly shared values explicit
- This article enshrines these values for future generations and reinforces the Town's planning documents and current good practices

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# What This Article Does

- Provides guidance to the Town as a non-binding resolution
- Encourages explicit consideration of public access to public open spaces
- Establishes public access as one priority along with conservation, interests of the Town (such as public safety), and private property rights
- Addresses Town functions from large-scale planning to daily operations for Town-owned or controlled land

## What This Article Does **Not** Do

- Does not require any specific actions or decisions
- Does not infringe on private property rights or interests
- Does not cost anything
- Does not change any existing agreements or decisions

# Examples

- Town decisions to purchase open space, alone or in collaboration with conservation organizations, and agreements to provide public access
- Town balancing of infrastructure needs (e.g., water, solar, other facilities) with public access to associated open space
- Daily operations of Town departments to maintain public access consistent with other Town interests and private property rights (e.g., plowing, signage, policing)
- Town recognition that public access constitutes a significant public benefit

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