



Turtle Creek Greenway Plan

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Section A > Landowner Coordination

While a portion of the Turtle Creek Greenway is already under public ownership and part of the participating communities' parks and recreation systems, most of the Greenway is privately owned. Therefore, a key aspect of this project was to coordinate with the landowners to determine their level of interest in the Greenway and potential acquisition and/or partnerships.

Landowners within the Greenway were identified using tax assessment data from geographical information systems (GIS) digital mapping from both Allegheny County and Westmoreland County. Information collected through GIS was reviewed and updated where necessary by the municipal representatives.

Greenway Parcels

Maps 3.1A through 3.1D depict the parcels within the Turtle Creek Greenway while **Table 3.1** is a listing of each parcel along with the

- 🌳 **Project ID** (a unique parcel identifier that corresponds to the maps),
- 🌳 **Tax Parcel Number** (the County tax identification number)
- 🌳 **Size** (in acres)
- 🌳 **Owner information** (name and known mailing address)
- 🌳 **Land Value** (the County assessed value of the land only—not including structures or improvements)
- 🌳 **Current Land Use** (County assessment and field verified)

Railroad Right-of-Way (ROW)

The Greenway follows the Turtle Creek Industrial Railroad (TCKR) ROW from Trafford Borough to Duff Park in Murrysville. The portion of the ROW in Trafford Borough is owned by Norfolk Southern and leased to the Dura-Bond Protective Coating Company. The remainder of the ROW is owned by Dura-Bond.

Trafford Borough Parcels

There are five (5) parcels located within the Greenway in the Borough.

- 🌳 **Public Ownership:** one (1) parcel is owned by Trafford Borough: B-Y Park. A

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second parcel is leased to the Penn Forest Football Club and used as soccer fields.

- 🌲 Private Ownership: two (2) landowners own the remaining three (3) parcels.

Penn Township Parcels

There are nine (9) parcels located within the Greenway in the Township.

- 🌲 Public Ownership: one (1) parcel is owned by the Regional Trail Corporation (RTC), which was donated to the RTC by a private landowner and used as public access for fishing at Saunders Station Road.
- 🌲 Private Ownership: Four (4) landowners own the remaining seven (7) parcels . One parcel is an easement for the Penn Township Sewage Authority.

Murrysville Parcels

There are 36 parcels located within the Greenway in Murrysville.

- 🌲 Public Ownership: Five (5) parcels are owned by the Municipality of Murrysville. Four (4) of those comprise Duff Park while the fifth is Pleasant Valley Park.
- 🌲 Private Ownership: Three (3) parcels are owned by the Franklin Township Municipal Sanitary Authority, one (1) is owned by West Penn Power, and the remaining 27 are privately owned.

Monroeville Parcels

There are 33 parcels located within the Greenway in Monroeville.

- 🌲 Public Ownership: 14 parcels are owned by the Municipality of Monroeville. One parcel is not part of an official park but contains the old brickyard, eight (8) parcels comprise the Bel Aire Pool recreation area, two (2) parcels form Valley Park, two (2) parcels form Alpine Park, and one parcel is Beechwood Park. In addition, one (1) parcel is owned by the Pennsylvania Turnpike Commission and is the right-of-way for the PA Turnpike/I-76.
- 🌲 Private Ownership: One (1) parcel is owned by Peoples Natural Gas and the remaining 17 are under private ownership.

Contact Methods

Once the Landowners for the Greenway were identified, various methods were used in an attempt to contact each and determine their level of interest in the project and associated conservation and/or recreation efforts.

Landowner Meeting

An open house meeting was held on Wednesday, November 18, 2009 at the Murrysville Community Building from 3:00pm to 7:00pm. Invitations were mailed to all landowners within the Greenway along with a project description and information regarding the benefits of greenways. The purpose of the meeting was to discuss the project and potential partnership opportunities that may be of interest to the landowners in regards to conservation and recreation efforts.

Approximately 20 landowners attended the meeting. Maps of the Greenway and impacted parcels were available and landowners were asked to provide any potential opportunities or issues related to recreation and conservation. In addition, a brief survey was distributed that gathered specific information on each parcel. The meeting summary is included in **Appendix I: Landowner Meeting Summary**.

Survey

After the Landowners Meeting was held, a follow-up letter and survey was sent on December 9, 2009 to all of the landowners who did not attend the meeting. In total, 12 surveys were completed and returned, either at the meeting or mailed in. The completed surveys are included in **Appendix J: Landowner Surveys**.

Public Meetings

To ensure that the landowners were involved throughout the project, mailed invitations were extended for each of the public meetings that were held. The public meeting summaries are included in **Appendix E: Public Meeting Summaries**.

Landowner Interest

Map 3.2: Landowner Interest depicts the results of the discussions with the landowners in the Greenway regarding their level of interest in either acquisition or partnerships for recreation and/or conservation projects. The results were categorized as follows:



Public Park (21 parcels): Represents all land that is publicly owned within the Greenway.



Railroad ROW: The Railroad ROW is shown separately as discussions continue to be held with the owner.



Unknown Interest (40 parcels): Represents all landowners who did not respond to contact attempts during the planning process.



Acquisition/Partnership Interest (18 parcels): Represents the landowners who expressed an interest in possible donation, conservation easement, lease, and/or sale and those interested in partnering on future recreation and/or conservation efforts.



Possible Interest (2 parcels): Represents the landowners who expressed a possible interest in the donation/easement/lease/sale option but would like more information and may be interested in partnering to provide on future recreation and/or conservation projects.



No Acquisition Interest—May Partner (8 parcels): Represents the landowners who at this time, are not interested in the donation/easement/lease/sale option, but may be willing to partner with an organization for recreation and/or conservation projects.



No Interest (1 parcel): Represents the landowners who at this time, have no interest in pursuing any type of acquisition or partnership.

Section B > Criteria Ranking

In addition to knowing the landowner interest in recreation and/or conservation, it was also important to establish criteria to rank the parcels to help prioritize recreation/conservation projects. Therefore, two sets of criteria were developed to distinguish high priority parcels for recreation/conservation opportunities from high priority parcels for enhancement opportunities. The full ranking criteria form is included in **Appendix K: Criteria Ranking Form**.

Each parcel was then ranked according to the criteria, based upon information provided by the landowners, at public meetings, and through field views. A database was developed in both Excel Spreadsheet format as well as linked to the parcel data in GIS (ArcView) to allow future organizations to update and/or revise the criteria and rankings as needed in the future.

Note: All parcels, including those owned by public entities, were ranked in order to provide a base for potential improvements. While Tables 3.1A and 3.2A include the publicly owned parcels in the tally, Maps 3.3A-D and 3.4A-D do not show the ranking results for these parcels in order to depict the publicly owned land in context with high priority areas for acquisition/conservation. The results are included in Tables 3.2B and 3.3B.

Ranking Criteria for Natural, Cultural and/or Recreational Value

There were 12 criterion developed to rank the Greenway parcels for their natural, cultural and/or recreational value. Parcels received a score of a “1”, “2”, or “3” for each criterion, where a “3” represents the highest potential for natural, cultural and/or recreational value, and then the values were added together for a total score. **Maps 3.3A-D** depict the Natural, Cultural and/or Recreational prioritization results of the Greenway parcels.

1. *Meets stated project goals.*
2. *Provides recreational access to the greenway and/or stream.*
3. *Provides active recreational opportunities (i.e. facilities required).*
4. *Provides passive recreational opportunities (i.e. no facilities required).*
5. *Provides natural beauty/greenway.*
6. *Contains site of cultural, historic, or natural significance.*
7. *Habitat enhancement opportunities.*
8. *Provides natural flood control/protection.*
9. *Proximity to preserved land or publicly owned land.*
10. *Opportunity as educational area or for interpretive signage.*
11. *Likelihood of future development.*

12. Cost to implement projects.

Table 3.2A: Natural, Cultural and/or Recreational Summary

	Priority Level	Score	# of Parcels
	High	25-36	37 parcels
	Medium	18-24	37 parcels
	Low	0-17	11 parcels

Ranking Criteria for Restoration Opportunities

There were six (6) criterion developed to rank the Greenway parcels for their restoration potential. Parcels received a score of a “-1”, “-2”, or “-3” for each criterion, where a “-3” represents the highest need for restoration, and then the values were added together for a total score. **Maps 3.4A-D** depict the Restoration Opportunities prioritization results of the Greenway parcels.

1. Litter and/or illegal dumping present.
2. Contains area of erosion and/or wash out problems.
3. Source of erosion and/or wash out present on parcel.
4. Contains potential to install erosion and sedimentation (E&S) control/flood control measure.
5. Presence of invasive plant species.
6. Cost to implement projects.

Table 3.3A: Restoration Opportunities Summary

	Priority Level	Score	# of Parcels
	High	-13 — -18	13 parcels
	Medium	-9 — -12	9 parcels
	Low	-1 — -8	63 parcels

Section C > Acquisition Options

There are four (4) main methods to acquire property for recreation and/or conservation. Ultimately, it is up to the property owner and the implementing organization to determine which is the best option for both parties.

Land Donation

Land Donation is the gift of land from the owner to another person or organization without receiving financial or other compensation. In terms of the Turtle Creek Greenway Plan, donated land will be held by a land trust or other not-for-profit organization and protected for conservation and recreation purposes.

Benefits:

- Income tax deduction;
- Can be structured to allow the owner to continue to live on the land or to receive a life income.

Possible Benefits from Land Donation

If a landowner would like to protect land by donating it to a land trust, but need to receive income during his or her lifetime, a charitable gift annuity could be used. In a charitable gift annuity, the landowner agrees to transfer certain property to a charity, and the charity agrees to make regular annuity payments to one or two beneficiaries for life. The gift of land usually qualifies for a charitable income tax deduction at the time of the gift, based on the value of the land less the expected value of the annuity payments.

Another option for donating property and receiving regular income is a charitable remainder unitrust. The land is placed in a trust, first putting a conservation easement on it if it is to be protected. Then the trustee sells the land and invests the net proceeds from the sale. One or more beneficiaries receive payments each year for a fixed term or for life, then the trustee turns the remaining funds in the trust over to the land trust. The gift qualifies for a charitable income tax deduction when the land is put in the trust, based on the value of the land less the expected value of the payments. Charitable gift annuities and charitable remainder unitrusts are most useful for highly appreciated land, the sale of which would incur high capital gains tax (Land Trust Alliance, 2010).

Conservation Easement

Conservation Easement is a legal agreement between the property owner and a qualified land trust or other qualified organization. The property owner continues to own and use the land, but the land's uses are limited to protect the property's conservation value. The owner is still able to sell the land or pass it on to heirs, but the terms of the conservation easement are included in the deed, thus future owners inherit those easement terms.

- Benefits:**
- Income tax deduction;
 - Reduced property and estate taxes;
 - Can be structured to meet the financial and personal needs of the landowner while protecting the land's conservation value.

Possible Tax Benefits from Conservation Easements

Federal Income Tax Benefits

Donors of land and conservation easements may claim an income tax deduction under §170 of the Internal Revenue Code. The exact amount of tax savings depends on several factors:

- 🌲 How long the donor has owned the property (benefits are generally greater if owned for more than one year);
- 🌲 How the donor has used the property (residence, investment, agricultural);
- 🌲 The income of the donor (the higher one's income, the more one will save on taxes); and
- 🌲 The value of the donated property (the more valuable the property, the bigger the deduction).

Federal Estate Tax Benefits

Under §2031(c) of the Internal Revenue Code, up to \$500,000 may be excluded from one's taxable estate if he or she had donated a qualifying conservation easement. Similar to the income tax benefits, the larger the value of the donated easement, the more the estate tax deduction.

Under the American Farm and Ranch Protection Act of 1997, a landowner's estate may totally exclude from federal estate taxation up to 40% of the value of the land in conservation easement, with a cap of \$500,000. A landowner can donate an easement prior to death, or the heirs have a limited time after the landowner's death to donate the easement and to receive the associated tax benefits.

Lease

A lease is a financial agreement in which the property owner rents their land to an organization/party for a fee during a specified period of time, usually long-term. The property owner still owns the land, but permits the lessee to certain uses on the property as dictated by a legal contract.

Benefits: —Provides the owner with cash.

Sale

Bargain Sale of Land is another way of selling land, where the owner sells the land for less than its fair market value. In this case, the land is more affordable for a land trust or non-profit organization to purchase the land.

Benefits:

- Provides the owner with cash;
- Avoids some capital gains tax;
- Entitles seller to a charitable income tax deduction based on the difference between the property's fair market value and its sale price.