

Policy Statement
GREENSPACE USE AND MAINTENANCE
in
ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO

1. ***Maintenance and Restoration***

The intent of the Greenspace legislation as found in the Ohio Revised Code ("ORC") and the instructions of the Board of Township Trustees ("Board") to its staff are to protect and preserve Greenspace areas in their natural, scenic, open, or wooded condition and/or to allow or assist them to return to their natural state.

- a) Although most Greenspace efforts are intended to preserve forested areas, it is also the fact that wetlands, ponds, meadows, and lawn areas are legitimate purchases under ORC. The Board, in consultation with its Greenspace Advisory Committee ("Committee"), may choose to maintain or permit to be maintained open areas in the condition in which they are acquired or to allow or assist them to evolve to a more natural state. Primary criteria in such a decision will be 1) the evolutionary nature of the meadow and/or its contribution to varied flora and fauna, 2) the presence of wildflowers or vistas into forested Greenspace that enhance public appreciation of Greenspace, and 3) compatibility with adjoining public uses, bearing in mind that the land was acquired for preservation and not for development or recreational purposes. If a decision is made to proactively return or allow the return of the area to a more natural state, the Board may, after consultation with the Committee, allow a reasonable period of time for transition of the area from a previous use.
- b) If Greenspace is to be allowed to evolve to a natural state, minimal intervention will be exercised. The presence of certain types of vegetation, however, may create circumstances in which the Board may, at its option, decide to intervene in an environmentally sensitive and appropriate manner. Three such categories of vegetation are:
 - 1) Vining plants, such as bittersweet, Japanese honeysuckle, euonymus, ivy, and wild grape, which are detrimental to natural reforestation.
 - 2) Non-native plants, such as bush honeysuckle and multiflora rose, which crowd out the native vegetation.
 - 3) Noxious or herbaceous weeds, such as ragweed, poison ivy, and Russian thistle, which cause respiratory or other health problems, spread to surrounding lawns or fields, and/or harbor host parasites detrimental to adjoining agricultural uses.

- c) If a Greenspace acquisition, because of its visibility, could be perceived as an eyesore during an extended evolutionary return to a more natural state, vegetative enhancement, *i.e.*, restoration through partial or total replanting, may be indicated. Guidelines for such replanting (which may be weighted differently for each location) include: 1) a preference for reforestation over establishment of a quasi-natural meadow, 2) restoration to an evolutionary tertiary growth forest by planting of appropriate species, and 3) introduction of non-native species with demonstrated hardiness to this area to augment native species, *e.g.*, evergreens might be added for screening or to add color during the winter dormant season.
- d) Where "weed control," reforestation or cleanup is indicated, that work may be performed by volunteers under the supervision of a member or members of the Committee or of a Township employee, by in-house employees, and/or through contract.

2. *Access and Activities*

Pedestrian access to publicly-owned Greenspace is a secondary consideration to environmental enhancement. With the exception of minimal upkeep to prevent deterioration from the animal and human use of natural path areas, there will be little, if any, accommodation made for ease of access by residents in general or for abutting property owners. *Development* of Greenspace is strictly prohibited.

- a) Pedestrian access to some Greenspace properties may be prohibited due to environmental sensitivity or deed restrictions.
- b) As to those Greenspace parcels owned by the Township (including parcels as to which easements are owned) and having no deed access restrictions, occasional pedestrian access for enjoyment of the Greenspace will be permitted, unless it causes damage to the terrain, plants, or animals or inappropriately disrupts adjacent property owners. Under no circumstances will motorized vehicles, bicycles, or horses be permitted.
- c) No hunting, fishing, trapping, camping, camp/cooking or other fires, or other active or competitive recreational, or consumptive, uses of Greenspace shall be permitted.
- d) The sport or activity known as "paintball" or "paintballing," in each and every of its manifestations, is prohibited on properties owned, managed, or operated as Greenspace.

3. *Safety and Assumed Risks*

Where pedestrian access is allowed on Township Greenspace, said access must always be at the user's own risk; natural conditions are sometimes inconsistent with human safety. In particular (and without implied limitation) dangers (natural or man-made)

including, but not limited to, slippery or uneven terrain, swollen streams, insects or animals, toxic plants, wells, cisterns, and fallen or falling trees may be present.

4. ***Maintenance and Safety***

As noted in paragraph 3, it is expected that wildlife, toxic plants, and other hazards will be present in close proximity to residences or businesses that adjoin Greenspace. Unless such phenomena can be shown, specifically and with accurately documented detail, to pose a clear and imminent danger to adjoining structures or persons, no corrective action will be taken. Unless absolutely necessary to ensure, for example, the safety of small children or to forfend against unauthorized use, no Greenspace or any portion thereof will be fenced.

There will always be a balance or compromise between maintaining Greenspace in its natural state and possible danger to surrounding property or associated residents. Differences of opinion may arise in evaluating this balance, for example, preserving standing dead trees for woodpecker habitat versus the possibility of damage to a fence, shed, or, more remotely, individuals. In such cases, the Township Administrator may engage an urban forester or other individual with similar training and experience as a consultant to provide additional perspective prior to making an administrative determination.

Each Greenspace parcel will be evaluated on a case-by-case basis with regard to maintenance and safety issues. Decisions or actions taken with regard to one parcel have no bearing on, and set no precedent for, actions that may be considered or taken with regard to another parcel.

5. ***Parcel Identification***

Each Greenspace parcel of more than one acre will be identified with one or more sign stakes or signs, to be posted at one or more conspicuous places or primary access points. Permitted uses, special restrictions, and a map of specific natural features may also be posted. Special signage acknowledging donors or bargain sellers may be used where appropriate. All signage and its location will be in keeping with Township regulations.

12/09/03 revision

Approved by the Board of Township Trustees of Anderson Township on November 21, 1991. Revisions approved by the Board of Township Trustees of Anderson Township on March 19, 1998, on April 3, 2003, and on December 18, 2003.

