

APPLICATION FOR OPEN SPACE LAND CLASSIFICATION

36 M.R.S. §§ 1101-1121

See Property Tax Bulletin No. 21 for more information

This application, including a map describing the parcel, must be filed with your local assessor by April 1 of the year in which classification is requested.

1. Name of owner: _____
2. Mailing address: _____
_____ Phone: _____
3. Location (municipality & county) of open space parcel: _____
4. Map and Lot: _____ Deed Reference/Book and Page: _____

5. Check the applicable land preservation or use restrictions providing public benefit:

- | | |
|--|--|
| <input type="checkbox"/> Conserving scenic resources | <input type="checkbox"/> Promoting game management |
| <input type="checkbox"/> Enhancing public recreation | <input type="checkbox"/> Preserving wildlife or wildlife habitat |

List the factors, as appropriate, to demonstrate this parcel meets the public benefit test:

- | | |
|--|-----------|
| 6. Open space land parcel – acreage | Acres |
| a. Total area of parcel | _____ |
| b. Less: land not classified as open space | |
| 1. Improved site/building lot | (_____) |
| Areas occupied by structures and other substantial improvements that are inconsistent with the preservation of land as open space are not eligible for classification as open space. In general, you must exclude an area at least equal to the minimum lot size, frontage, and set-back specified by applicable zoning regulations for each improvement site. | |
| 2. Other land | (_____) |
| Exclude from classification as open space land used for roads, powerlines and undeveloped land you do not wish to enroll as open space | |
| 3. Land enrolled in farmland, tree growth, and/or working waterfront programs... | (_____) |
| c. Land to be classified as open space (line 6a less lines 6b(1) through 6b(3)) | _____ |

7. Land use restriction categories that apply to open space land:

| Category | Acres |
|---------------------------------|-------|
| a. Ordinary open space | _____ |
| b. Permanently protected* | _____ |
| c. Forever wild* | _____ |
| d. Public access allowed | _____ |
| e. Managed forest lands** | _____ |

*Proof of use restriction or preservation easement is required

**Proof of valid forest management plan is required

8. I hereby certify that the answers to the foregoing questions are correct to the best of my belief and that the land herein described as **Open Space land** fulfills the definition of open space land set forth by statute. I have read Property Tax Bulletin No 21 and I am aware of the penalty provision for withdrawal or change in use.

Owner _____ Date _____

The following attestation is to be completed by the assessor

I hereby certify that the valuation of classified open space land has been assessed according to 36 M.R.S. § 1106-A as of April 1, 20_____.

Assessor _____ Date _____

GENERAL INSTRUCTIONS

FILING APPLICATION – Owners must submit a signed application on or before April 1 of the year in which classification is requested. The application must include the acreage of land proposed for open space classification as well as the land to be excluded from open space classification. The owner must exclude any nonconforming use areas equal to the minimum lot size, setback, and frontage requirements applicable to the location.

WHERE TO FILE – File this application with your municipal assessor, or with the State Tax Assessor if the land is in the unorganized territory.

SEPARATE APPLICATIONS – A separate application must be filed for each separate parcel. A separate parcel is an area enclosed within a contiguous, uninterrupted boundary, whether originally acquired in one or more deeds. If a parcel is located in more than one municipality, a separate application must be filed for each municipality covering the portion of the parcel located in that municipality.

INCLUSION OF MAP – The application must include a map of the parcel (sketched or drafted). The map must show the entire parcel including land proposed for open space classification and all other land to be excluded from classification. Include any adjacent areas that may help qualify your land.

Lines 1 & 2: Enter the owner's name, address, and telephone number. If there is more than one owner, enter "Multiple Owners" and attach a separate sheet listing the name, address, and telephone number of all the owners.

Line 3: Enter the municipality and county where the open space parcel is located. If the parcel is located in more than one municipality, file a separate application for each municipality.

Line 4; Maine Revenue Services prefers that you enter the description under which the property is carried in the assessment records or on the most recent tax bill. Where this description is not readily available, reference to the recorded deed (as Book 231, Page 16, Kennebec Registry) can be substituted.

Line 5; 36 M.R.S. § 1102(6) defines open space land as land that provides a public benefit by conserving scenic resources, enhancing public recreation opportunities, promoting game management, or preserving wildlife or wildlife habitat. Check the boxes that represent the applicable public benefit for this parcel. List all the factors that support your public benefit claim. See Bulletin No. 21 for an explanation of public benefit factors. Additional information may be attached.

Line 6a: Enter the total area of the parcel in acres and indicate if all, or only a portion, of the land in the parcel is to be classified as open space.

Line 6b(1): Enter the acreage within this parcel of any area that is used for a camp or house lot, is substantially developed, or is reserved for development.

Line 6b(2): Enter the acreage within this parcel of any other area to be excluded from open space classification. Categories include, but are not limited to, improved areas such as roads, powerlines, pipelines, and any areas you do not wish to classify as open space.

Line 6b(3): Enter the acreage within this parcel of any area enrolled in the farmland, tree growth, or working waterfront program.

Line 6c: Subtract lines 6b(1), 6b(2), and 6b(3) from line 6a. This amount is the total acreage for proposed open space classification.

Line 7: Enter the area for each applicable land use restriction category. Check the related box if public access is also allowed for the land in that category.

Line 8: Complete the date and owner signature lines then file the application, including other required material with your local assessing office.