Saving Special Places: Community Funding for Land Conservation

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December, 2002

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CENTER FOR LAND CONSERVATION ASSISTANCE

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Contents

List of Case Studies ..... **v**

Acknowledgements ..... **vi**

Chapter I. Introduction and Overview **1**

Chapter II. Making the Case for Conservation Funding in Your Community **5**

Community Environmental Benefits 5
Local and Regional Benefits of Open Space Plans 8
Economic Benefits of Retaining Open Space 11
Understanding Conservation Easements 19
Caring for Land You Protect 20

Chapter III. Local Funding Methods **23**

Forms of Town Government and Implications for Land Conservation Funding 23
Authorizing the Purchase of Land or Property 26
Authorizing Acquisition of Specific Property at Annual Town Meeting 26
Calling a Special Town Meeting to Spend Previously Appropriated Funds 27
Securing Superior Court Approval for Special Town Meeting 29
Acquiring Land through the Conservation Fund 31
Delegating Authority to Governing Body 32
Ways to Hold Funds for Conservation 33
Conservation Fund 33
Capital Reserve and Trust Funds 35
Municipally-Funded Capital Reserve Trust Funds 35
Privately Funded Municipal Trust Funds 36
Capital Improvement and Open Space Acquisition Plans 37
Sources of Municipal Funding for Conservation 38
Land Use Change Tax 38
Warrant Article Appropriation 41
Bonds 43
Town Fund Balance 50
Proceeds from Managing Town Property 52
Tax Deeded Properties 54
Exchange of Real Estate 55
Matching Fund Sources 57
Land and Community Heritage Investment Program (LCHIP) 58
Water Supply Land Conservation Grant Program 59
Forest Legacy Program 60
Farmland Protection Program 61
Land and Water Conservation Fund 63
Using Multiple Matching Sources 64
Cooperating with Private Land Trusts 67
Private Foundations 68

Chapter IV. Getting It Done: Grassroots Organizing 71
How to Initiate a Land Conservation Conversation in Your Community 71
Tapping Into Existing Town Committees 72
Creating a Special Task Force 74
By Petition 76
Grassroots Campaign Techniques 78
Introduction 78
Identify Your Goals 78
Identify Supporters and Opponents 79
Develop a Campaign Timeline 79
Crafting your Message 80
Reaching and Motivating the Voter 80
The Media 83
Get out the Vote 85
Grassroots Campaign Checklist 88

Chapter V. Where to Find Help 89
Professional Contacts 89
Community Contacts (from Case Studies) 101
Publications 103

Chapter VI. Useful Information 107
Municipal Land Use Change Tax Allocation Data (by town) 107
Results of 2002 Town Meeting Votes on Articles for Land Conservation Funding (by town) 110
Worksheets for Detailed Cost Comparison (comparing cost of development with cost of conservation) 112
Sample Materials 114
Public Presentations 114
Fact Sheets 119
Newsletters 127
Press Releases 141
Letters to the Editor 143
Editorials 145
Durham Warrant Article 152
SPNHF GIS Services Program 153

List of Case Studies

Town	Subject	Page
Hanover	Open Space Plan	11
Brentwood	Cost of Community Services	14
Fitzwilliam	Annual Town Meeting Authorization	28
Northwood	Special Town Meeting	31
Middleton	Conservation Fund	33
Orford	Conservation Fund	34
Kingston	Capital Reserve Fund	36
Durham	Privately-Funded Trust Fund	37
Andover	Land Use Change Tax	40
Sharon	Warrant Article Appropriation	43
Hollis	Bonding for General Land Acquisition	46
Merrimack	Bonding for Specific Property	48
Lee	Town Fund Balance	51
Weare	Town Forest Account	53
Gilmanton	Tax Deeded Property	54
Raymond	Real Estate Exchange	56
Exeter	Land and Community Heritage Investment Program	57
Barrington	Water Supply Land Protection Program	59
Dunbarton	Forest Legacy Program	60
Concord	Farmland Protection Program	62
Derry	Land and Water Conservation Fund	63
New London	Multiple Matching Funds	65
Randolph	Multiple Matching Funds	66
North Hampton	Tapping into Existing Town Committees	73
Newmarket	Open Space Task Force	75
Hampton	Petitioned Warrant Article	77
Stratham	$5 Million Bond Campaign	86

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Sarah Thorne, *editor*
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Chapter I

Introduction and Overview

In New Hampshire communities, there is a groundswell of interest and activity in conserving land. New Hampshire currently has more than forty-five land trusts. There are conservation commissions in all but a handful of towns. Many of them are engaged in conserving their special natural lands. Over half of the towns in the state have conservation funds fueled by the Land Use Change Tax. There have been 62 applications for land conservation projects to the Land and Community Heritage Investment Program since its inception in 2000. New Hampshire voters are appropriating significant taxpayer funds to conserve undeveloped land. Twelve communities, mostly in the south central and southeastern tier of the state, including Amherst, Brookline, Newfields, and Stratham, approved bonds and appropriations totaling nearly $20.2 million in 2002 alone.

New Hampshire is losing 12,000 to 15,000 acres of open space a year to development. That is equivalent to building houses, roads and shopping areas in an area half the size of an average New Hampshire town. It is open space that gives our towns their traditional character and appearance. Unless towns protect open space strategically and intentionally, it will be consumed by development.

The goal of this guidebook is to help you, as a concerned citizen, elected official, or conservation commission member, achieve your town's land conservation goals by securing local funding for land conservation in your community.

Saving Special Places: Community Funding for Land Conservation is a guidebook to help your conservation commission, board of selectmen, citizens group, or land trust to:

- develop economic, environmental, and community quality of life rationale for conservation funding in your town;
- evaluate your community's cost and benefits from land development versus the cost of land conservation;
- choose the appropriate available funding option for your town;
- organize and implement an effective grassroots campaign to build public and elected official support and pass your local initiative!

This guidebook provides case studies to explain each funding mechanism through the direct experience of local citizens. The case studies list lessons learned and the advantages and disadvantages, helping you evaluate what may or may not work in your town.

To jumpstart your local effort, the guidebook provides sample warrant articles, newsletters, media releases, and other materials from communities who have succeeded in securing local land conservation funding. At the end of the *Guidebook*, you will find an extensive list of resources that will help you each step of the way.

It is very important that your town consult with an attorney before finalizing warrant articles or any other legal documents discussed in this publication.

Land Use Planning. While this guidebook focuses on funding for land and easement acquisition, this is only one tool of many for conserving land. Indeed, land conservation should be one component of your community's overall land use strategy, which should include a master plan, an open space plan, and appropriate zoning to achieve the vision of the master plan.

Those acquiring land should target and conserve the most significant community lands, leaving remaining lands available for appropriate and planned development consistent with a community's master plan. Good local planning that provides for economic development, affordable housing, and other critical community needs will be complemented by the acquisition of land for open space, parks, aquifer protection, and other public benefits.

Stewardship. Good land conservation does not end with the acquisition of the property or an easement. When deciding to own land or an easement, a community must consider and plan for both the protection of critical natural resources and the associated long-term stewardship responsibilities. These responsibilities include monitoring and enforcing the provisions of an easement, evaluating the appropriate use of a property (recreation, timber harvesting, farming, etc), educating new owners of properties with easements, and managing the impact of public use of town-owned lands. The best time to secure fund-

Photo by Henry Whittemore

Society for the Protection of NH Forests Conservation Easements Christine Lake, Stark

ing for these necessary stewardship responsibilities is at the time of acquisition — funding for stewardship should be an integral part of the acquisition funding plan.

This guidebook briefly touches on these important planning tools and the responsibilities of stewardship. To help you learn more, review the additional materials in the Where to Find Help section of this manual.

Here are some of the reasons taxpayers are committing millions of dollars, and voluntarily raising their property taxes for land conservation:

Concern about quality of life. According to the 2000 Census, New Hampshire has the fastest growth rate in the Northeast. Southern New Hampshire is absorbing most of the state's population growth and resulting residential development. In fact, projections indicate that 85% of the state's growth will occur on just 33% of the land area — mostly in Rockingham, Hillsborough, Merrimack, and Strafford counties.[1] This growth is undermining the high quality of life rooted in our natural and working environment and rural character. Not coincidentally, most of the communities that passed funding in the past two years are in these counties and are along major traffic corridors, including Interstate 93, Route 101, and Route 16 where new residential growth is most concentrated. Citizens in these areas recognize that growth will continue, and that the most direct and permanent way to ensure public open space for future generations is to acquire land or conservation easements.

Tax implications of residential growth. Many community leaders and citizens are also learning that on average, new residential development does not pay enough in property taxes to cover the cost of town and school services demanded by the new residents. Cost of community services studies completed in Stratham, Exeter, Dover, and other communities show that for every $1.00 received in property taxes from residences, a community incurs between $1.01 and $1.17 in costs for services. In contrast, for every $1.00 received in taxes from open space lands (forests, farms, etc.), a community pays between just $0.19 and $0.94 for the services required.[2] Keeping important land as open space, through zoning, conservation easements, or town acquisition, can help stabilize a community's property taxes.

Impact of matching public funds. The significant funds allocated in town meetings in 2001 and 2002 also demonstrate the impact of the Land and Community Heritage Investment Program (LCHIP) and other state and federal funding programs. Established by the state in June, 2000, LCHIP is designed to leverage community funding for land conservation and historic preservation projects. The program requires a 50% match from applicants for all LCHIP grants. Many of the appropriations passed in 2002 were to match current LCHIP awards or were passed in anticipation of applying for future LCHIP grants. In either case, LCHIP has raised the community and civic leaders' general awareness of open space protection and provided a strong incentive — matching grants — for communities to commit local funds for land protection.

Keys to success in passing tax increases for land protection:

1. The need for and benefits of land protection must be compelling
2. The tax increase must be affordable
3. The voters must trust that the funds appropriated will be spent as promised
4. A good campaign must be conducted and must explain the benefits to undecided voters.[3]

Steven Glazer
national expert on funding ballot initiatives

CLICK HERE TO RETURN TO TABLE OF CONTENTS

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[1] *New Hampshire's Changing Landscape*. 1999. Dan Sundquist and Michael Stevens. Society for the Protection of New Hampshire Forests and The New Hampshire Chapter of The Nature Conservancy.

[2] *1997 Cost of Community Services Study, Groton, New Hampshire*. 2001. Dorothy Tripp Taylor. New Hampshire Wildlife Federation.

[3] Summarized from an interview in *LandVote 2001*. The Trust for Public Land and Land Trust Alliance.

Chapter II

Photo by Alan Briere

Making the Case for Conservation Funding in Your Community

It is essential that you make a credible case for conservation funding in your community. Voters and tax payers are already concerned about local property taxes and funding for adequate education. Your community may be most interested in economic and tax arguments or may rely on the environmental and community benefits of conservation. Your town may even choose conservation because of recently completed growth and development projections. In most cases a combination of these arguments will be needed to build the coalition required for a successful vote. Different people have different reasons for supporting conservation: do as much as you can to make the case for their points of view.

This section summarizes the economic, community, environmental, and regional benefits of land conservation, providing you with an introduction to the possible rationale that you may choose for municipal land conservation funding.

Community Environmental Benefits

Open space is an integral element of New Hampshire communities. In the days when most people made their living working the land, the mix of the working landscape of fields and forests and waterways defined our communities and our livelihoods. Nowadays, this scenic landscape remaining from that heritage is still important to the people who live in and visit our state. Over 90% of New Hampshire residents feel that the state's scenic beauty and cultural heritage is important to them.[1] Open space in our communities protects our drinking water, provides recreational opportunities, preserves habitat for native plants and animals, supports sustainable forestry and timber harvesting so we provide our

Open space in our communities protects our drinking water, provides recreational opportunities, preserves habitat for native plants and animals, supports sustainable forestry and timber harvesting so we provide our share of the forest products we consume, and provides locally grown food for our tables.

[1] "Assessment of Outdoor Recreation in New Hampshire." 1997. Rob Roberston, Department of Resource Economics and Development, University of New Hampshire.

Our culture and our place are images of each other and inseparable from each other, and so neither can be better than the other. In short, what we do to the land, we do to ourselves.[2]

— Wendell Berry

share of the forest products we consume, and provides locally grown food for our tables. Open space also has an aesthetic and spiritual value. It somehow nourishes us by its beauty and reminds us that we are part of the entire web of life.

Water. Most businesses and nearly seventy percent of the homes in the state depend on public water supplies. Yet, only twelve percent of the land supplying public drinking water in the state is protected from development and possible contamination. In order to ensure adequate supplies of clean water for the future, we must take action today and tomorrow to protect the land around the sources of water that so much of our population depends upon. Back in the 1970s and '80s, our nation poured billions of dollars into cleaning up rivers that had been polluted by industrial development and careless waste disposal. Conserving open space in our communities now can help us avoid the need for that kind of reactive expenditure in the future.

Recreation and Health. People in New Hampshire are active in many forms of outdoor recreation that depend on the availability of open space, from hunting and fishing, to hiking, bicycling and enjoying scenery. The number one reason people participate in outdoor recreation is to enjoy and experience nature.[3] These activities contribute to the health and well-being of individuals and communities. With growing national problems such as obesity and related diseases, communities should try to encourage healthy lifestyles by making sure outdoor recreational opportunities continue to be available. There is also a growing interest in reducing pollution by enabling people to travel to jobs and shopping places on foot or by bicycle, providing another beneficial use of open space areas.

Habitat. New Hampshire is home to a dazzling array of 1900 species of plants and nearly 17,000 species of animals (16,300 of them are inspects and spiders!). living in nine different ecological regions.[4] While many species are common, 75% of our rare plants and animal habitat are not on conservation land and are vulnerable to development. These species struggle in large part because of changes caused by the impact of increasing numbers of humans on the land. Like the proverbial canary in the coal mine, many of these struggling species reflect changes that will ultimately be detrimental to humans too.

In 1997 the New Hampshire Comparative Risk Project found that five of the top ten environmental hazards facing people in New Hampshire are related to how we use our land and water.[5] If we want to protect our quality of life, sometimes called the New Hampshire Advantage, we need to find ways to accommodate the development we desire without adversely impacting the plants and animals with whom we share the land and waters that comprise our state.

Forests. New Hampshire's forests cover 84% of our landscape, placing us as the second most heavily forested state in the nation. (Maine is number one). Timber harvest from these working forests can provide the forest products that we consume in a sustainable, environmentally sound manner. Forest management and wood processing provide over 16,000 jobs and close to $4 million in

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2 "The Great Remembering." 2001. Peter Forbes. Trust for Public Land.

3 "Assessment of Outdoor Recreation New Hampshire" Op. cit.

4 "New Hampshire's Living Legacy; the Biodivesity of the Granite State." 1996, Jim Taylor, Thomas D. Lee and Laura Falk McCarthy. New Hampshire Fish and Game Department.

5 *Report of Ranked Environmental Risks in New Hampshire*. 1997. New Hampshire Comparative Risk Project.

direct and indirect annual income in the state.[6] Forest-based manufacturing is the third largest manufacturing industry in the state, generating payrolls of $209 million, with another $54 million in payroll coming from forest-based recreation.[7] It enables many landowners to afford to retain their undeveloped land. As forestland is divided into smaller and smaller tracts, it becomes less economical to manage. We have the opportunity, right now, to commit ourselves to continuing to grow and harvest enough wood to meet the equivalent of our demand for the many products that are made from wood and wood fiber. Communities need to be aware of the value of large blocks of productive forestland as they make land use decisions.

Farmland. Everybody needs to eat! Even in our "granite" state, we have some fine agricultural soils. Squeezed amongst our rock-ribbed hills, important farm soils make up 20 percent of the state. Three percent of the state is the very best agricultural soil called "prime" farmland. Some of our prime farm soil, particularly parts of the Connecticut River Valley, ranks among the best soil in the entire nation for agriculture. Easy access to chain grocery stores has accustomed us to availability of all kinds of products all year round. But what will we eat if oil prices increase to a point where it is no longer efficient to ship products to us from all around the world? We need to maintain currently productive farmland and the best potential farm soils to preserve the possibility of growing more food locally as a hedge against an uncertain future. Moreover, locally grown food is usually fresh, nutritious and delicious. Farmstands, farmers' markets and community supported agricultural operations are growing in popularity. People like to purchase local products when it is convenient to do so. Setting a goal of retaining the best remaining farmland for agriculture serves multiple goals. It will assure us of present and future food production capacity, provide important habitat for some species, keep our agricultural heritage alive, provide fresh local food products, and keep the open working fields that are such an important part of our day to day landscape.

Aesthetics. Open space is also important to us in ways that are harder to quantify but equally essential. Open space — our land and scenery — nurtures our eyes, our bodies, our minds and our souls. We are a country of grown-up adventurers, the descendents of Ethan Allan Crawford, and Henry David Thoreau. We crave "elbow room" and when we don't have it, we are increasingly prone to ailments like road rage and anxiety.

There are these reasons and many more. Future generations are relying upon us to conserve these special places and the beauty, bounty and peace that they provide.

Those who contemplate the beauty of the earth find resources of strength that will endure as long as life lasts.[8]

— Rachel Carson

Photo by Dorothy Tripp Taylor

[6] "The Economic Impact of Open Space in Hew Hampshire." 1999. Prepared for the Society for the Protection of NH Forests by Resource Systems Group. Available at www.spnhf.org

[7] "The Economic Importance of New Hampshire's Forests." March 2001. North East State Foresters Association.

[8] Quoted in "Seedlings" on p. 11 of *Iowa Natural Heritage* magazine, Summer 2002.

Photo by Alan Briere

Local and Regional Benefits of Open Space Plans

New Hampshire people take pride in "home rule," and in fact, most land use decisions are made on a local level. There is a growing awareness among the people of our state that the natural resources we enjoy and depend on do not stop at the political boundaries that define our towns. If your town draws its public water supply downstream from a major polluter, your costs to treat that water to make it potable will be higher than if you were drawing from a pristine source. If the town next to you has established a protected natural area right on the town boundary, they will probably be dismayed if your town decides to build an industrial park next door.

Master Plan. Most New Hampshire towns have a master plan. The master plan is the foundation for all of the planning documents and zoning ordinances that control land use decisions in your town. For information about creating or updating your master plan, consult the New Hampshire Office of State Planning (OSP) or the Regional Planning Commission for your area. OSP is updating planning tools that can be used to meet the growth needs of your community while minimizing undesirable sprawl.[9]

A community build-out analysis is also a valuable tool for examining the future of your town. It shows how much development can be expected to occur over time if the current zoning ordinances are retained and no additional land is conserved. A graphic presentation, showing how many new buildings would be allowed in what locations is especially powerful. Your regional planning commission can help your town conduct a build-out analysis as part of your master plan update.

Open space proponents have the opportunity to make sure the master plan includes a natural resource inventory and an open space or conservation plan. Both of these elements will provide opportunities for citizen involvement and building consensus for open space protection.

Legislation passed in 2002 modified the statute dealing with the content of the master plan so that it may include the following:

> A natural resources section which identifies and inventories any critical or sensitive areas or resources, not only those in the local community, but also those shared with abutting communities. This section provides a factual basis for any land development regulations that may be enacted to protect natural areas. A key component in preparing this section is to identify any conflicts between other elements of the master plan and natural resources, as well as conflicts with plans of abutting communities. The natural resources section of the master plan should include a local water resources management and protection plan as specified in RSA 4-C:22.

[9] Smart Growth Toolkit (working title). 2003. New Hampshire Office of State Planning.

Natural Resource Inventory. Logically, a natural resource inventory is one of the foundations for an open space plan, as it provides a thorough description of the town's natural resources. Excellent information about how to conduct natural resource and wildlife inventories is found in *Natural Resource Inventories: A Guide for New Hampshire Communities and Conservation Groups*[10] and in *Identifying and Protecting New Hampshire's Significant Wildlife Habitat: A Guide for Towns and Conservation Groups*.[11] Both also contain excellent advice about community organizing for natural resource inventory and open space planning, as well as setting protection priorities and implementing protection.

A natural resource inventory provides the facts about what resources are found in your town. Using that information, local citizens can help create an open space or conservation plan. The plan will incorporate the information from the inventory and set priorities for land conservation based upon citizen input. The plan can be used as a guide to define which areas in the town to conserve. It may also include priorities and criteria for acquisition of properties. (Areas that are appropriate for needed development should be identified in other parts of the community's master plan.)

Open Space Plan. Creating or updating an open space plan is often an important first step for a community considering raising funds for open space. Working on the plan brings attention to the issue and establishes a credible process for choosing open space parcels to protect. Because the process identifies special areas to conserve, leaving others available for needed development, this process can protect open space proponents from charges of being against development.

When the open space or conservation plan is adopted as part of the town's Master Plan, its intent and goals can be incorporated into the planning guidelines and zoning regulations that control how land is used in the community. The Community Conservation Assistance Program of University of New Hampshire Cooperative Extension has helped many communities with open space planning issues. The Society for the Protection of New Hampshire Forests can provide mapping services to assist your town in supporting your conservation goals. See *Useful Information* section, page 153 of this guidebook.

Regional Context. The importance of regional considerations in local planning activities and decision-making is underscored by legislation passed in 2002. The vision section of the municipal master plan should "articulate the desires of the citizens affected by the master plan, not only for their locality but for the region and the whole state." [RSA 674:2 II (a)]

New Hampshire towns are fortunate to have regional connections through the nine regional planning commissions that serve our communities. Towns choose to participate with their regional planning commission by vote at town meeting. Participating towns pay dues to the regional planning commission and in return can receive a certain level of services from the planning commission. For more detailed projects, such as updating a master plan, your town may have to pay additional costs.

In 1998 and 1999, each regional planning commission (RPC) worked with its member towns to create a Regional Environmental Planning Program (REPP) that inventoried the resources that member towns were most interested in pro-

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[10] *Natural Resource Inventories: A Guide for New Hampshire Communities and Conservation Groups.* 2001. Amanda Lindley Stone. University of New Hampshire Cooperative Extension.

[11] *Identifying and Protecting New Hampshire's Significant Wildlife Habitat: a Guide for Towns and Conservation Groups*. 2001. Kanter, John, Rebecca Suomala, Ellen Snyder. New Hampshire Fish and Game Department.

tecting. These REPPs were produced as written reports and maps that can be seen in regional planning commission offices or on the Department of Environmental Services website www.des.state.nh.us. At a minimum, your town should be aware of the land use priorities of each of the abutting towns.

Some regional planning commissions and regional land trusts host regular meetings of people from all of their towns, using them both as educational forums and as opportunities to share information about projects, priorities and issues. If your RPC is doing this, encourage someone from your town to participate. If your RPC is not yet doing this, encourage them to do so. The New Hampshire Association of Conservation Commissions and the Center for Land Conservation Assistance can also act as clearinghouses to get planners and conservationists from neighboring towns together. Regional open space plans can be created when neighboring communities work together to conserve natural resources that cross municipal boundaries.

Finding a way to exchange information and ideas about land use decision and open space protection priorities with neighboring communities can produce better results for each town involved. Some potential funding sources prefer to assist with projects that extend the benefits of the project by engaging cooperative ventures among several towns.

Advantages

- A carefully prepared open space plan will make your campaign to raise public or private funds for open space conservation more successful.
- Involvement of many people in developing the plan and talking about protection priorities may encourage some to donate land or easements.
- An open space plan builds credibility and trust, assuring the community that funds set aside to preserve open space will be spent on important natural and recreational resources.

Disadvantages

- A core group of committed volunteers will need to spend quite a long time drafting an open space plan, and then communicating its contents to the planning board and other town residents.
- Some people may fear that open space protection will be imposed on landowners whether they wish to be involved or not.

Hints

- Make sure townspeople are aware of the development of the open space plan and have many real opportunities to assist in creating it, so the final plan is a good reflection of the values and desires of many townspeople, not just the open space committee.

Relevant State Laws

RSA 674:2 III (d), (f) and (h) allows the inclusion of sections in the town's Master Plan addressing natural resources, recreation and cultural and historic resources.

See Case Study: Open Space Plan — Hanover on next page.

Economic Benefits of Retaining Open Space

People in many New Hampshire communities assume that there is a lot of truth to the conventional wisdom that you can grow your way out of a tax problem by developing more land to help pay for municipal costs. The weakness of this view is that it overlooks the costs for municipal services needed for newly developed properties.

There are a lot of good reasons to conserve open space in your community. In many towns, there is a strong economic incentive, because municipal costs associated with open space are much lower than the costs associated with land for residential use. More and more New Hampshire communities are recognizing the economic benefits of open space conservation and are using these benefits as an argument in support of appropriations for conservation.

Statewide and local studies have consistently demonstrated the value of open space for our economy and for our property tax base. For instance, a study conducted for the Squam Lakes Association looked at all 234 incorporated townships in the state and found that, on average, the towns with the most open space have the lowest property tax bills.[12]

Cost of community services studies conducted in many parts of the state have found that the income from open space is always greater than the cost of services for the open space. The reverse is true of residential property — it almost never generates enough income to pay for the services it requires.

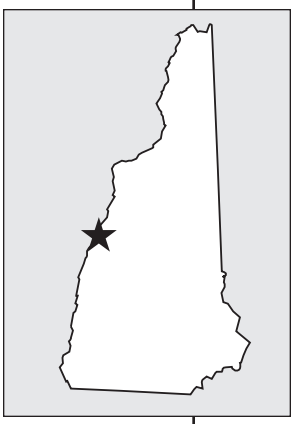
Open Space Supports Our State's Economy. Open space is big business in New Hampshire, where tourism and recreation, working forests, vacation homes and agriculture make important contributions both to our landscape and to our economy. Economic uses of open space in New Hampshire directly and indirectly contribute 25% of the gross state product and employ 16% of our workers. Thirty five percent of state and local taxes are generated by open space-related activities.[13]

Proponents of conserving open space need to use caution when communicating the economic impacts of development. Avoid positions and statements that might alienate important politically engaged constituencies. With our population growing at 12,000

[12] *Building a Healthy Squam Lakes Economy*. 1995. Ad Hoc Associates, Salisbury, VT for the Squam Lakes Association.

[13] *Economic Impact of Open Space in New Hampshire*. Op. cit.

Case Study: Open Space Plan — Hanover



Hanover completed a long-range open space plan in late 2000. A subcommittee of the Conservation Commission did much of the work to create the plan, which took a little over a year to complete, even with the assistance of a skilled professional planner from the town's staff. The plan was triggered by a vote of the town to consolidate several municipal funds into a single Conservation Fund for the purpose of open space protection. An open space plan was required prior to municipal acquisition of lands or easements with Conservation Fund moneys. The plan highlights the importance of open space to the quality of life of the residents of the community. It defines and describes several categories of open space that are of special interest to townspeople, then sets priorities for protection for each category. The plan is very clear that land protection projects will only take place with willing landowners, and that a whole range of land protection techniques will be used. You can learn more about Hanover's Open Space planning process and activities at www.hanovernh.org/town_openspace.html

Hanover Facts

Population (2000): 10,850

Acreage: 32,087

Acres Conserved: 6,188 (19%)

Acres in Current Use (1999): 19,908 (63%)

Valuation (2001): $823,348,800

Tax Rate (2001): $24.68

Form of Government: Board of Selectmen traditional Town Meeting

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Figure 1. Results of New Hampshire Cost of Community Services Studies[14]

Community	Population	Land in open space	Municipal cost of services for residential land per $ of income	Municipal cost of services for commercial/ industrial land per $ of income	Municipal cost of services for open space land per $ of income
Brentwood	3,197	54%	$1.17	$0.24	$0.83
Groton	339	71%	$1.01	$0.12	$0.79
Sutton	1,479	72%	$1.01	$0.40	$0.21
Lyme	1,537	78%	$1.05	$0.28	$0.23
Fremont	2,700	64%	$1.04	$0.94	$0.36
Deerfield	3,200	52%	$1.15	$0.22	$0.35
Meredith	5,000	40%	$1.06	$0.48	$0.29
Alton	3,500	55%	$0.92	$0.54	$0.52
Stratham	5,200	35%	$1.15	$0.19	$0.40
Peterborough	5,600	55%	$1.08	$0.31	$0.54
Exeter	13,000	25%	$1.07	$0.40	$0.82
Dover	25,500	35%	$1.15	$0.63	$0.94

to 15,000 people a year, each town needs to find the most suitable places for affordable homes and businesses to support the growing population. Open space proponents who support appropriate, well-designed and strategically-located development have much more credibility than those who oppose development altogether.

Open space conservation can be presented as a part of a larger framework in community and regional master plans and capital improvement plans. Smart growth will plan for a variety of employment options and housing types, so both the young and old, wealthy and workers can live in your town.

Information about the economic benefit of open space conservation can be used to augment the ecological and community reasons to conserve open space and to counter arguments that conservation is bad for taxes. The bottom line here is that protecting open space means lower taxes in the long run. The techniques that follow will help you attach locally derived numbers to that claim.

Cost of Community Services Studies

Cost of community services studies are growing popular as an alternative way to look at the impacts of various land uses on municipal finances. These studies compare the income and expense for different land use types for a single year in a defined geographic area. They allow towns to understand how different land uses affect fiscal stability.

The methodology for conducting the studies was pioneered by the American Farmland Trust.[15] Communities conduct cost of community services studies for a variety of reasons. Sometimes, it is to support existing land protection programs or to develop new ones, to raise awareness of the benefits of protecting natural resources, or as part of a larger planning process. Nationally, studies have been done in over 70 localities in 18 states. The studies have been found

[14] From 1997 Cost of Community Services Study, Groton, NH, Op. cit. and and *Does Open Space Pay in Brentwood? Part 1: Housing Growth and Taxes. May 2002*. Brentwood Open Space Task Force.

[15] *Making the Case for Land Conservation: Fifteen Years of Cost of Community Services Studies*. 2002. American Farmland Study Trust. Also see www.farmland.org.

to be most useful in places that are undergoing land use transitions, especially where there is high pressure for development. Information gathered for the studies has been used to help shape land use policies and decisions in many communities.[16] A five-page American Farmland Trust fact sheet (http://www.farmlandinfo.org/fic/tas/COCS_9-01.pdf) provides an overview of both the methodology and the results from all around the country. People in New Hampshire often wonder if our highly property tax dependent way of paying for government services affects the outcome of the study. Interestingly, the same pattern of costs to the community for the different land uses is found in locations that depend on the full range of taxation patterns.

In New Hampshire, such studies have been reported from 12 towns so far. Most towns doing these studies have looked at three land use types: residential land use, open space and commercial/industrial land. Figure 1 on the previous page is a summary of the results of all the New Hampshire studies completed to date.

Advantages

- A cost of community services study is a relatively easy way to produce some credible numbers that can be of real assistance to the town.
- The study can be done by townspeople, as it was in Brentwood and Sutton.

Disadvantages

- Cost of community services studies probably over-represent the positive impact of commercial and industrial land use, because the methodology has no way to include long term costs such as the impact of traffic increases on road maintenance or the need for new residences to provide housing for workers.

Hints

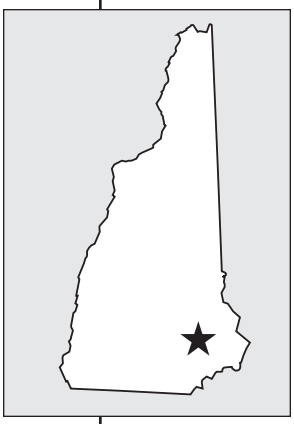
- Be sure to include the budget committee or others knowledgeable about the town finances in the project, as well as people with a variety of points of view, so your results will be viewed as fair and unbiased.
- Follow the American Farmland Trust methodology so your study will be comparable to others done in the state.
- There are a few experienced researchers around the state who are willing to provide a small amount of assistance for this work at no cost to the town.
- Most New Hampshire towns have hired someone to do the research and number crunching for these studies. This may cost some money, may save some time, and may ensure that the methodology is well applied, but may block some opportunities for meaningful local discussion of town finances. Some towns doing this have spent from $2000 to $5000; some have received matching grants from the Statewide Program of Action to Conserve our Environment to offset part of the costs.

See Case Study: Brentwood Cost of Community Services Study on next page.

Assembling hard, factual data about taxes and development is a good first step in addressing the strong emotions surrounding taxes, school costs, landowner rights and environmental protection, and pulling the community together around an open space preservation effort.

— Howard Cadwell, Brentwood Open Space Committee

[16] *Cost of Community Services Studies Survey.* 1999. American Farmland Trust and Southern New England Forestry Consortium. (Data from this unpublished report provided by American Farmland Trust.)



Brentwood Facts:

Population (2000): 3,197

Acreage: 10,863

Acres Conserved: 460 (4%)

Acres in Current Use (1999): 5,654 (52%)

Valuation (2001): $183,062,651

Tax Rate (2001): $30.64

Form of Government: Board of Selectmen, traditonal Town Meeting

Case Study:
Cost of Community Services — Brentwood

Rapid growth in Brentwood (the population more than doubled between 1970 and 2000) became a serious issue for the town, primarily because of the tax impact of school expansions. The Open Space Task Force that was formed after town meeting in 2002 felt that objective financial analysis of the impact of growth would be the first step in uniting town voters around an open space preservation strategy. They decided to conduct a cost of community services study.

Following a methodology pioneered by the American Farmland Trust, Howard Cadwell, Co-Chair of the Open Space Task Force and Paul Mergener, Chair of the town's Budget Committee worked through the entire town budget to allocate each income and expense item to one of three land use types. Their report found that, for just that one year, "residential property generates Town revenues that fall short of school and Town service costs by 17%, resulting in a tax deficit of $1.04 million."[17] It also showed that "Open lands generate Town revenues that exceed town services costs by 17%, resulting in a tax surplus of $6,517."[18]

Howard reports that the budget investigation and "number crunching" required about 8–10 hours of time and that the process was greatly benefited by the Budget Committee chairman's detailed knowledge of the community's finances. He found the dialog with the Budget Committee Chairman on how to allocate the income and expense items among land uses valuable in developing insight into the community impacts of residential and commercial development.

The Brentwood Open Space Task Force plans to share the information from the report with residents. The Open Space Task Force is exploring conservation options for the community and may propose funding for open space conservation at an upcoming town meeting.

[17] "Does Open Space Pay in Brentwood?" Op. cit

[18] *Ibid.*

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Cost Comparison of Conservation and Residential Development

Your community can do an analysis to compare the cost of residential development with the cost of a municipal bond to conserve the same land as open space. This analysis is highly individual to your town, and even to individual parcels within your town, because it depends on your community's own population, zoning ordinances, school and town spending levels, tax rate, and real estate values.

In a similar analysis conducted in Londonderry, it was determined that the cost of purchasing a conservation easement on an important 269 acre local orchard with a $1,500,000 bond would be $1,700,000 over the 20 year life of the bond. If the same property were sold and developed for residential use, the cost of the municipal services to the area would be $2,300,000. The bond would cost about

$0.22 per $100,000 per year on the tax bills for 20 years. Development would add $6.96 per $100,000 per year on tax bills for the same 20 years and continue after the bond was paid off.[19]

The basic strategy is to compare the cost of acquiring open space for conservation with what it would cost the town to provide services for the houses that could be built on the open space. The technique compares the cost of bonding, but you could perform a similar analysis for other funding approaches.

Much of the information you need is available fairly readily in most towns. You have a legal right to obtain this information. You can perform the analysis for a specific parcel or for land in general.

The most important element in doing this study is that the numbers you use can be explained and defended. Whenever there is a choice, overestimate the costs of conservation and underestimate the costs of development to avoid appearing to bias the results.

This technique shows the difference in cost between residential development and conservation of open space on an annual basis. It does not include costs for new schools and other municipal services that may be needed to accommodate the growing population of the hypothetical new residences. It also makes no adjustment for probable inflation in school or municipal costs, or prices for conservation land, over the life of the bond.

Initially, you need to determine how many acres of land you are considering conserving. If you are working with a specific parcel, this number is the acreage of the parcel. If you are looking more generally at the whole town, you may need to draw this information from a natural resource inventory, open space plan and perhaps community interest survey.

Determine the size and repayment period for the bond that might be needed for the town to purchase the land you want to protect. You will be able to compare the impact of more than one such scenario. Depending on the rate of development in your community, you may also want to make some reasonable assumptions about how quickly the land would be developed if it were not protected and how quickly you will be able to accomplish land protection projects.

Then you collect a series of statistics about your town, including tax rate, total property tax for municipal and school costs, number of housing units, average selling price of a new housing unit, average land costs, number of students, and acres used per housing unit.

Once you have all that information, you perform a series of calculations based on your parameters and statistics that eventually lead you to finding out how many housing units are likely to be built on the open space, what it will cost your town to provide schools and municipal services for the people living in those housing units and how much the housing units will pay in taxes.

If the taxes paid on the housing units are larger than the costs for school and municipal services, the residential development is paying for itself and the land conservation project needs to be proposed and supported for other reasons. If, as is more likely, the costs of the housing units are higher than the income from them, it may make economic sense to conserve the land. Then, you compare the expense of the proposed housing units with the expense of the proposed conservation project.

In the sample town on the worksheets for this technique, bonding to purchase the land for conservation is, on average, $33,150 cheaper for the town (and its taxpayers) each year of the life of the bond, compared to the probable costs for development on those acres. Annual savings continue after the life of

Photo by Sarah Thorne

Merrimack Valley, NH

[19] "Likely Tax Consequences of Conservation or Development of Mack Orchard, Londonderry, NH." 1996. Ad Hoc Associates, Salisbury, VT for Trust for Public Land.

the bond. In the sample case, there is an ongoing saving of $212,600 each year after the bond is paid off.

In presenting information from this kind of comparison to your town, you will probably want to use a simplified comparison, showing the conservation cost of a typical buildable parcel compared to the cost of the parcel if it is developed. You may also want to summarize the tax impact in terms of tax cost per thousand of assessed valuation, or the tax cost per average taxpayer, as these are familiar ways of looking at the tax impact of many kinds of proposals.

Voters in your town can decide which way they would rather spend their money.

A volunteer "number cruncher" who is comfortable handling and explaining somewhat complex figures is very valuable for this process. Contained in this guidebook are two tools to help you work through the needed assumptions, information collection and calculations:

- On the following pages, you will find a work sheet for economic impact analysis, with explanatory notes, numbers from a sample community, and space to insert figures for your town's project.
- In the *Useful Information* section of this guidebook are sample and blank worksheets for a more complex comparison of municipal costs of development with the cost of conservation over the duration of a bond. This uses the same numbers and methodology as the work sheet above, but calculates the specific costs and savings for each year of the life of the bond, which will be important for municipal budgeting.

Advantages:

- This technique provides a very detailed and compelling body of information to help your town understand that protecting open space may be a cost saving measure for the town.
- Because the information can be collected and calculations can be made locally, the numbers may seem more credible than some that were prepared out-of-town.

Disadvantages:

- It can be tedious to collect and work with all of these numbers.
- Townspeople can be frustrated and alienated if they disagree with the assumptions made by those collecting the data and performing the calculations.

Hints:

- Publicizing the results of this study should be done in conjunction with a comprehensive community education effort, explaining the many values of open space conservation and the need for growth to be directed to appropriate locations.

Contact Information: Similar studies have been done in North Hampton, Stratham, Newmarket, Hollis, and Londonderry. Contact information for those towns is found in the *Where to Find Help* section of this guidebook.

Figure 2. WORK SHEET FOR COMPARING COST OF DEVELOPMENT AND COST OF CONSERVATION

		Source of info	Sample town	Your town
A	How much land does your town want to conserve? Or, how large is the parcel you want to conserve?*	*Natural resources inventory and open space plan*	400 acres	
B	Estimated cost per acre of the parcel you want to conserve*	*real estate agents, conservation organization, town records*	$6,500	
C	Potential cost to conserve the amount of land you want*	*A x B*	$2,600,000	
D	Anticipated cost per acre to the town for purchasing land for conservation*	*B minus any reasonable expectations of grants and donations.*	$5,000	
E	Total likely cost to the town for conservation land — this is the size bond you might consider*	*D x A*	$2,000,000	
F	What bond repayment period are you considering?*	*See notes F & G*	15 years	
G	Payment schedule (amount of annual payments) for the size(s) and duration(s) of bond(s) you are considering, based on E and F above*	*NH Municipal Bond Bank*	**year** / **payment** 1 / $225,745 2 / $214,017 3 / $208,617 4 / $203,217 5 / $197,817 6 / $192,417 7 / $186,680 8 / $180,942 9 / $175,205 10 / $169,467 11 / $158,730 12 / $153,205 13 / $147,680 14 / $141,960 15 / $136,045	
H	Total of bond principal and interest payment	*Sum of annual payments in G*	$2,691,744	
I	Total tax rate for municipal, local school, and state school expenses.*	*Town office, Tax assessor*	$29.50	
J	Total property tax collected by the town for the *municipal* budget — excluding portions that go to county and school	*Town office, Tax assessor*	$3,244,500	
K	Total property tax collected by the state and town for the schools that the students from the town attend*	*School Board, Financial Administrator, Town Office, Tax assessor*	$12,877,500	
L	Number households or taxpayers in town or school district	*NH Office of State Planning, town planner or tax assessor*	3500	
M	Number of students currently enrolled in kindergarten though high school	*School Department*	1875	
N	Cost per student	*K/M*	$6868	
O	Town Expense per Housing Unit*	*J/L*	$927	

Worksheet continued on next page

Figure 2. WORK SHEET FOR COMPARING COST OF DEVELOPMENT AND COST OF CONSERVATION — Continued

		Source of info	Sample town	Your town
P	Average selling price of new housing unit in your town*	*Real estate agents, town tax records*	$170,000	
Q	Number of students per housing unit in new residential areas*	*School board or neighborhood survey or M/L*	.75	
R	Minimum lot size required for the average new housing unit*	*Planning Board, town planner, zoning board*	1.5 acres	
S	Average number of acres consumed per new housing unit*	*R + (R x some %)*	2 acres	
T	Number of housing units that could be developed on the acres or site	*A/S*	200	
U	Number of new students	*Q x T*	150	
V	Additional annual school expense for new students.	*U x N*	$1,030,200	
W	Additional annual town expense from new housing units	*T x O*	$185,400	
X	Total additonal town and school cost.	*V + W*	$1,215,600	
Y	Tax Revenue from Housing Units	*I x (P/1000) x T*	$1,003,000	
Z	Net annual cost of development to your community*	*X – Y*	$212,600	
AA	Average annual cost of bond	*H/F*	$179,450	
BB	Average annual cost of development option compared to conservation option	*Z – AA*	$33,150	

***Notes**

B. Research recent sales prices of land comparable to the land you want to conserve. Use real figures for your own town or similar nearby towns.

C. If you are working on a specific parcel, use the the real number based on your negotiations with the landowner here.

D. Matching grants may be available to assist with property acquisition. In some towns, landowners donate property for conservation, or sell if for that purpose at a reduced price. If the town can protect the property with a conservation easement rather than outright purchase, the cost may be reduced even more, while keeping the property on the tax rolls. If this number turns out to be too high, you can scale back to the highest priority acres, and/or figure out ways to acquire the land at lower cost.

E. If you know this cost directly, based on grant applications or awards and other elements of negotiations on a specific parcel, use the real number here.

F. and G. You can compare the economic impact of several different bonding amounts and payment periods. Typical bond repayment periods are 5, 10, 15 or 20 years. Note that the bond payment decreases over time. Currently New Hampshire limits municipal bond repayments to periods of no more than twenty years.

I. Specifically exclude county tax rate, as this funding does not help cover your community's costs.

K. If being a donor or recipient town for the state part of the school tax is a hot issue in your town, you may want to build in further refinements at this point. At least be well-prepared to explain the number that you use here.

O. This formula excludes the income and cost to the town of commercial, industrial and open space properties. If you want to include those, you can use instead (J/L x total residential assessment)/total town assessment.

P. Make sure the average includes a reasonable mix of lot sizes and building types.

Q. If growth in your town is similar to existing patterns, calculate this figure as the number of students divided by the number of households or tax payers, or obtain and use the number that your school board uses. If the demographic makeup of your town seems to be changing, and if the School Board hasn't figured this number recently, you may want to conduct a door to door or household survey in one or more representative new neighborhoods to get the best possible information here. The number you use here has one of the most dramatic impacts on the whole calculation, so handle it with extreme care. Whatever figure you use, be sure to be able to explain and defend it with a clear rationale.

R. This is the zoning density, or minimum lot size, the number of acres that are required per housing unit in an area, or the minimum number of acres for a structure of a given type. It may be different for different parcels.

S. Because roads, steep slopes, wet areas and other un-buildable conditions take up space, and because of consumer preferences, the actual number of houses that will be built on a parcel will be fewer than the zoning appears to allow. For instance, in Brentwood, even though zoning allows one and two-acre lots, the average subdivision density is about 3.24 acres per house lot. If substantial changes to your town's zoning ordinances are underway, you should also consider comparing their impact to the current zoning.

Z. If Y is larger than Z, this proposed build scenario will pay enough in taxes to cover its costs. You should find other reasons for conserving the land.

BB. Tells how much your community saves or loses each year to or from the municipal budget by conserving the land. When the number is positive, the conservation option saves money. This is an annual figure for the life of the bond. Once the bond is paid off, your annual savings will be the number in line Z.

Photo by Alan Briere

Conserving More Land for Less Money: Understanding Conservation Easements

It is important to explain to the public, public officials and landowners that there is more than one way to conserve land. In some cases, conservation easements offer landowners and the town several advantages that you can use to build more public support. A conservation easement is a legal agreement between a landowner and a conservation organization or agency. It provides permanent protection from land uses, such as subdivision or development, that could damage or destroy its scenic, recreational, ecological, and natural resource values. Each easement is crafted to fit the characteristics of the land, the needs of the landowner, and the goals of the conservation organization, agency, or town. All future landowners must abide by the terms of the easement.

Land under easement is still privately owned and managed. Typically, it is used for agriculture, forestry, wildlife, scenic views, non-commercial recreation and watershed protection. The landowner still pays taxes, typically at the Current Use rate.

A town can accept donations of easements or buy easements on private land. Many towns are pursuing conservation easements as a way to stretch their limited tax dollars. The recipient of the easement, typically the town through the conservation commission, or a land trust, is legally obligated to enforce the restrictions *in perpetuity*.[20]

Advantages

- Land conserved by easements remains on the property tax rolls, paying at the current use rates.
- It costs less to purchase a conservation easement than to purchase full ownership of the property.
- The land remains in private ownership, which is sometimes preferred in towns where there is considerable public ownership.
- The town does not have to actively manage the property (although it still must monitor it if the town holds the easement).
- Donation of an easement may have tax benefits to landowners.

[20] To learn more about land protection methods and their tax implications, see www.spnhf.org — land protection department, or contact your regional land trust or the national Land Trust Alliance at www.LTA.org.

Caring for Land You Protect

Whether you are proposing to acquire an easement or full ownership, you need to present to the public a plan for caring for the land as part of the fund raising campaign. Be prepared to explain how the town will maintain records, locate and maintain property boundaries and monitor the property in the case of easements, or manage the property in the case of land ownership. When you consider purchasing land, make sure your town considers the management costs and requirements that the property will demand. These costs may include litter removal, fencing, gates, parking lots for recreational users and visitors, mowing, signage, monitoring, and police patrols. Without a clear understanding of the obligations of land ownership, a town could come to resent the burdens of owning land, which might potentially undermine future conservation efforts.

By far the most important aspect of long-term conservation easement stewardship is establishing a good, working relationship with the landowner. The landowner is your most important partner for achieving the conservation goals for the property. The easement holder will also need to maintain accurate records of the baseline condition of the property and its conservation values, as well as monitoring updates. The easement holder will be responsible for assuring compliance with the easement terms. Ideally, violations can be resolved through discussion and negotiation with the landowner. As a last resort, the easement holder may have to undertake legal action to enforce the terms. For more information about easement stewardship, see *The Conservation Easement Stewardship Guide: Designing, Monitoring and Enforcing Easements*.[21]

The final responsibility is financial. Most land trusts strive to pay for easement or land stewardship costs through an endowment. Setting up a similar fund in a community is possible (see page 35), although, unlike non-profit organizations, towns have a source of funding to pay for the monitoring and management costs — taxes. Probably the best and most reliable way to pay for the ongoing costs is for the conservation commission to seek funding, as a component of the commission's annual operating budget, to cover the monitoring costs of holding easements. Land trusts in New Hampshire have found that their costs for monitoring and enforcing easements ranges from $1000 to $5000 per easement, depending in part on the complexity of the terms of the easement. Most are now requiring that funds be set aside for that purpose when the easement is taken. Further discussion of these costs can be found in several publications from the Land Trust Alliance.[22]

Is land that your town owns really protected?

Your town can acquire land for conservation in many ways: by purchasing with money you have voted to bond, by purchasing with money in a conservation fund, and by donation from generous landowners. Is land that you acquire in these ways *really* protected?

The short and simplified answer is no. The ownership of a property by a town, even for the stated conservation purpose, does not guarantee that it is per-

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[21] *The Conservation Easement Stewardship Guide: Designing, Monitoring and Enforcing Easements*. 1991. Brenda Lind. Land Trust Alliance. Isbn 0-943915-07-04

[22] "Determining the Stewardship Costs of Conservation Easements". 1997. Katherine Roser. Colorado Coalition of Land Trusts. *LTA 1997 Rally Workbook*, Land Trust Alliance and "Calculating the Costs" 2002. *Exchange*, The Journal of the Land Trust Alliance, Volume 21, Number 2, Spring 2002, page 10, and "Vermont Land Trust Reevaluates the Costs of Stewardship and How to Cover Them." Leslie Ratley-Beach in *Exchange*, The Journal of the Land Trust Alliance, Volume 21, Number 4, Fall 2002.

Photo by Alan Briere

manently protected. While it would seem that conservation purposes stated at the time of acquisition would provide a measure of protection from development, they may not. Language in a warrant article is only binding on the future actions of the governing body (the Board of Selectmen). A future town meeting, faced with now unforeseeable conditions or demands, or simply changing their minds, could vote to sell a property or develop it for a new municipal complex.

This is because the votes of a past legislative body (town meeting or town council) cannot bind the votes of future legislative bodies. At any point in the future, whether the land is owned by the conservation commission, designated as a town forest, purchased for the express purpose of conservation, or donated[23] for conservation, a town meeting can vote to use the property for different and altogether contrary purposes. Towns are strongly urged to consult the town attorney before changing the use of land that was donated or designated for a particular purpose.

However, it is still important to clearly express the conservation purpose of the appropriation and acquisition to establish the intent for the voters. This can discourage future attempts to change the purpose.

Additional Layers of Protection

One way to add an extra layer of protection to town-owned land is for the town to grant a conservation easement on it. Conservation easements on town properties can be held by non-profit land trusts, county conservation districts, or by state and federal agencies. (The town's conservation commission cannot hold an easement on town property because the conservation commission is not a separate legal entity.) Many state and federal conservation grant programs require that towns or land trusts grant conservation easements to a third party on land that they acquire with public funds. Because an easement is legally enforceable by the recipient of the conservation easement, it helps to ensure the long-term protection of a property.

The town can place a conservation easement on a property at the time of acquisition or at a later time. Such an easement would clearly outline the allowable uses of the land, including any potential options for future development. Before a town donates or sells an easement, there should be a strong consensus among the townspeople and town leaders in support of conserving the land in question.

If the town wants to provide another layer of protection for a proposed town-held conservation easement, it can do this by designating a back-up holder for the easement in the easement deed. This is formally called an "executory inter-

[23] In the case of a donation of property, its future disposition depends on the terms of the donation. If the donation document or accompanying correspondence specifies that the property is for a conservation purpose, the town needs to honor those commitments.

Photo courtesy of Trust for NH Lands

Canterbury Shaker Village.

est." It is granted to a different conservation organization or agency. It gives that group the power to enforce the easement if the primary easement holder fails to do so. For example, a landowner granting an easement to a town or new land trust will often grant an executory interest to a more established land trust with a strong stewardship track record. This can be done in the same easement document.

A conservation easement on town-owned land would not necessarily prevent the town from selling that land. However, it would prevent the new landowner from developing it or using the property contrary to the goals of the easement.

Even a conservation easement layered on top of town ownership, however, cannot prevent the land from being taken occasionally for another public purpose through a legitimate eminent domain proceeding.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Chapter III

Local Funding Methods

Forms of New Hampshire Town Government and Implications for Land Conservation Funding

New Hampshire prides itself on local control and local government. This pride is best reflected in our annual town meeting. The state government has authorized, and some communities have adopted, different forms of local government. It is vital to understand the type and procedures of your municipality as you begin planning a funding initiative.

There are three basic forms of town government in New Hampshire:

1. board of selectmen/ town meeting form,
2. town council form, and
4. city council form.

Variations of each are explained below.[1]

Board of Selectmen and Town Meeting

Traditional Town Meeting

The traditional open town meeting is the form of government for which New England is famous and is still held in most New Hampshire communities. The voters act as the legislative body of local government. Budgetary and other questions are put before the voters in the form of warrant articles. This is the form of government in 171 towns representing 33% of our population.[2] Hopkinton is one of the towns that follows this form of governance.

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[1] This section adapted, with permission, from *Handbook for Local Officials*. June 2001. New Hampshire Municipal Association. Pages I-7 through I-12.

[2] *SB2 at 5: Bonds, Ballots and the "Deliberative Session"* March 2002. Richard A. Minard, Jr. and Melissa Gagnon. New Hampshire Center for Public Policy.

There are three other variations of the Board of Selectmen/town meeting form of government.

Official Ballot Referendum Form of Meeting (SB 2)

Official ballot referendum meetings occur in communities that have enacted the provisions of RSA 40:12-16, commonly known as SB 2 towns (named after Senate Bill 2, the legislation that established this new form of town government). This legislation separated the town meeting process out into two distinct steps: 1) the deliberative session, and 2) voting, which is done by ballot at a later date.

First, at the deliberative session, those present debate and discuss each measure and the proposed budget. The deliberative session may reduce or increase the proposed budget or zero out the appropriation within a warrant article. Further, the deliberative session may change the intent of a warrant article but may not change the subject matter of the warrant article.

The second and final element in this form of town governance in an official ballot town is the vote by ballot. Any changes made by the deliberative session are reflected on the final ballot. Polls are required to be open all day long, allowing a larger portion of the registered voters to participate. Voters not participating in the deliberative session may vote.

The town meeting (meaning those voting on the ballots) still serves as the legislative body under RSA 40:13. The governing body is the Board of Selectmen. Merrimack is a SB 2 community. In 2002, 48 towns, with 31% of the state's population, were using this form of town meeting.[3]

Chartered Official Ballot Referendum Town Meeting

Some communities opt to customize the official ballot referendum form of government through the adoption of a charter. The charter establishing an official ballot referendum town meeting, following the provisions of RSA 49-D:3, II-a, allows the use of the official ballot for any specific activity of town government, including the budget, land use ordinances, and other policies that may typically be determined by the Board of Selectmen. Under this variation, there is still a Board of Selectmen and the deliberative and ballot voting session of the town meeting.

Representative Town Meeting

Representative town meeting is allowed under RSA Chapter 49-B. To date no towns have adopted this form of governance, so it will not be discussed further.

Town and City Councils

Communities with town or city councils have adopted charters that identify the legislative body that replaces the town meeting, and set requirements for various activities. If your community has adopted a charter, it is important that you review it and understand its particular implications for votes on conservation measures. Read it carefully and follow the procedures and dates set within it.

A town council or city council serve as both the legislative and governing bodies. The council adopts and expends the municipal budget and enacts ordi-

[3] *Ibid.*

nances and other regulatory policies. The charter may allow for voter referenda on certain issues at a special town meeting. The town of Durham is an example of a town council governed community. Fifteen New Hampshire communities, with 38% of the population, have no town meeting because their government operates this way.[4]

Official Ballot Town Council

Another variation of a council form is the official ballot town council. The town council is vested only with the authority to vote on such matters not voted on by official ballot. Under this form of government, the community, through the charter, designates which matters will be voted on by an official ballot of the town meeting.

Budgetary Town Meeting

Charters can also be adopted that limit the power of the open town meeting to that of votes on the annual town operating budget and appropriations. This is known as a budgetary town meeting. All remaining powers traditionally held by the town meeting, such as approving ordinances, are vested in the governing body.

Caution: Statutory Deadlines Guide the Process

Town meeting and other legislative action in communities are governed by a complex series of statutorily established time lines. For instance, petitioned warrant articles must be submitted to the selectmen "not later than the fifth Tuesday

[4] Ibid.

Monson Village, Hollis. Photo by Alan Briere

before the day prescribed for an annual meeting"(RSA 39:3). Deadlines are different for March and April open town meetings, for March, April and May "Official Ballot Referendum Form of Meeting (SB 2)" town meetings, and for towns operating under charter.

You cannot accomplish your land conservation goals unless you are fully aware of all of the deadlines that apply to the legislative process in your town. Be sure you are correctly informed about these deadlines early in your campaign.

The New Hampshire Municipal Association publishes a calendar of important dates for local officials each year. Contact them, or your town's administrator, to obtain the information you need.

Authorizing the Purchase of Land or Property

Because most communities in New Hampshire still operate under the traditional town meeting or official ballot referendum option of local government, this section will focus on how towns with these local governments can approve land acquisitions. Under this form of government, the town's governing body (Board of Selectmen) does not have the authority to purchase any land, unless specifically authorized by a vote of the legislative body. This is true even if a community passes a bond or appropriation for general land acquisition because of a state law, RSA 31:3, which states that the authority to purchase land or real estate rests with the Town Meeting.

There are five ways that a municipality can acquire a specific parcel of land:

1) Voters can authorize the governing body to acquire a specific property at the annual town meeting;

2) The governing body can call or citizens can petition for a special town meeting to consider the acquisition;

3) The governing body can, as necessary, secure Superior Court approval for a special town meeting at which voters will appropriate new monies for the purchase of a specific property;

4) With the final approval by the Board of Selectmen, the Conservation Commission can expend funds from the Conservation Fund to purchase land or easements; or

5) The town meeting can grant general authority for land acquisition to the governing body. Doing so will allow the governing body to vote to acquire land without further action by the town meeting.

Each of these options is explained in greater detail below. (Note that communities with City or Town Councils will have different processes depending on their charters.)

Authorizing the Acquisition of a Specific Property at the Annual Town Meeting

This is the simplest and most common way for a community to purchase land. At the annual meeting of the town, the town votes on an article stating which land will be purchased, *for what purpose*, how much it will cost, what

sources of funding will be used to pay for it, and authorizing the Board of Selectmen to take the steps necessary to complete the acquisition. If the article passes by a simple majority vote, then the Selectmen are authorized to purchase the specific parcel under the conditions outlined by the language of the article.

Advantages

✒ **Clarity:** The voters know exactly what they will be buying, because the article states which property will be acquired.

✒ **Timing:** The proposed acquisition is presented at the same time as the rest of the town budget and town spending, providing voters with a clear overall picture of the town's spending and, consequently, the tax rate.

Disadvantages

✒ **Timing:** Because the date of the annual town meeting is set by law, there is an arbitrary deadline for the approval which may not meet the landowner's needs.

Hints

✒ The purpose for acquiring land should be stated as clearly as possible in your warrant article. While future town meetings can vote to use the property for any other purpose, the original purpose for the acquisition, as set forward in the warrant article authorizing the acquisition, can serve as a powerful tool to defend against attempts to use conservation land for other municipal purposes.

✒ Proper wording will also assist landowners making a donation or bargain sale by documenting the transaction's status for tax purposes.

Relevant State Laws

RSA 31:3, Powers and Duties of Town, In general (right to purchase land)
RSA 39:2, Time for Holding Town Meetings and Warning thereof, Warrant

See Case Study: Fitzwilliam on next page.

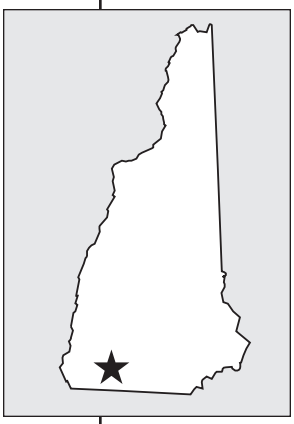
Calling a Special Town Meeting to Spend Previously Appropriated Funds

Once a bond is passed or funds are designated for general land acquisition, they are considered to have been appropriated. However, unless the town meeting specifically delegates its authority for acquiring land to the governing body (see page 32), the town meeting must *still* vote on each acquisition through the annual meeting or special town meeting.

The governing body may call a special town meeting as necessary to acquire land with previously appropriated funds or approved bonds. Recently, Hollis passed a bond that specifically referenced the potential for a future special town meeting to vote on the acquisition of land by the town. Technically, referencing a special town meeting in your appropriating warrant article is not legally necessary to ensure that your town can call a special town meeting. Hollis used this language (see below) to reassure voters that they will have the ultimate decision-making authority over the expenditure of the funds on a specific property.

Here is the language from Hollis' article:

> "…**PROVIDED, FURTHER**, that the Selectmen **SHALL NOT ISSUE SUCH BONDS** until such time as they have presented to either an annual or special town meeting, a warrant article asking the meeting to ratify, by a simple majority vote, the particular parcel and the parcel ownership interest chosen



Case Study:
Annual Town Meeting Authorization — Fitzwilliam

At their 2002 town meeting, the residents of Fitzwilliam voted to acquire two pieces of land totaling 171 acres. The two lots were viewed as a prime opportunity to expand the existing 69-acre town forest.

Fitzwilliam's 2002 town meeting demonstrates how town meetings can often proceed in unexpected ways. The original warrant article appropriated $50,000 with $40,000 to be financed by a bond and $10,000 from the current budget . However, several speakers at the town meeting argued that the town should not borrow the funds, but should instead use town surplus funds. They made a motion on the floor to amend the article, appropriating the $40,000 from surplus funds instead of bonding. The amendment passed and subsequently the article passed as amended. Both articles are shown below. Note that the conservation purpose for acquiring this land could have been stated more explicitly in the warrant articles. Fitzwilliam's town administrator, Paula Thompson, explained later that even with the current low cost of borrowing, voters felt that they would rather expend surplus funds than borrow.

In Focus: Fitzwilliam's Introduced and Amended Warrant Articles

As introduced at the 2002 town meeting:

ARTICLE 9. *(By Ballot)* To see if the town will vote to raise and appropriate the sum of $50,000 to purchase land being identified on the Fitzwilliam Tax Maps as Tax Map 09 Lot 18 and Tax Map 10 Lot 19; such sum to be raised by the issuance of serial bonds and notes not to exceed Forty Thousand dollars ($40,000) under and in compliance with the provisions of the Municipal Finance Act (NH RSA 33:1 et seq., as amended) and to authorize the Selectmen to issue and negotiate such bonds and notes to determine the rate of interest thereon, and to take such actions as may be necessary to effect the issuance, negotiation, sale and delivery of such bonds or notes as shall be in the best interest of the Town of Fitzwilliam; provided however that any income derived from temporary investment of the bond proceeds shall be returned to the General Fund; and that this land be managed by the conservation commission and used as a source of gravel for the town, or take any action thereon. *(Ballot Vote required, 2/3rds majority needed for passage) (Recommended by Budget Committee, Recommended by Board of Selectmen)*

As amended on the floor and subsequently passed:

ARTICLE 9. *(By Ballot)* To see if the town will vote to raise and appropriate the sum of $50,000 to purchase land being identified on the Fitzwilliam Tax Maps as Tax Map 09 Lot 18 and Tax Map 10 Lot 19; not to exceed Forty Thousand Dollars ($40,000) to be used from unreserved fund balance as of December 31, 2001; and that this land be managed by the conservation commission and used as a source of gravel for the town.

Fitzwilliam Facts

Population (2000):
2141

Acreage:
23,060

Acres Conserved:
1,036 (4%)

Acres in Current Use (1999):
13,262 (58%)

Valuation (2001):
$125,763,375

Tax Rate (2001):
$27.16

Form of Government:
Board of Selectmen, traditional Town Meeting

CLICK HERE TO RETURN TO TABLE OF CONTENTS

by the Selectmen for purchase and said meeting has approved such warrant article." — *Article 2, Hollis 2002 Town Meeting*

The rest of the story of Hollis' bond for land conservation is found on page 46.

Citizens can also call for a special town meeting by submitting an article with the support of 50 or more voters or one-quarter of the voters in town (whichever is less) to the Board of Selectmen. Such a petition must be submitted more than 60 days in advance of the next annual meeting. The Selectmen have very limited discretion as to whether they call the town meeting and present the petitioned article. If the citizens' petition calls for expenditure of new money, funds that were not previously appropriated, the Selectmen must get Superior Court permission to schedule the special town meeting (see below).

As with the annual town meeting, there is a series of dates and procedures that must be closely followed to call a special town meeting. Whether petitioned or called by the Board of Selectmen, the Selectmen are responsible for ensuring the proper noticing and scheduling of the meeting.

Advantages

- **Flexibility:** Provides flexibility to meet the needs of the seller.
- **Voter control:** Retains voter control over final decision on proposed purchase.

Disadvantages

- **Expense:** Additional town meeting adds some expense.
- **Lower turn out:** Fewer voters attend special town meeting, reducing public participation.

Hints

- This approach works best in communities that want to have the final vote on a purchase and would be tolerant of additional town meetings.
- If desired, add language to your appropriating warrant article that references the calling of a special town meeting. While not legally necessary, it does serve political ends.

Relevant State Laws

RSA 39, Time for holding town meetings and warnings thereof
RSA 39:3, Articles
RSA 31:5, At Special Meetings

Securing Superior Court Approval for a Special Town Meeting

If the town's acquisition of the property requires the expenditure of town funds not previously appropriated and the purchase cannot be delayed until the regular meeting of the town, the town's governing body can seek Superior Court approval for a special town meeting. This is an unusual step for a community to take, and is expensive and time consuming. Superior Court approval is not guaranteed; the town must show the Superior Court that an emergency exists requiring immediate expenditure of funds. Note that it is only necessary to get Superior Court permission to call a special town meeting when you are *appropriating new monies*.

(Note that if a citizen files a petition with the required number of signatures with the Board of Selectmen for a special town meeting, and the content of the

petition would require Superior Court permission to hold the town meeting, the Board of Selectmen have very limited discretion as to whether to approach the Superior Court for permission to hold the special town meeting.)

The difficulty of securing approval is underscored by a 1997 decision of the Belknap Superior Court. The Court denied a petition by the Town of Belmont to hold a special town meeting to consider appropriating funds to purchase a property on Lake Winnisquam to serve as a town beach. The Court's opinion reads "Counsel for the Town claims that the prospective purchase creates an emergency situation, since this is the last presently available waterfront property on Lake Winnisquam. However, the Court cannot accept said representation as constituting an emergency, since such parcels of real estate are regularly bought and sold. As one of the opponents indicated, this is the Lakes Region area, in which there exist numerous beaches available for use and utilization of town residents/taxpayers."[5] The state Supreme Court reversed the Superior Court ruling, without issuing a formal opinion, hearing oral arguments, or accepting documentation. Such a reversal may send a message that land is inherently unique and the opportunity to purchase it constitutes a legitimate emergency. A town wishing to appropriate money to buy land should emphasize with Superior Court the uniqueness of the particular parcel and the timing in terms of purchasing it. This will most often be influenced by the time constraints of the sale.

Advantages

- **Last chance:** The special town meeting may offer a community the last chance to purchase an appropriate property, if Superior Court permission is granted.

Disadvantages

- **Expensive and time consuming:** The process of securing Superior Court approval, and publicly noticing the required meetings takes about two months and requires significant legal representation.
- **Lower turn out:** Fewer voters attend special town meeting, reducing public participation.

Relevant State Laws

RSA 31:5, At special town meetings (Defining emergency and special town meeting)

RSA 39, Time for holding town meetings and warnings thereof

RSA 40:13, Optional Form of Meeting — Official Ballot Referenda (SB 2)

See Case Study: Special Town Meeting — Knowles Pond in Northfield on next page

Photo by Alan Briere

[5] Belknap Superior Court Order, Town of Belmont, Docket No: 97-E-125, July 15, 1997.

Case Study:
Special Town Meeting — Knowles Pond in Northfield

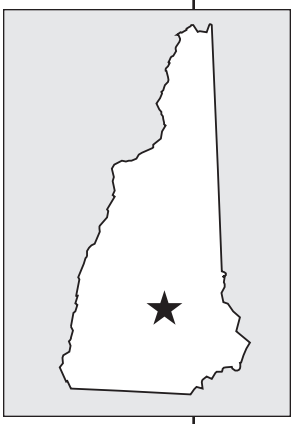
In the summer of 1999, Northfield successfully petitioned the Merrimack County Superior Court for permission to hold a special town meeting to consider the appropriation and expenditure of $375,000 to acquire the 85-acre Knowles Pond property.

In the fall of 1998, the town initiated negotiations with the Tilton-Northfield Aqueduct Company (TNAC) to purchase the property, and hoped to present the necessary articles for consideration at the 1999 town meeting. However, a deal could not be reached in time for the annual meeting, and TNAC indicated that they would be unable to wait until the 2000 annual meeting to sell the property. Indeed, several private developers had expressed interest in purchasing the 85-acre parcel.

In petitioning the Superior Court, Northfield argued that the property owner's circumstances and the unique characteristics of the parcel justified an emergency requiring a special town meeting. Specifically, the property was previously and could potentially be a public drinking water supply for the town. With over 3,000 feet of frontage on both the pond and the abutting road, it also offered residents significant recreational opportunities and was very desirable for development. Finally, if the town was not afforded an opportunity to hold a special town meeting, the property would almost certainly be sold and developed before the next annual town meeting. The Merrimack County Superior Court granted the request for the special town meeting on August 12, 1999. The town meeting was held on August 31, at which time the voters overwhelmingly passed the articles authorizing the acquisition of the property.

Hints from Northfield's Experience

- Secure legal advice early in the process to ensure you follow all relevant state laws for holding a special town meeting.
- Try to gauge your community's support for the acquisition. Spending taxpayer funds on the required legal fees only to be defeated at the polls could create resentment against future proposed acquisitions.



Northfield Facts

Population (2000):
4548

Acreage:
18,486

Acres Conserved:
75 (0.4%)

Acres in Current Use (1999):
11,543 (62%)

Valuation:
$141,734,191

Tax Rate (2001):
$28.32

Form of Government:
Board of Selectmen, traditional Town Meeting

Acquiring Land through the Conservation Fund

Under the provisions of RSA 36-A:4, the Conservation Commission can expend funds from the conservation fund by a majority vote and without further action by the town meeting. However, prior to acquiring any land or interests in land, the Conservation Commission must hold a public hearing and the Board of Selectmen must approve the purchase. (See more about the Conservation Fund on pages 33–35.)

Advantages

- Because the conservation commission has sole authority over the conservation fund, this can be a relatively quick way to purchase property.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

✒ The conservation fund can be used for a variety of expenses, including surveys, appraisals, and associated acquisition costs.

Disadvantages

✒ The Board of Selectmen can block the acquisition by voting against it. If this does occur, the conservation commission cannot acquire the property and there is no recourse for action.

Delegating Land Acquisition Authority to the Governing Body

In 2000, the state legislature amended RSA 41:14-a to permit the town meeting to *delegate* its authority to purchase land to the governing body. This takes a specific vote of the town meeting, following the process spelled out in RSA 41:14-c, I. If the town meeting votes to give land acquisition authority to the governing body, the governing body can *then* issue already approved bonds or expend funds from capital reserve funds or other previously approved funds for the purchase of specific parcels not previously approved by the town meeting.

Under the procedure outlined in RSA 41:14-c, the selectmen must first consult with and receive a recommendation from the planning board and conservation commission and then hold two public hearings before the acquisition. And if, before the selectmen's final vote to acquire a parcel, 50 or more voters petition the selectmen, then the decision on acquisition must be made by the town meeting.

Advantages

✒ **Faster decisions**, which may be important in communities where land use changes are occurring rapidly. This approach allows a community to make decisions more quickly.

✒ **Ultimate voter control:** Because of the petition provision, voters can still require a town meeting vote on any acquisition.

Disadvantages

✒ **Negative perception:** Some community members may consider this a loss of voter control.

✒ **Concentration of power:** This procedure concentrates decision-making in the governing body. If your governing body is generally supportive of land conservation, then this approach works well. If not, then this approach may make it very difficult to actually acquire lands.

Hints

✒ Consider the politics of your community and the implications of enacting this provision

✒ Reflect on whether this provision is necessary in your town, based on current development pressure and foreseeable conservation opportunities

Relevant State Laws

Section 41:14-a, Acquisition or Sale of Land, Buildings, or Both
Section 41:14-c, Adoption Procedure

Sample Warrant Article: Town of Amherst

> **Article 12:** As permitted by RSA 41:14-c, to see if the Town will vote to adopt the provisions of RSA 41:14-a that will grant the selectmen the author-

ity to acquire or sell land, buildings, or both; provided, however, they shall first submit any such proposed acquisition or sale to both the planning board and to the conservation commission for review and recommendation by those bodies, and after recommendations from both sides, they shall hold two public hearings in accordance with RSA 41:14-a. — *from Amherst's 2002 Warrant. Passed 1511-1419*

Ways to Hold Funds for Conservation

If your town seeks to conserve open space by purchasing land or conservation easements, you will need a way to hold the money, just as you might establish a separate bank account for a vacation account or other savings goal. The money should be held in a separate fund or account apart from your town's general fund. The two most common ways to do this are through a conservation fund or a capital reserve or trust fund. Each is described in more detail below.

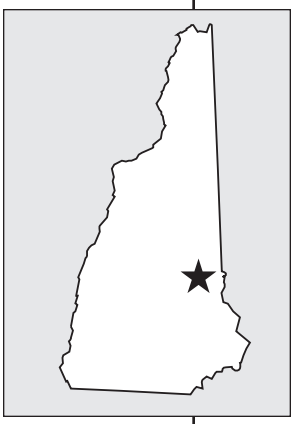
Conservation Fund

A conservation fund is a specific fund authorized under RSA 36-A:5, I. It is established by vote of the town meeting, usually at the same time as appropriating funds to it. The conservation commission has sole authority for expending the funds for a broad range of conservation related activities, as authorized under RSA 36:A-2. The town treasurer administers the conservation fund.

Funds for the conservation fund can originate from town appropriations, gifts from private individuals, from the land use change tax collected by the town when property is withdrawn from the Current Use Assessment Program (see page 38), or by allowing the conservation commission to retain unexpended funds from its budget appropriation (see model language below), or other sources. The conservation fund is non-lapsing, therefore accumulating from year to year. And unlike trust funds, the conservation fund can contain both town appropriations and private gifts.

Prior to acquiring land or easements with money from the conservation fund, the conservation commission must host a public hearing and the Board of Selectmen must approve the purchase.

Case Study: Conservation Fund — Middleton



In December 2001, the Middleton Board of Selectmen and Conservation Commission signed the deed to acquire a property of rare natural beauty on Middleton's Piper Mountain. The acquisition of the 15-acre property provides public access to spectacular scenic views of Teneriffe Mountain in Milton and Acton Ridge in Maine. The property is also adjacent to 98 acres of town-owned land. The owner of the property agreed to a significant bargain sale, selling the land for half of its value. The Conservation Commission voted to contribute $3,500 from the conservation fund to support the acquisition. A local land trust, the Moose Mountain Regional Greenways, helped negotiate the sale of the property.

At the 2002 town meeting, Middleton voters passed an article officially creating a Town Forest, which includes the newly acquired property and adjacent town-owned lands. Following this success, another property owner is preparing to donate an 18-acre easement on adjacent lands, and again, the Conservation Fund is contributing funds to cover the cost of the donation.

Middleton Facts

Population (2000): 1440

Acreage: 11,843

Acres Conserved: 398 (3%)

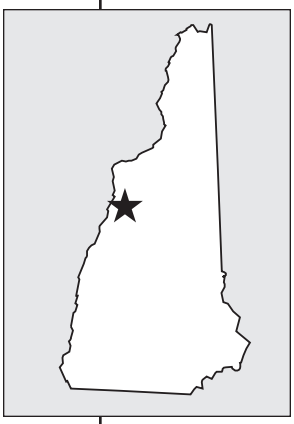
Acres in Current Use (1999): 5,201 (44%)

Valuation (2001): $85,516,958

Tax Rate (2001): $25.60

Form of Government: Bord of Selectmen, traditional Town Meeting

CLICK HERE TO RETURN TO TABLE OF CONTENTS



Case Study: Orford's Conservation Fund

Orford is an unusual town in New Hampshire, one of less than 30 that have no or very limited zoning. The only ordinances on the books are a floodplain ordinance and cell tower ordinance. In fact, at the 2002 town meeting, the townspeople rejected a building permit ordinance and the year before rejected the establishment of an historic district. Despite its independent, non-regulatory streak, Orford clearly is concerned about its natural resources.

The Conservation Commission decided to seek the dedication of the Land Use Change Tax (LUCT) to the Conservation Fund. A member of the Conservation Commission contacted the New Hampshire Association of Conservation Commissions, who provided an informational packet on the LUCT, the Conservation Fund, and how to get the article on the warrant. Using this information, the Commission approached the Board of Selectmen, who unanimously supported the article.

At the 2000 town meeting, the conservation commission chairman made a good presentation about the article to the town meeting. The previous chairman, who is a long-time resident and forester, also spoke in support of the article, securing support from the other long time residents. The town supported, by voice vote, the article establishing the Conservation Fund and dedicating 100% of the LUCT to it.

With the funds dedicated, the Orford Conservation Commission is considering completing a Natural Resources Inventory of the town to help determine conservation priorities.

Orford Facts

Population (2000): 1,091

Acreage: 30,578

Acres Conserved: 2,352 (8%)

Acres In Current Use (1999): 24,529 (80%)

Valuation (2001): $64,599,084

Tax Rate (2001): $29.52

Form of Government: Board of Selectmen, traditional Town Meeting

Advantages

- **Efficient:** Provides the conservation commission with the financial capacity to conserve land without further approval by the town meeting.
- **Dedicated:** Ensures funds committed for conservation are used for conservation.
- **Piggy bank:** Creates a repository for funds from various town and private sources, such as the Land Use Change Tax, fund balance, direct appropriations, or donations and gifts.
- **Intention:** Indicates a town's commitment to conservation.

Disadvantages

- **Workload:** The Conservation Commission, with responsibility for wetlands review, may not have the time to take on the added responsibility of identifying and acquiring land for conservation.
- **Concentration of power:** Voters may be wary of implicitly delegating the authority for acquiring land to the conservation commission and governing body by appropriating significant funds to the conservation fund.

Relevant State Laws

RSA 36-A:4, Powers of Conservation Commissions

RSA 36-A:5, Appropriations Authorized

Model Warrant Article to Create a Conservation Fund by Appropriating Unexpended Conservation Commission Operating Funds

> To see if the town will vote to authorize the conservation commission to retain the unexpended portion of its _____(year) appropriation as authorized by RSA 36-A:5, said funds to be placed in a conservation fund account held by the municipal treasurer (RSA 41:29). *(This authorization needs to be renewed each year.)*[6]

[6] Model language for warrant articles provided by New Hampshire Association of Conservation Commissions.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Hints

✒ Don't underestimate your community's willingness to commit funding for conservation.

✒ A good presentation and the right supporters can facilitate passage of an article.

Capital Reserve Funds and Trust Funds

Trust funds and capital reserve funds are very similar, so much so that state law specifically notes that the designation of a trust fund under RSA 31:19 as a "trust," "capital reserve," "reserve," or other name does not affect its validity as long as it was legally created. A trust fund implies that it is closely watched over by someone you can trust, usually called the trustees of the trust fund. A capital reserve fund implies the setting aside of funds for a long-term capital purchase, but it is legal to use the fund for a non-capital expenditure such as land.

The biggest difference between a capital reserve fund and trust fund is the source of funding — the town or a private entity. State law requires that trust funds created with private gifts must be held and accounted for separately from municipal contributions. This, however, does not prevent a town from having two separate trust funds for the same purpose (one funded by the town and one funded by gifts). For this document, we treat municipally-funded capital reserve funds and municipally-funded trust funds as the same, and call them capital reserve/trust funds.

Municipally-Funded Capital Reserve/Trust Funds

Capital reserve/trust funds essentially serve as "bank" accounts for town funds that may be appropriated over a several-year period and may not necessarily be expended all at once. Capital reserve funds are commonly used to set aside town funds for a future capital purchase, such as a fire truck or police cruiser. They can only be used for the purposes for which they were created; thus a specific capital reserve fund must be created for land acquisition.

Any town can create a capital reserve/trust fund. In a town without a conservation commission, the only way to set aside funds for *future* land acquisition is to create a capital reserve/trust fund.

For a town to establish a capital reserve/trust fund, the legislative body must pass a warrant article by majority vote. The article must clearly state the purpose for the fund. Such municipally-funded capital reserve or trust funds can only contain town appropriations (See Kingston Case Study on page 36).

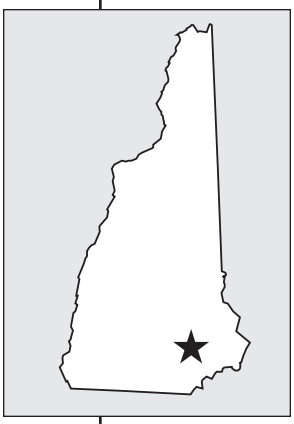
It is not necessary for a town to actually appropriate any money to the fund at its initial inception. The only limitation on appropriations is that a town may not appropriate in any one year any more than ½ of 1% of the town's base valuation into a capital reserve/trust fund. The board of selectmen is usually named as agent for expending the funds.

The purpose of a previously established capital reserve/trust fund can only be changed by a vote of two-thirds of those voting at the town meeting. A town meeting can vote to extinguish a fund by a majority vote, resulting in the transfer of the remaining funds to the town fund balance.

Advantages

✒ **Long-term planning:** Allows towns to initiate a long-term land protection plan by creating a fund to receive a yearly appropriation.

✒ **Guarantee:** Funds appropriated into the capital reserve/trust fund must be spent on conservation.



Kingston Facts

Population (2000): 5,862

Acreage: 13,450

Acres Conserved: 1,063 (8%)

Acres In Current Use (1999): 5,009 (37%)

Valuation (2001): $374,250,707

Tax Rate (2001): $23.50

Form of Government: Board of Selectmen, SB2 Town Meeting

Case Study:
Land Conservation Capital Reserve Fund — Kingston

In 1998, Kingston voters created the Land Conservation Capital Reserve Fund. Each year since, the town meeting consistently voted to appropriate general funds to the capital reserve fund. While the town did not have a formal open space plan adopted or specific priorities identified for the funds, there was a strong sense of the need to purchase land for conservation and economic benefits. Instead of appropriating a large sum at once for a specific property, the town opted to create a reserve fund specifically for land protection, slowly building it up.

In 2002, the town made its first purchase with the capital reserve fund, voting to expend $140,000 to purchase 37.25 acres of land. The measure passed overwhelmingly. As with many other towns, the economic benefits of open space conservation drive much of the support for town appropriations. Rick Russman, a member of FOKOS (Friends of Kingston Open Space), says it succinctly: "It is far cheaper to buy land one year than pay for services again and again." FOKOS, a local land conservation advocacy group, built public support for and advocated the passage of the article.

Kingston voters also approved a separate article for $50,000, from general taxes, to purchase an easement on an additional 115 acres of land, contingent on $150,000 from the Nature Conservancy.

In Focus: Kingston's 2002 Warrant Article

Article 21: On petition of 39 registered voters of the Town of Kingston, to see if the Town will vote to raise and appropriate the sum of $140,000 towards the purchase of a conservation easement on approximately 37.25 acres of land located at the corner of Elkins and Rockrimmon Roads and being most of Kingston tax map R31 Lot 11, and to authorize the withdrawal of $140,000 from the Land Acquisition Capital Reserve Fund created for that purpose. This purchase will help to stabilize the tax base, maintain a large tract of land as such, and ensure that an area prime for development of additional multi-house subdivisions does not have a significant impact on taxes for town services such as education, fire and police.

Disadvantages

✎ The accumulation of funds into a capital reserve/trust fund may result in taxpayers arguing against future appropriations to that fund. To counter this, be sure to educate voters as to the purpose and funding goal for a capital reserve fund.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Privately-Funded Municipal Trust Funds

Historically, towns created trust funds in response to a charitable act of an individual. While such trust funds have typically been used for libraries, fire departments, cemeteries and other public institutions, there is nothing preventing a town from creating a trust fund for acquisition of new lands or easements or for long term stewardship of town lands or easements.

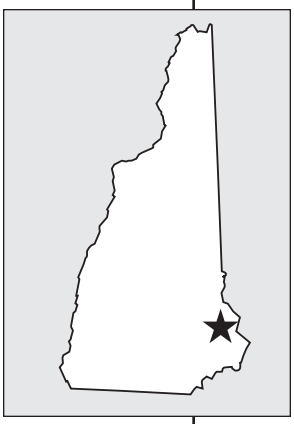
State laws direct that the legislative body must vote to accept such a gift and create the necessary trust fund. The state also allows the town meeting to authorize the governing body to accept such trusts without further action by the town meeting. This power can be granted for a defined period of time or until rescinded.

Case Study:
Privately-Funded Municipal Trust Fund The Lois E. Brown Wagon Hill Farm Expendable Trust Fund — Durham

In 1989, the citizens of Durham voted to purchase Wagon Hill Farm, a 139-acre property adjoining Route 4. With rolling hayfields, magnificent views of Great Bay, and significant road frontage, it was prime for development. The town bonded the full purchase price of $3.1 million.

Inspired by the town's protection of the farm, long-time Durham resident Lois E. Brown bequeathed nearly $80,000 to the town to support the stewardship of the property. The Town Council voted in 1997 to accept the funds and create the Lois E. Brown Wagon Hill Farm Expendable Trust Fund.

The Expendable Trust Fund must be used for the "care and preservation of the Wagon Hill Farm as a public park." Unlike many trust funds where only the earned interest can be spent, the entire value of Trust Fund can be spent, as long as it is consistent with the original purpose. To protect the original purpose of the Trust Fund, Durham's Trustees of the Trust Funds review any Town Council resolutions to expend funds. The *Useful Information* section (page 152) of this guidebook contains a copy of the Town Council resolution creating the fund.



Durham Facts

Population (2000): 12,664

Acreage: 15,852

Acres conserved: 1,677 (11%)

Acres in Current Use (1999): 7,093 (45%)

Valuation (2001): $369,827,888

Tax Rate (2001): $42.33

Form of Government: Town Council, Charter

The town, through its town meeting, may appoint agents, typically the Board of Selectmen or Trustees of the Trust Funds, to expend the trust fund for the purpose of the trust. To expend funds from a trust fund specifically created for land acquisition, the town must follow the same procedures as for any land purchase.

Unless originally created as an irrevocable trust fund, privately-funded municipal trust funds can be revoked by a majority vote of town meeting. As with municipally funded capital reserve/trust funds, a two-thirds majority vote is necessary to change the purpose of a privately funded trust fund.

Relevant State Laws

RSA 31:19-a, Trust funds created by towns
RSA 31:19, Private trust funds
RSA 35:1, III-a, Land acquisition

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Capital Improvement Plans and Open Space Acquisition Plans

A Capital Improvement Plan (CIP) is neither a funding mechanism, nor a way to hold funds for conservation, but is a financial planning tool that can be adapted to land conservation. Capital improvement plans often complement the creation of capital reserve funds and offer a potential planning tool for long-term land conservation efforts. Under a CIP, the planning board or capital improvement committee evaluates the town's capital assets, such as buildings, recreation facilities, land, vehicles, equipment, and other capital items, and determines the life span and replacement cost of the item. This information is

Americans continue to support public land conservation to a dramatic extent. As in recent years, voters across the country are eager to protect the unique landscapes of their communities, and they are willing to pay for it.

— Will Rogers, President of Trust for Public Land

used to prepare the CIP and to help the governing body properly budget for future years.

As a component of the CIP, or as a separate document, a town may want to consider creating an open space or land acquisition plan. Especially if linked to an open space plan, this provides a clear strategy for achieving the community's conservation goals. This plan can be used to identify parcels for acquisition, priorities, the estimated cost of acquisition and stewardship, and the timeframe for action. It would also help a community initiate the process for setting aside funds into a capital reserve fund for conservation.

Relevant State Laws

RSA 674:5-7, Capital Improvements Program

Sources of Municipal Funding for Conservation

Nationwide, the late 1990s and early 2000s saw huge successes in public funding for land conservation. Between 1998 and 2001, voters passed 529 ballot initiatives supporting more than $19.3 billion for open space. Most of this has been through bonding, often in the tens of millions of dollars.[7]

New Hampshire communities have a variety of funding options available to fund local land conservation activities. Your choice will depend upon the amount of funds needed, how soon they are needed, whether they are needed on a recurring basis or for one project, and the political climate of your town. (See Figure 3, page 41.)

Land Use Change Tax

Current Use assessment is a property tax program that encourages the maintenance of open space by allowing owners of qualified open space to pay a reduced tax rate, based on the land's ability to generate income in its *current use* rather than its potential developed use. This tax program has been in place in New Hampshire law since 1973. It is a voluntary program since it only applies to landowners with qualified parcels who choose to apply. Towns must grant the lower tax rate to owners of qualified parcels who apply. Tax rates for these properties are set each year by the Current Use Board. Statewide, a little over half of the land in the state participates in this program, with percentages varying form 39% in Rockingham County to 68% in Sullivan County.[8]

Whenever a property that has been paying the lower current use tax rate no longer qualifies for that open space encouragement program (because the open space has been converted to a developed use or the parcel has been subdivided below the 10 acre minimum size) a penalty, called the land use change tax (LUCT) is paid by the landowner to the town. The penalty is 10% of the full market value of the land when it no longer qualifies for the current use program.

Many towns have decided, by town meeting vote, to put some or all of the LUCT money into a conservation fund. As of this writing, at least 120 towns have done this. Figure 4 (page 42) shows the towns that have allocated LUCT to conservation. The *Useful Information* section of this guidebook (pp. 107–109) provides details of the amount allocated for each town. The amounts set aside

[7] *LandVote 2001*. Op. cit.

[8] "1999 Current Use Report," New Hampshire Department of Revenue Administration.

range from 5% of the LUCT to 100% of it. Some towns put dollar limits on the total amount that can be set aside annually. The total amount of LUCT money paid to all towns in the state was $6,675,122 in 1999.

The reasoning behind such an investment in the Conservation Fund is that the extra money acquired when land is removed from open space is logically used to protect more open space. It requires a vote of the town meeting (city or town council) to allocate the LUCT to the conservation fund.

Since the land use change tax represents 10% of the value of the land removed from current use (typically for development), even if you put all of it into a conservation fund, it may only allow you to protect about one acre for every ten that are being developed.

Advantages

- In many towns, it has been relatively easy to convince voters of the logical connection between LUCT and conservation.
- Many town meeting voters like finding a source of money for conservation that does not directly depend on local property taxes.

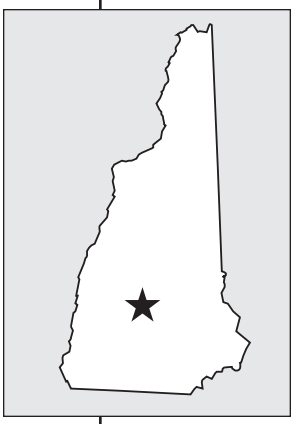
Disadvantages

- **Unpredictability:** The amount available from this source varies widely from year to year.
- In towns where land use is changing slowly, the amounts generated may be too small to accomplish major conservation goals.
- In towns were land use is changing rapidly, the LUCT money may be much greater, but may not keep pace with the rate of increase of land values.
- In a few towns, subsequent votes by town meeting have sent the LUCT back to the general town budget.

See Case Study: Andover Land Use Change Tax Campaign on next page

We were pleased that Andover voters understood the idea that setting aside land use change tax money is a great way to encourage voluntary land conservation to protect Andover's low tax rate and preserve their working landscape.

— Charlie Darling, Andover Conservation Commission



Case Study:
Andover Land Use Change Tax Campaign

The Andover Conservation Commission decided that town meeting 2000 was a good time to ask the town to allocate the land use change tax to the conservation fund. Instead of just putting an article on the warrant asking that land use change tax money be allocated to the conservation fund and hoping for the best, they designed a public information strategy to help townspeople understand the reason for, meaning of, and impact of the warrant article. They decided to ask for 50% of the LUCT for the conservation fund, thinking that would be easier for the voters to support. (Some towns, having started with part of the LUCT going to the conservation fund, have later voted to allocate more or all of the LUCT to the conservation fund. The Concord City Council voted to increase the amount of the LUCT going to the Conservation Fund from 25%, where it had been since 1988, to 100% in September 2002.)

The Andover Conservation Commission started by providing information and seeking reaction and responses from targeted community leaders and decisions makers. They prepared information sheets, brochures and posters, and had a brief notice inserted into water bills. They submitted information to local newspapers about the topic. All of the materials were designed to help voters understand both the purpose of the article and how it would impact the taxpayer.

When town meeting night arrived, more informational flyers were distributed to voters as they entered the meeting. The person speaking about the warrant article reiterated the points that had been made in all the educational materials. In some other towns, several proponents have each made one point in support of the proposal. The warrant article in Andover passed on a voice vote. Andover's Conservation Commission was able to use the new funds to acquire three conservation easements between 2000 and 2002.

Andover Facts

Population:
2,109

Acreage:
26,271

Acres conserved:
5530 (21%)

Acres in Current Use (1999):
17,071 (64%)

Valuation (2001):
$118,978,241

Tax Rate (2001):
$34.75

Form of Government:
Board of Selectmen, traditional Town Meeting

Hints from Andover's Experience

- Plan a good public relations campaign so voters in your town have enough lead-time to come to understand the reason for and benefit of doing this.
- Get early support from town opinion leaders.
- Make sure to show the town the good things that are being done with existing conservation funds.
- Make sure the person or people who speak in favor of the article at town meeting are known and respected by all elements of the voting public.
- Make sure you have a conservation fund in place (see page 33 for details) before or while implementing this strategy.

In Focus: Andover's 2000 Warrant Article

Article 8: To see if the town will vote to deposit 50% of the revenues collected pursuant to RSA 79-A (the land use change tax) in the conservation fund in accordance with RSA 36-A: 5 III as authorized by RSA 79-A: 25 II.

Relevant State Laws

RSA 79-A Current Use Assessment

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Figure 3. Matrix of Funding Options

Funding Mechanism/ Source	Size of tax impact	Length of tax impact	Capacity to raise funds	Dependable as a source?	Logical nexus to conservation?	Degree of difficulty in securing	Required Vote to Pass
Land Use Change Tax (LUCT)	Indirect	Ongoing	Low–Medium	No	Yes	Low	Majority
Bond	Depends on size of bond, likely high	5–20 years	High	Yes	Yes	High	2/3 in traditional town meetings; 3/5 in SB 2 towns
Appropriation	High	One year	Low–medium	Yes	No	Medium	Majority
Town Surplus Funds	Neutral	None	Medium	No	No	Medium	Majority
Town Forest Income	None or indirect	Ongoing	Low	Yes*	Yes	Low	Majority
Exchange of Real Estate	None	One year	Low	No	Yes	Medium	Majority
Tax Deeded Property	Indirect	One year	Low	No	No	Medium	Majority

*depending on forest productivity, frequency of harvest, market for product

For all of these funding options, it is important to ask your town's legal counsel to help craft the appropriate language for your warrant, ballot or other form. In most communities only the governing body or town administrator may request the opinion and advice of the town's attorney, so make sure you work through the appropriate channels.

Warrant Article Appropriations

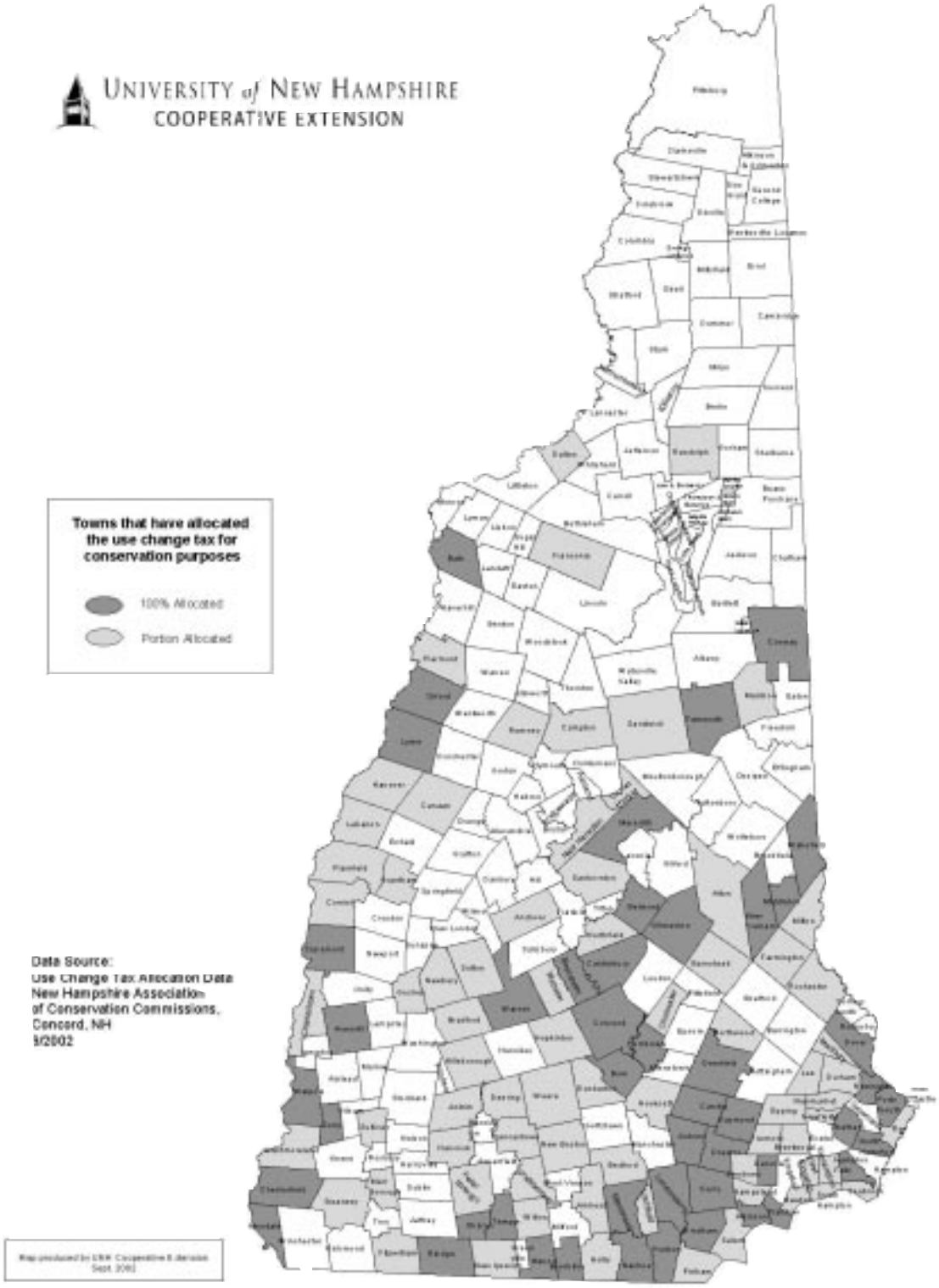
Municipalities can vote at town meetings (or decide by vote of the city council or town council) to appropriate money and deposit it into their conservation fund, capital reserve funds or town trust fund for conservation purposes. If the Selectmen, Budget Committee and Conservation Commission concur, and expect town agreement with the proposal, such an appropriation may be a line item in the regular town budget. Much more commonly, the proposed expenditure is listed as a separate article in the town warrant. Appropriated funds can be accumulated from year to year in the conservation, capital reserve or trust fund, or they can be spent immediately to acquire land identified in the warrant article.

Advantages

- If your town can be convinced to do this, it is a straightforward way to get money for the conservation fund, either on a regular basis or once in a while for a specific purpose.
- The amount requested reflects the specific needs of the town.
- You can mount a public education campaign to inform voters of the issues and amount involved.

Figure 4.

Land Use Change Tax for Conservation

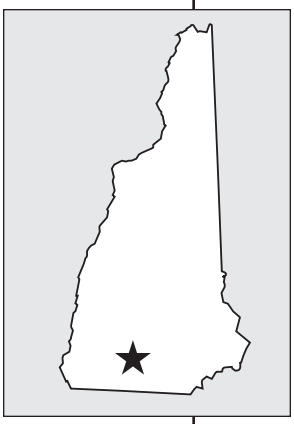


Case Study:
Sharon's Warrant Article Appropriation

Sharon has had a conservation fund created with money from the land use change tax with an annual cap of $5000 since 1994. However, the fund grows slowly because land use change in Sharon is slow at this time. During 2001, the Conservation Fund was reduced to about $7000 to accomplish a land protection project with a local family. Since the Conservation Commission did not want to wait for the LUCT to refill the Conservation Fund, they decided to submit a warrant article seeking $3000 for the conservation fund. Sharon's small and close-knit population made it easy to inform voters of the proposal and the need. The Conservation Commission talked with the Selectmen about the proposal and made sure the Planning Board was also aware of it. The Selectmen's representative to the Conservation Commission eloquently presented the article at town meeting and the article passed on a voice vote. Sharon also voted to remove the cap on the amount of LUCT money that could be put into the Conservation Fund at the same town meeting.

In Focus: Sharon's 2002 Warrant Article:

Article 12: To see if the Town will raise and appropriate the sum of $3,000 to be placed in the Conservation Fund, Account 1007.2, or take any action relative thereto. The Selectmen recommend this article.



Sharon Facts

Population (2000): 360

Acreage: 10,022

Acres conserved: 3,646 (36%)

Acres in Current Use (1999): 6,707 (67%)

Valuation (2001): $23,642,423

Tax Rate (2001): $24.99

Form of Government: Board of Selectmen, traditional Town Meeting

Disadvantages

- Some towns feel so overwhelmed by the taxes required to meet essential community services that they are unable to support additional money from the general budget for conservation.
- Full and immediate tax impact.

Hints

- Be prepared to be very specific about both the impact of the proposal on the average taxpayer and what will be accomplished with the money.
- Check old town reports for previous votes on conservation issues.

See Case Study: Sharon's Warrant Article Appropriation above.

Bonds

Municipal bonds are growing in popularity as a significant funding source for communities interested in conserving land. In 2001 and 2002, North Hampton, Newmarket, Merrimack, Newfields, Stratham, Hollis, Londonderry, Brookline, and several other communities passed bonds for open space protection.

Each of these communities crafted a bond to meet their unique circumstances and to achieve their community's goals. Communities can pass bonds that identify the specific parcel to be purchased or that provide general authority to purchase land for conservation and recreation.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

This vote affirmed that our townspeople understand that we need to do as much land conservation as we can before the rapid development happening on both sides of us hits our town too.

— Gina Goff, Sharon, Conservation Commission

Bonds for open space protection can be linked to the town's open space and master plans so the voters can see the importance and background of the proposal.

Bonds require making a clear case for why property should be conserved and how public ownership or protection of the property will benefit the public. Before voting on the purchase, the public will want a clear understanding of who will manage the property, how it will be used and managed, and how stewardship for the land will be paid for.

Passing a general land acquisition bond (one that does not identify specific land to purchase) does not necessarily allow the Board of Selectman to actually purchase a property at a future time. A community must delegate to the Board of Selectman the specific authority to acquire land (see page 32) or must authorize the purchase at a special or annual town meeting.

How it Works

No matter how much money you bond or for what purpose, it is essential that the town consult with its bond counsel and the New Hampshire Department of Revenue Administration (DRA) to ensure that your article's language will be legal.

The New Hampshire Municipal Bond Bank will provide payment schedules for bonds of different amounts, interest rates, and service periods, free of charge to member communities (see sample worksheets, page 18 and 112). These schedules include the tax impact, based on your town's current valuation, and are critical to determining what level of bonding is financially possible. Not all towns are members of the Municipal Bond Bank. If your community is not, consult with your town officials to secure bond repayment schedules.

DRA will review drafts of your community's bond article, and identify any concerns or changes they may have. DRA has the legal authority to invalidate articles passed at town meeting, if it later determines that the article was not properly written in accordance with applicable state laws, making it especially important to secure their approval early in the process.

Advantages

- **Significant funding:** Bonds are the only way to raise large amounts of funding for municipal land protection in one year.
- **Low interest rates:** To find the current interest rate, contact the New Hampshire Municipal Bond Bank. At the time of publication, interest rates on municipal bonds are very low (in the 4% range), offering an opportunity for the town to commit significant funds with reduced interest costs.
- **Flexibility and responsiveness:** Purchasing land for open space conservation means competing against other buyers, requiring that the town respond quickly to a given opportunity. Bonds, because they can raise more money than a direct appropriation, increase the capacity of a town to respond quickly to emerging opportunities, and signal an ability to pay landowners.
- **Spread out tax rate impact:** The impact on the tax base is spread out over the lifetime of the bond.
- **Generational equity:** Bonds distribute the cost of open space to both current and future taxpayers, who all benefit from the acquisitions.

Disadvantages

- **Competing priorities:** Bonds are the primary source of funding for community capital improvements, including schools, emergency service facilities, water and sewer lines and treatment plants, and public buildings. A municipal-

ity cannot exceed a certain level of bonded indebtedness, so some years it may not be possible to pass a bond for land acquisition.

- **Timeliness:** Once a bond is passed, it takes a few weeks to actually float a bond and have money available for purchases. In contrast, a direct appropriation is immediately available.
- **Higher total cost:** The interest required to repay bonds, as with any borrowed fund, increases the overall cost of acquiring a property.
- **Difficult to pass:** Bonds require a 2/3 or 3/5 majority, which requires greater effort to build support.
- Bonds cannot be used for some of the costs associated with the purchase (check with bond counsel).

Bond Anticipation Notes

Bond anticipation notes (BANs) are a temporary form of debt used by communities as a short-term financing strategy for already authorized bonds. BANs have lower transaction costs than bonds and can provide cash for immediate expenditures that may be necessary before the entire value of the bond is needed. BANs can be for up to one year, and can be renewed. At the end of the BAN's term, the community must pay interest, but not necessarily principal.

A BAN has lower initial costs to a community as compared to a bond of the same value. Thus, if a community has authorized up to $3 million for land protection and plans to purchase multiple properties at separate times in a year, the town may want to consider issuing a separate BAN at the time of acquisition of each property. At the close of the year, the town can then refinance all three BANs with one bond. Generally, larger bonds will receive lower interest rate offers from bond banks. The town of North Hampton used BANs for its first purchases under its 2001 $4 million bond.

Which majority is enough: three-fifths or two-thirds?

According to state law, municipalities governed by traditional town meetings must pass bonds with a two-thirds majority. Municipalities governed by the official ballot law (SB 2) must pass bonds with a three-fifths majority.

In 2002, the U.S. First District Court of Appeals upheld the varying standards in the face of a challenge by residents of several towns. So unless the state legislature changes state law again, official ballot towns must pass bonds with a three-fifths majority vote and traditional town meetings must pass bonds with a two-thirds majority vote.

Relevant State Laws

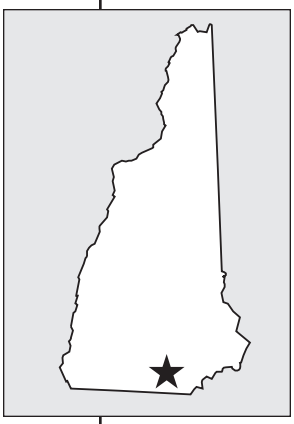
RSA 33, Municipal Finance Act

See Case Study — Bonding for General Land Acquisition: Hollis on next page

See Case Study — Bonding for a Specific Property: The Greens Pond Property in Merrimack on page 48–50

See Case Study — Stratham's $5 Million Bond on page 86

Photo by Dorothy Tripp Taylor



Case Study:
Bonding for General Land Acquisition — Hollis

In 1999, the Hollis Board of Selectmen convened an informal group of civic leaders who cared about conservation and participated in town affairs. The goal: To protect the town's remaining rural character and quality of life.

While nearly 19% of the town had already been conserved through the efforts of the conservation commission and private groups such as the Beaver Brook Association, Nissitissit River Land Trust, and the Society for the Protection of New Hampshire Forests, civic leaders felt an urgent need to do more.

"The developers were just frothing at the mouth to get in here," explains John Eresian, chairman of the Hollis Land Protection Study Committee (LPSC). Situated on the Granite State's southern border, many were concerned that Hollis was destined to become another suburb of greater Boston.

The informal group undertook a study of the last eight years of residential development in Hollis. They compared current assessments, tax revenues, and with the support of the Superintendent of Schools, completed a survey to determine how many pre-school and school students lived in the new developments.

The results revealed what everyone had long suspected. On average, each new house cost the town's taxpayers about $2,900 more than it paid in taxes each year. In sum, the committee found that about 10% of Hollis' total tax bill was going to subsidize new development.

Town leaders presented this powerful information on the tax consequences of new residential development to the 2000 town meeting, requesting the formation of the Hollis Land Protection Study Committee. The voters, after much discussion, overwhelmingly endorsed the committee.

Over the next year, the LPSC reviewed the town's options to conserve land, and decided that a municipal bond was the best approach. They presented a warrant article at the 2001 town meeting, requesting $2 million in bonding authority for land protection. The bond would be authorized for only one year and each purchase would have to come before the voters at a special town meeting or the annual town meeting. To Hollis voters, the advantages of this approach were clear.

In 2001, Hollis turned heads around the state when voters endorsed a $2 million bond with over 96% voting in support. That first year, the town expended $707,000 of the $2 million available. With the remaining funds unavailable after December 31, 2001, the town leaders initiated a warrant article requesting $3.5 million for the March 2002 town meeting. It again passed, with 91% in support.

Some have criticized the one-year authorization for the bonds and the need to go back to the voters for each purchase as cumbersome and time-consuming. "But I think it is well worth it," explains Eresian. "We're bending over backwards to make sure that the bond is not seen as a blank check. The citizens will have a chance to vote on every single piece."

Hollis Facts

Population (2000): 7,015

Acreage of town: 20,668

Acres conserved: 3,736 (18%)

Acres in Current Use (1999): 8503 (42%)

Valuation (2001): $567,624,770

Tax Rate (2001): $27.86

Form of Government: Board of Selectmen, traditional Town Meeting

Advantages

- **Voter control:** Citizens vote on each purchase, therefore controlling how much money is spent and which properties are purchased.
- **Flexibility:** Because the bond is only authorized for one year, Hollis voters will be able to control future spending if they don't agree with the past spending.

Disadvantages

- **Cost:** It costs additional money to hold special town meetings.
- **Limited window of opportunity:** Hollis' article requires the selectman to request reauthorization of bonds from the voters each year.

In focus: Hollis 2002 Warrant Article

Article 2: Bond for Land Acquisition. To see if the Town will vote to raise and appropriate Three Million Five Hundred Thousand Dollars ($3,500,000) (Gross Budget) for the purchase of land or other property interest therein, for the protection of the natural heritage and rural character in the best interest of the Town, including any buildings or structures incidental to such land; and to authorize the issuance of not more than Three Million Five Hundred Thousand Dollars ($3,500,000) of bonds, in accordance with the provisions of the Municipal Finance Act, (RSA 33:1 et seq., as amended), and, further, to authorize the Selectmen to issue, negotiate, sell and deliver said bonds and to determine the rate of interest thereon and the maturity and other terms thereof, and to take any other action they deem appropriate to effectuate the sale and/or issuance of said bonds, subject, however, to the following limitations:

No such bonds shall be issued earlier than July 1, 2002; and,

Any of such bonds shall have appropriate terms and maturities such that no principal or interest payments shall become due and payable prior to January 1, 2003; and

No such bonds shall be issued with a term of maturity of less than fifteen (15) years.

PROVIDED, FURTHER, that the Selectmen **SHALL NOT ISSUE SUCH BONDS** until such time as they have presented to either an annual or special town meeting, a warrant article asking the meeting to ratify, by a simple majority vote, the particular parcel and the parcel ownership interest chosen by the Selectmen for purchase and said meeting has approved such warrant article.

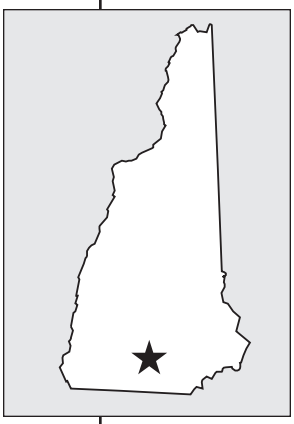
CLICK HERE TO RETURN TO TABLE OF CONTENTS

We're bending over backwards to make sure that the bond is not seen as a blank check. The citizens will have a chance to vote on every single piece.

— John Eresian, Hollis Land Protection Study Committee

Initially, there was not one single person in town government or the media or in the know who gave me a word of encouragement. They didn't think it was possible. Just because those in power don't see the potential doesn't mean the common man doesn't.

— Debra Huffman, Friends of Merrimack Open Space



Case Study:
Bonding for a Specific Property — Greens Pond Property in Merrimack

People in Merrimack had long dreamed of acquiring the Greens Pond Property, a 563-acre parcel of forest and wetlands, for conservation. In fact, in 1979, the town of Merrimack passed a warrant article authorizing up to $1 million to purchase the land. However, in an unusual move, the Board of Selectman never went through with the purchase.

Over the next twenty years, Merrimack grew into a bustling town with a population of over 25,000. Open space that was once abundant became more and more rare, but Merrimack had two remaining forest blocks of over 500 acres. One of them was the Greens Pond Property, making it a top priority for conservation.

Debra Huffman, a Merrimack resident, actively hiked on the Greens Pond property, and in August 2001 became aware that the owners had engineering plans for a 110-unit development. She spoke with the owners and persuaded them to give the town one more chance to buy the land. The owners agreed to give the town until April 9, 2002, the date of the next town meeting, to raise the agreed price: $4.2 million. After that, the engineering plans would go before the planning board and the land would be developed.

Merrimack Facts

Population (2000):
25,119

Acreage:
21,412

Acres conserved:
862 (9%)

Acres in Current Use (1999):
4,644 (22%)

Valuation (2001):
$1,899,727,513

Tax Rate (2001):
$21.30

Form of Government:
Board of Selectmen, SB 2 Town Meeting

Armed with this agreement, Huffman worked initially as a one-woman show. She met with town officials, including the finance director, to understand how much the bond would cost per resident. But soon she realized that she needed more support and help. She held a public meeting to discuss the land and the purchase, found overwhelming support, and formed the Friends of Merrimack Open Space.

"Merrimack was tired of growth. There is so much pent up frustration about growth in our town," explains Huffman. "This bond empowered us to stop growth in this one place."

Supporters framed the purchase of the Greens Pond Property in several ways, including water supply protection, maintaining outdoor recreational opportunities, enhancing the town's general quality of life, and providing some land for future town needs, such as athletic fields.

In tax-conscious Merrimack, the cost of the bond was a big factor. Residents needed to understand both the cost of buying the land and the potential costs if the land was developed. Supporters of the Greens Pond project explained that, for example, 110 new homes developed on the property could mean 80 or more new students, and increased pressure on limited town resources.

At Huffman's request, the town finance director calculated the cost of the $4.2 million bond to the average taxpayer. He estimated approximately $28 a year in new taxes. The 2002 town ballot also contained articles to bond millions of dollars for a new middle school and the town was considering future plans for a new library and fire station. These proposals showed Merrimack voters the cost of past development.

Huffman also worked diligently to secure grants from state sources. She worked with town officials to apply to the Department of Environmental Service's Water Supply Land Protection Program and the Land and Community Heritage Investment Program (LCHIP). Prior to the April 9 vote, both programs awarded grants totaling $625,000. Combined with Conservation

Commission funds of $150,000 and EPA mitigation funding of $250,000, the potential cost of the project to the town voter was reduced from $4.2 million to $3,175,000.

"The media was critical to our education effort," notes Huffman. With 25,000 residents and 13,000 registered voters, there was no better way to educate the public about the property than through the paper. Huffman organized site walks with local reporters, and secured excellent coverage in local papers, and a favorable editorial in the region's largest paper.

Huffman also used the public access television channel to get the word out, producing a short video that showed the land and discussed the need to conserve it. Whenever she spoke with the media or when the media was present, Huffman always provided written copies of any statements made to ensure that her comments were accurately reported. And when the media didn't cover what she was doing, she sent out press releases and her own photographs. Local papers picked them up as stories and ran them directly.

Supporters considered a direct mailing to all residents, but couldn't justify the cost. Instead, the Friends group opted to pay for the insertion of a double-sided fact sheet on the project into one of the weekly papers. While still costly, an insert offered the chance for supporters to frame the project, explain its costs and benefits directly to residents, without the spin of the media or opponents.

When town meeting day came, the voters approved Article 10 by a vote of 4,123 to 2,039, securing 66.9% of the vote; just 15 votes more than necessary to secure the 66.67% needed to ensure the bonds could be issued.

With the passage of the bond, most Merrimack residents, including Huffman, thought the land was protected — conserved in its natural state forever. However, despite overwhelming public support to accept the LCHIP and DES grants, the Board of Selectmen voted unanimously to *not* accept the $625,000 in grant funds. The town staff had voiced concerns over the permanent restrictions against development on more than 90% of the property, arguing that the town was giving up control of the property, and limiting the public's use. Town leaders also argued that they were not fully aware of the grant's restrictions, and would not have applied had they known them.

To voters and to supporters, the restrictions required by LCHIP and DES were self-evident — the property was being bought to prevent residential development and preserve conservation values. But to town leaders, who faced the defeat of the middle school for the second year in a row and a strong demand for athletic fields, the Greens Pond Property looked like a potential solution. Some community members believe that the property could host a new school and athletic fields, occupying upwards of 130 acres of land.

In July 2002, the town created a Greens Pond Master Plan Committee, charged with developing a comprehensive plan for the conservation and use of the property. The Committee will report its recommendations to the Board of Selectmen. It is unclear if the Board or the public will vote on the final plan for the acquired property.

In looking back on her experience, Huffman offers some very practical advice to consider: "If I had to do it over, I would get legal opinion on the wording of the warrant article and carefully phrase it to make the intent of the article clear."

Huffman also believes that she would have put forward a petitioned warrant article, to ensure that it would have gone to the deliberative session unchanged by the Board of Selectmen. The Board of Selectmen added language to the warrant at the last minute that broadened the town's use of the property beyond conservation.

"The bigger issue is don't be afraid to try something that you feel is right. Initially, there was not one single person in town government or the media or in the know who gave me a word of encouragement. They didn't think it was possible. Decide up front how much you are willing to compromise and then stick to your guns. Just because those in power don't see the potential doesn't mean the common man doesn't."

Hints from Merrimack's Experience

- Start as soon as you can.
- Work with town officials and the media to build credibility.

Merrimack Case Study — continued on next page

Merrimack Case Study — continued from previous page

- Use real numbers — figures that are based on your community's budget and tax rate.
- Explain all the restrictions of any grants early in the process.
- Ensure that the article's language clearly states the purpose of acquiring the property.

In Focus: Merrimack's 2002 Warrant Article

Article 10. Passage of this article shall override the 10 percent limitation imposed on this appropriation due to the non-recommendation of the Budget Committee. Shall the Town vote to raise and appropriate the sum of $4,225,000 for the purchase of approximately 563 acres of land to be used for conservation, open space, recreational facilities, and other allowable municipal purposes, said land being located westerly of Naticook Road, southerly of Amherst Road, and northerly of Peaslee Road, including the un-built subdivision known as Woodside Estates; to finance said sum by the issuance of bonds or serial notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and in an amount not to exceed $4,075,000, by the withdrawal of $150,000 from the Land Use Change Tax Conservation Fund, and by any federal, state, or private grants that may be made available in conjunction with said purpose; to authorize the Board of Selectmen to issue, negotiate, sell, and deliver bond and notes and to determine the rate of interest, the maturity, and other terms pertaining thereto; to authorize the Board of Selectmen to apply for and accept said grants of federal, state, and private aid; to authorize the Board of Selectmen to take any other action or to pass any other vote relative to said purpose and financing, including subdividing the land and imposing separate and distinct conservation limitations on portions of the land if so required by any financing agency; and to raise and appropriate the sum of $96,188 for the purpose of the 2002–03 interest on said bonds or serial notes.

The town's been persuaded by the argument that open space saves the town money in the long-term.

— Joe Ford,
Lee Selectman

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Town Fund Balance

Sometimes, town revenues exceed expenses, resulting in surplus funds at the end of a year. These surplus funds cannot be expended without voters' prior approval, and are incorporated into what is known as the town's unreserved fund balance. In fact, the guidelines of the Department of Revenue Administration require a town to keep 5-10% of the total revenue from its town, county, school, and state property taxes in reserve. This helps a community maintain adequate funding for cash flow purposes and town emergencies.

How it Works

Fund balances represent a potential source of funding for land conservation. Excess funds in the fund balance (meaning those funds greater than what is necessary for good fiscal policy) can be: 1) designated to reduce the tax rate in the following year or 2) allocated by warrant articles at town meeting for specific purposes, including land conservation. A majority vote is required. Most municipal experts agree that using these funds should be reserved for the rare opportunity when a clear community need arises, and the town's budget allows for it.

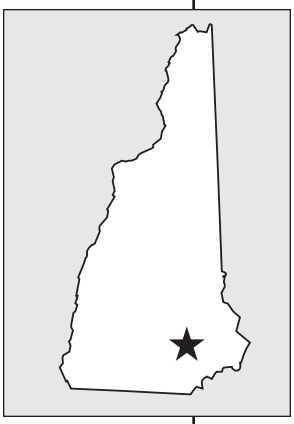
Advantages

- **Creative source:** Tapping the fund balance is a creative way to provide funding for a specific land protection project that has broad support.
- **No tax impact:** Because the fund balance is made up of revenue already raised, using it does not require a new appropriation through higher property taxes, effectively having no new tax impact.

Disadvantages

- **Long-term viability:** Repeatedly tapping into the fund balance could build resentment among taxpayers, diminishing a town's ability to conserve land.

Case Study:
Setting Aside Town Fund Balance — Lee



A selectman since 1978, Joe Ford explains that the Town of Lee started building up its fund balance in the early 1990's. It was in 1999, though, that the town used the surplus fund to initiate a major land conservation effort, spurred in part by federal grants for conservation of land along the Wild and Scenic designated Lamprey River.

Each year since 1999, the board of selectman has unanimously recommended and the town meeting has voted to appropriate up to $100,000 from the fund balance to the Land Acquisition Capital Reserve Fund (LAF), a trust fund originally created in 1987. Doing so built up a significant fund for land protection, providing Lee with the funds necessary for land projects as they ripen.

From 1999 through 2002, the voters of Lee authorized the withdrawal of funds from the LAF to protect more than 350 acres of land. In addition to using the fund balance for conservation, Lee also dedicated 50% of the Land Use Change Tax to the conservation fund and received matching private gifts and federal grants. In 2002, Lee continued this trend, purchasing two properties: the 100-acre Grumbling Farm on the Lee-Epping border and another 11-acre parcel.

In Focus: Lee's 1999 Warrant Article

Using the fund balance to acquire a specific property:

> "To see if the Town will vote to raise and appropriate the sum of two hundred and twenty-five thousand dollars ($225,000) to purchase and acquire in fee simple land between Garret Road and Turtle Pond Road, owned by Robert and Amogene Kimball, Property Tax Map 0009-0001-0000, and to authorize the withdrawal of funds from the following sources:
>
> a. one hundred thousand dollars ($100,000) from the Land Acquisition Trust Fund;
>
> b. fifty thousand dollars ($50,000) from the Land Use Change Tax Trust Fund;
>
> c. seventy-five thousand dollars from the town's fund balance ($75,000)."

Hints from Lee's Experience

- Don't underestimate the willingness of your community to support conservation. Ford believes that Lee could have done more, sooner.
- Use a diversity of funds.
- Unanimous support from town leaders can be very helpful.
- Keep educating and providing information on both the need for conservation and the specific projects proposed.

Lee Facts

Population (2000): 4,145

Acreage: 12,927

Acres Conserved: 1,234 (10%)

Acres in Current Use (1999): 7,754 (60%)

Valuation (2001): $221,746,751

Tax Rate (2001): $30.25

Form of Government: Board of Selectmen, traditional Town Meeting

- Some community members may view using the fund balance as a devious way to avoid a direct tax increase through a separate warrant article.
- **Not dependable:** The fund balance is not considered a source of funding for strategic, long-term land protection because its availability depends on unpredictable factors.

See Case Study: Lee above.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Our sensible, low key approach to timber harvest and acquisition of additional town forest land has led to consistent approval by nearly all our Select-men, and so far nothing has been shot down by the town.

— Bobby Reeve, Weare town forest manager

Proceeds from Managing Town Property

Some towns are fortunate enough to have town property that can be managed to provide income to the town. Frequently this is achieved by managed timber harvest operations on a town forest. A vote by the town meeting (city or town council) is needed to authorize a forestry committee or a Conservation Commission or the Board of Selectmen to manage the land and deposit revenues in a management fund. Some other kinds of municipal properties that might be managed for a profit are beaches and recreation areas.

The town typically allows the authorized group to determine the location and type of timber harvest to take place. Some towns (Lyme is one) choose to seek public input to determine what kinds of timber harvest techniques fit with the townspeople's vision for their town. It is highly recommended that a licensed forester be contracted by the town to mark the trees and supervise the logging, and ensure that the logger follows the wishes of the town. *Good Forestry in the Granite State*[9] provides excellent guidelines for the best forestry practices.

In Focus: Model warrant article for town forests

> To see if the town will vote to establish as town forest as authorized by RSA 31:110 the following parcels of land: (insert description of the parcels, including their tax map numbers), to authorize the forestry committee to manage the town forest(s) under the provisions of RSA 31:112 II, and to authorize the placement of any proceeds which may accrue from said forest management in a separate forest maintenance fund, which shall be allowed to accumulate from year to year as authorized by RSA 31:113. (Note: A separate article or additions to this one would be needed to authorize spending the proceeds to acquire more land.)

Advantages

- Money to care for open space is acquired with no impact on residents' tax bills.
- Additional timber is harvested to meet needs for wood products.
- There are educational opportunities to help townspeople understand the link between timber harvest and wood product usage.

Disadvantages

- The town needs to have or acquire enough productive town forest land to grow and harvest trees efficiently. The acreage needed depends on species, soil type, terrain and other factors, but usually lots of fewer than 50 acres are inefficient to manage on their own for forest products.

Hints

- A forest management plan is essential.
- Contact the UNH Cooperative Extension Forester for your county to learn more about the prospects for environmentally sensitive forest management on town forests or other land in your town.
- Work with licensed foresters and reputable loggers to help townspeople understand the benefits of forest management.

See Case Study: Weare on next page.

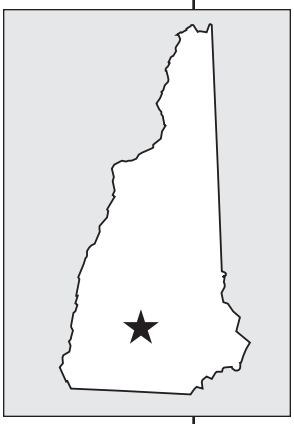
[9] *Good Forestry in the Granite State, Recommended Voluntary Forest Management Practices for New Hampshire*. 1997. Division of Forest and Lands, New Hampshire Department of Resources and Economic Development and the Society for the Protection of New Hampshire Forests. Available at www.spnhf.org

Case Study:
Weare Town Forest Account

Weare has a strong history of acquiring and harvesting Town Forest land. As early as 1948, 665 acres that had been taken for back taxes in the 1930s were declared "Town Forest." In 1953, that designation was reaffirmed, and the 163 acres of the former Weare Poor Farm (acquired in 1838!) was also declared Town Forest. A forestry plan was created before the current town forest manager, Bobby Reeve, took the position in the early 1980s.

Weare grew rapidly in the late 1900s, more than tripling in population from 1851 people in 1970 to 6190 in 1990. Far-sighted conservationists in the town realized that adding to the town forest would be a good way to buffer the town from the physical and economic impact of that rapid growth. At a Special Town Meeting in 1985, they reconfirmed the use of the two previously mentioned properties as Town Forest, and added another 68 acres that had been taken for back taxes earlier the same year. In 1986 they established a Town Forest Account. The account is managed as an "endowed' account, meaning that the balance must be kept above $40,000, which was the initial amount, and only specified uses are allowed for both the principal and the interest. The principal in the account can be used for acquisition of new town forestlands and maintenance of and improvements to existing town forestlands. Interest from the account can be used for newsletters, maps, trail building and maintenance and informational public meetings on conservation issues. The account was set up so Selectmen could expend funds from it. This was done in case there was a need to act faster on some project than the schedule for town meeting allowed, but there has never been a need to do that. Each acquisition has had the approval of Town Meeting.

Between 1986 and 2002, Weare conducted five timber harvests on the town forests totaling over 2 million board feet. They seek to conduct harvests when the trees are mature and the timber market is favorable. They have also built trails, distributed trail maps to all residents, marked boundaries and done timber stand improvements. They have used the proceeds from the timber harvest (and a variety of other sources and strategies) to add about 260 acres of additional forestland abutting the existing town forest parcels in five separate acquisitions between 1992 and 2000.



Weare Facts

Population (2000):
7776

Acreage:
38,463

Acres Conserved:
6,075 (16%)

Acres in Current Use (1999):
19,028 (49%)

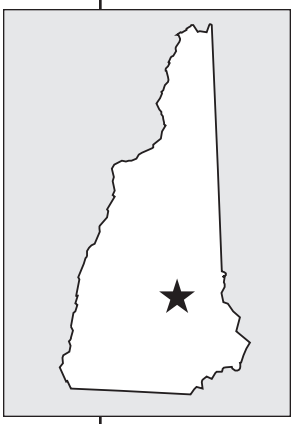
Valuation (2001):
$352,439,364

Tax Rate (2001):
$24.67

Form of Government:
Board of Selectmen, SB 2 Town Meeting

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Photo by Alan Briere



Case Study:
Gilmanton's Tax Deeded Properties

In 1999, the Town of Gilmanton approved permanent protection of over 740 acres of land that the town had acquired for non-payment of property taxes. In order to decide what properties to retain, the tax collector created a committee representing the planning board, conservation commission, historic district commission and the Gilmanton Land Trust, to review over 100 parcels that the town had taken for back taxes during the previous decade. The committee made field visits to all the accessible parcels, and then recommended the dispositions of each to the tax collector and the Selectmen. Options proposed included unrestricted sale at auction, protection via conservation easement or deed restriction followed by sale, and retention by the town for permanent conservation or other uses.

Town Meeting in 1999 approved the recommendations. Over 487 acres were designated as Town Forest, many in tracts or parcels that abutted existing town forest or conservation land. Six acres were added to an adjacent state forest. Forty-five acres were saved for new ball fields. Thirteen acres were set aside to protect wetlands and river areas. Thirty-six unbuildable lots in two subdivisions were saved for future conservation use. Seven other parcels were protected with conservation easements to be sold later. These totaled 172 acres, and allowed for four possible house sites and some business use.

Gilmanton Facts

Population (2000):
3,060

Acreage:
38,127

Acres Conserved:
3,679 (10%)

Acres in Current Use (1999):
22,118 (58%)

Valuation (2001):
$176,205,330

Tax Rate (2001):
$29.32

Form of Government:
Board of Selectmen, traditional Town Meeting

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Tax Deeded Properties

Towns can acquire properties when the owner fails to pay the property taxes for three years in a row. Selectmen, often with the assistance of the conservation commission, can review all properties acquired in this way to see if any of them are appropriate for conservation. Then, the town legislative body can vote to decide whether to retain these properties.

Advantages

- This is a great way to secure conservation land for your town without the need to appropriate and spend funds and raise taxes.
- Easy for voters to support because they will see no impact on their tax bills.

Disadvantages

- Arranging the various deeds, conservation easements, and details of many parcels at one time may be a complex process.

Hints

- Inventorying the existing land that the town has acquired for back taxes is a great way to start.
- If the number of parcels seems overwhelming, make and follow a plan for dealing with a few at a time for several years.

✒ Try to avoid controversy in the proposed new uses for these lands. Or, separate the less controversial parts of the transactions and get them passed in separate warrant articles first before discussing the more controversial ones.

✒ A land trust can be very helpful in working out the details of easements and transfers.

In Focus: Model Warrant Article To Review Tax Title Lands

> To see if the town will vote to require that the selectmen, before disposing of real property, the title to which has been acquired by tax collector's deed, first consult with the conservation commission, said commission to recommend whether or not the retention of such real property would be in the best interests of the town as provided in RSA 80:80, V, subject to final ratification of the next annual or special town meeting.
>
> (*Note:* If your town is one of the very few that still uses the tax sale instead of the tax lien process, the citation in this warrant article should be RSA 80:42-a.)

In Focus: Model Warrant Article To Retain Tax Title Lands

> To see if the town will vote to retain ownership of _____ (insert description of parcel(s), including their tax map numbers), for conservation purposes, as authorized by RSA 80:80,V and to authorize the conservation commission to manage the property (ies).
>
> (*Note:* If your town is one of the very few that still uses the tax sale instead of the tax lien process, the citation in this warrant article should be RSA 80:42-a.)

Exchange of Real Estate

There is another way to handle properties that towns acquire when the owner fails to pay the taxes on the property for three years in a row. If the selectmen's review of the property determines that it does not have conservation value, the town may choose to exchange this land for other land that does have conservation value.

If your town has a good open space plan (see pages 8–10) or a list of desired properties or types of properties you wish to conserve, it will be easier to determine if an available property is something that you want to acquire.

The warrant article providing authorization to review tax title lands for this purpose is the same as that shown above for tax deeded properties.

Advantages

✒ This technique can bring conservation land to your town without the need to appropriate and spend cash.

✒ It can be easy for voters to support because there will be no impact on their tax bills.

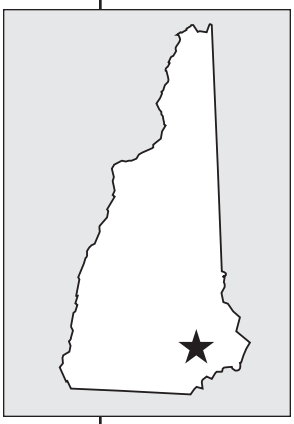
Disadvantages

✒ As the Raymond case shows, it is important to compare the impact of protecting certain conservation land with the cost of development that may take place on the non-conservation land that is exchanged.

✒ Getting clear title to tax deeded properties can be time consuming and must follow certain legal processes.

This project was a lot of work and frustration, but it shows that there are a lot of different ways to make things happen. In the end, it worked out well for both the the town and the estate.

— Gordon Snyder attorney for the estate that made the bequest that prompted the exchange



Case Study:
Real Estate Exchange — Raymond

In the early 1990s, the town of Raymond had acquired a number of parcels for back taxes that did not have conservation value. At about the same time, an estate bequeathed 329 acres of land with some road frontage and nearly a half-mile of shore frontage on Onway Lake to a local church. Other development was taking place on or proposed for the lake. The town was interested in acquiring the property for conservation. The estate agreed to exchange all but 25 acres of the shorefront parcel for a group of non-conservation tax deeded properties, which it would sell for development, plus forgiveness of back taxes. The total transactions took from 1992 until 1998. Obscure problems with the town's title to some of the tax-deeded properties slowed the process down. Property values fluctuated during the time it took to accomplish the transactions.

In the end, some properties were given to the estate in exchange and the town sold others for cash that was paid to the estate. The town acquired 304 lake-front acres with no tax impact, and the church was satisfied with the value it got in the exchange as well.

The exchange had both proponents and opponents in Raymond. Some people, especially existing shorefront owners, were very supportive. Town Building Inspector Richard Mailhot remembers that some people were concerned about the cost to the town of development that would take place on the exchanged properties. Voters at town meeting in 1993 approved of the exchange.

Raymond Facts

Population (2000): 9,674

Acreage: 18,943

Acres Conserved: 1,071 (6%)

Acres in Current Use (1999): 5628 (31%)

Valuation (2001): $438,914,607

Tax Rate (2001): $27.08

Form of Government: Board of Selectmen, traditional Town Meeting

In Focus: Raymond's Tax Deeded Property Exchange Warrant Article

To see if the town will vote to authorize the Board of Selectmen to acquire approximately 304 acres of land on Onway Lake from the Estate of Forest L. Dearborn (the total acreage is 329 acres and the Estate is retaining 25 acres) pursuant to the Agreement between Gordon B. Snyder, Executor under the Will of Forest L. Dearborn, and the Town of Raymond, dated on or about March of 1993, specifically in exchange for: (1) the conveyance to the Estate of land suitable for not more than 15 building lots in the Town of Raymond; (2) the granting by the Board of Selectmen of the Town of Raymond of an abatement of real estate taxes and other liens owned by the Estate on the land and all real estate taxes due on the land to be acquired by the Town, such amount as owing through the final deeding of all such land; and (3) the granting to the Estate of an amount equal to the sale proceeds of a timber cut on the land to be acquired by the Town, such proceeds to be net of the expenses incurred by the Town in making the timber cut. (Article 14, Raymond Town Meeting Warrant, 1992)

However, in a different conservation project in 1998, the town decided to spend the money to purchase other conservation land when it became available, rather than making a real estate exchange.

In Focus: Raymond's Purchase of Property Warrant Article

To see if the Town will vote to raise and appropriate the sum of One hundred sixty thousand dollars ($160,000) to purchase Tax Map 8 Lot 41, a 370 acre parcel located on Class VI Cilley Road and fronting on Governor's Lake. Said land to be held in perpetuity by the Town of Raymond. Recommended by the Selectmen and Budget Committee. (Article 10, Raymond Town Warrant, 1998)

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Hints

- Inventorying the existing land that the town has acquired for back taxes is a great way to start.
- If real estate exchanges may work for your town, keep good records of available tax-deeded properties.
- Be sure the title is clear on any properties you plan to exchange.
- Establish a plan for how long the town will retain tax-deeded properties for possible exchange.
- Have priorities in open space plan for conservation lands your town would like to acquire.
- Stay alert to potential real estate exchange opportunities.

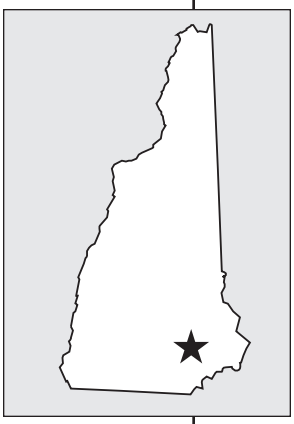
Matching Fund Sources

In addition to municipal funding sources, there are a wide variety of federal, state, and private funding sources designed to support land conservation efforts. These include programs with a specific focus such as the state's Water Supply Land Protection Program, and programs with a broader resource conservation focus such as the Land and Community Heritage Investment Program (LCHIP). This section briefly summarizes major programs currently available and offers some examples of how communities have used these matching sources to complete conservation projects. The amount and availability of funds in these sources is variable over time. Check with state and federal agencies, regional planning commissions, and land trusts for currently active options.

Authority to Accept Funds. Prior to applying for matching grants, you should make sure that your community's governing body is authorized to accept such funds outside of the normal budget process. Under RSA 31:95-b, the town meeting may authorize the governing body to accept and expend any unanticipated funds from federal, state or private sources that may become available during the fiscal year. To do so, the town meeting must pass the language contained in RSA 31:95-b, I-a by a majority vote at an annual meeting. This authority remains until specifically rescinded by the town meeting.

Most New Hampshire communities have adopted this provision, therefore allowing their governing body to accept and expend grants from programs that may become available outside of the normal town budget cycle. One important condition is that

Case Study: LCHIP — Raynes Farm, Exeter



The conservation of 48-acres of farmland in Exeter is a perfect example of a project funded through LCHIP. The property owner, John Raynes, decided he was interested in conserving the remaining parcels of his farm, a property that had been in active agricultural use for over 300 years.

Raynes Farm ranked high in LCHIP's Round 1 grant application process. The property boasts an unusual mix of community heritage and great natural resources. In addition to the historic barn and silo, Raynes Farm is adjacent to the site of the original town landing on the Squamscott River, used for shipping goods in the early 1600s. The property includes high-grade agricultural soils on a working farm that helps to support the regional agricultural base. It also has 2000 feet of shoreline on the Squamscott River and a stunning, scenic vista along 1/3 mile of NH Route 85 (Newfields Road). In addition, the property provides public access to the Squamscott River, as well as links to other conservation land.

Like most projects funded through grants, the conservation of Raynes Farm used several sources of funding. The property cost $520,000 to buy. LCHIP granted $200,000. The Rockingham Land Trust raised $25,000 and the town of Exeter appropriated $275,000. Finally, the donation of an easement on a separate 30-acre parcel provided $200,000 of value for a non-cash contribution.

Under the ownership of the Town of Exeter, the Conservation Commission will manage Raynes Farm. The fields will be maintained in agriculture, most likely by continuing an existing lease arrangement with the Stuart Farm in Stratham.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

the governing body cannot accept any funds that require the expenditure of town funds not previously authorized and appropriated for the same use. In other words, receiving a grant cannot force your town to spend money not already approved.

New Hampshire Land and Community Heritage Investment Program (LCHIP)

Purpose: To provide matching grant funds for the conservation and preservation of the state's most valuable natural, cultural, and historic resources.

Eligibility: Municipalities and non-profit 501(c)(3) organizations (a non-profit without 501(c)(3) may partner with an eligible entity) who have projects that meet certain program criteria. For acquisition projects, applicant must have a willing seller.

Funding: Varies, as appropriated by the New Hampshire General Court on a biennial basis. Past funding levels have been $3 million in FY2001, $5 million in FY2002 and $7 million in FY2003.

Grant Amount: Grants made under this program have ranged from $2,500 to $405,000.

Match Requirement: LCHIP provides up to 50% of total project cost. LCHIP award must be matched by a minimum of 25% cash from any source (25% of total project cost). Recipients may make up the other 25% by including non-cash value as match. These non-cash match sources can include donated land or easements, labor, professional services and materials.

Deadlines: Vary based on available funding, usually two grant rounds each calendar year. Award announcements occur approximately 4 months after the deadline.

Stewardship: Fully developed stewardship plan required prior to disbursement of grant award. Annual monitoring report required. Small cash incentive paid annually when report is submitted to LCHIP.

Technical Assistance: LCHIP staff is available to help apply for grants. The state's Regional Planning Commissions (RPC's) are also available to assist applicants. LCHIP hosts training workshops after the opening of the grant round.

Allowable Land Uses: Land must remain undeveloped, with passive dispersed recreation, agriculture and forestry allowed. Public access required, limits on certain activities acceptable with permission from the Program.

Contact:

LCHIP	603.224.4113
10 Dixon Avenue	info@lchip.org
Concord, NH 03301	www.lchip.org

Water Supply Land Protection Program, New Hampshire Department of Environmental Services (DES)

Purpose: To grant funds for the acquisition of land or conservation easements to assist in the protection of a community drinking water supply.

Eligibility: Municipalities and non-profit 501(c)(3) organizations having water supply as a principal mission are eligible to apply. The land has to be within the source water protection area (SWPA) for a proposed or existing water supply. SWPAs can be located on GRANIT's drinking water supply coverage layer, or contact DES for assistance.

Funding: $1.5 million annually.

Grant Amount: The grant cap is $450,000.

Match Requirement: DES provides 25% of total project costs. The state grant must be matched 75% from local sources. These match sources can include donated land or easements that also lie within the source water protection area, public funds, transaction expenses, or private funds. There is a low interest loan fund available from DES to help communities finance all or a portion of the match.

Deadlines: Fall Grant Round — Project Eligibility Application October 1 with Final Grant Application December 1. Spring Grant Round — Project Eligibility Application February 1 with Final Grant Application April 1.

**Note:* The Spring Grant Round utilizes any funds not allocated during the Fall Grant Round.

Stewardship: Annual monitoring required.

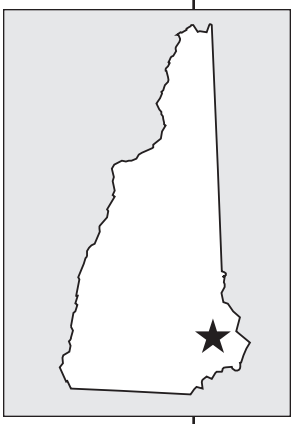
Technical Assistance: DES and SPNHF staff are available to provide technical assistance and assistance with landowners.

Allowable Land Uses: Land must remain undeveloped. Passive dispersed recreation, some agriculture and forestry allowed. See DES's website www.des.state.nh.us/dwspp/acqui.htm for further details.

Contact:

Catherine Hahn	Sherry Godlewski
SPNHF	DES
224-9945	271-0688
chahn@spnhf.org	sgodlewski@des.state.nh.us

Case Study: Water Supply Protection Program, Barrington



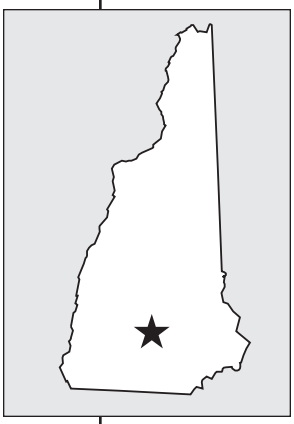
At 1387 acres, the Barrington property is one of the largest contiguous parcels of undeveloped land in the Seacoast Region and is in the watersheds of the Oyster River, the Bellamy Reservoir, and the Bellamy River. The City of Portsmouth, Dover and Durham, and the University of New Hampshire withdraw drinking water from these sources. The property contains prime wetlands with Atlantic White Cedar Swamps and has a high habitat rating. The parcel is used for passive recreation, including hiking, cross-country skiing, horseback riding, hunting, and snowmobile use on the designated trail corridor.

The landowner, Samuel A. Tamposi, sold the property at a bargain price to the town of Barrington. The surrounding communities of Dover, Durham, Madbury, and Lee, as well as the University of New Hampshire, allocated additional funds for the required match.

An extra layer of protection was guaranteed when the Town of Barrington donated a conservation easement to the Society for the Protection of New Hampshire Forests (SPNHF.) The Samuel A. Tamposi Water Supply Reserve Stewardship Committee was established to provide guidance for the wise use and management of the parcel. Annually, the Stewardship Committee and SPNHF will complete the monitoring of the Barrington land.

The Barrington project involves protection for both surface water sources and ground water sources. Barrington, the surrounding communities, and UNH that contributed funds had the foresight to realize that if development occured on this parcel, it could have a negative impact on their future water supplies. The DES grant of $740,000 enabled Barrington to purchase this land.

CLICK HERE TO RETURN TO TABLE OF CONTENTS



Case Study:
Forest Legacy Program — Dunbarton

The town of Dunbarton had been working on protecting the land around sixty-acre Kimball Pond since 1994, when the conservation commission arranged for purchase of a small parcel on the shore of the pond. The area contains diverse topography and wildlife habitat including beaver ponds, several vernal pools and a black gum-red maple swamp; and provides habitat for several rare wildlife species. By the late 1990s, Dunbarton had completed protection of 600-plus acres that encompassed the entire perimeter of the pond.

Starting in 2000, the town worked to secure funding to protect an additional 664 acres owned by the Nassikas Corporation. Working with a variety of partners, including the New Hampshire Congressional delegation and the Trust for Public Land, the town succeeded in raising the million dollars needed to complete the project. The largest support, $700,000, came from the Forest Legacy Program. Other funding included $210,000 from the state's Land and Community Heritage Investment Program (LCHIP), $100,000 from the Dunbarton Conservation Commission's conservation fund, $50,000 from private supporters and $25,000 voted unanimously at the March 2002 Dunbarton town meeting.

A potential trail system through the property has been identified for hiking, cross country skiing, bird watching and other low-impact recreation. Hunting and snowmobiling are also permitted, and the property will be managed for sustainable timber harvesting. A wildlife tracking project, sponsored by the local land trust, has provided lots of information about the wildlife on the tract.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Forest Legacy Program, United States Forest Service

Purpose: To protect environmentally important forests that are threatened by conversion to non-forest uses.

Eligibility: Any New Hampshire forest landowner is eligible to apply. Larger forest tracts tend to rank higher. Conservation easements tend to be preferred because they provide protection for more acres for less money.

Funding: The national funding level is set annually by Congress. In FY '02 the Forest Service received a $65 million appropriation for the program nationally.

Grant Amount: In fiscal year 2002, New Hampshire received $4.8 million for three projects. The annual amount received varies based on national ranking of the New Hampshire projects. Grant amounts have ranged from $100,000 to almost $4 million.

Match Requirement: Forest Legacy funds can provide up to 75% of the cost of the project. The 25% match can be from the protection of other land with important forest values.

Deadlines: An application form (5 pages plus up to 9 attachments) can be submitted to the state on an ongoing basis. The state submits approved applications to the Forest Service for congressional review when requested. The date for submittal to the Forest Service for FY '04 was August 2002, the earliest it has ever been.

Stewardship: Tracts must have an approved forest stewardship plan in place before closing. The state monitors use of the land.

Technical Assistance: The Division of Forests and Lands at the New Hampshire Department of Resources and Economic Development provides assistance to landowners seeking to apply.

Allowable Land Uses: Use of land protected under this program is limited by the terms of the easement (development is not allowed) and the terms of the forest stewardship plan.

Contact:
Susan Francher, Forest Resource Planner
Division of Forest and Lands, DRED
PO Box 1856, 172 Pembroke Road
Concord, NH 03302-1856 (603) 271-3456
susanf@dred.state.nh.us

Farmland Protection Program, United States Department of Agriculture

Purpose: The Farmland Protection Program (FPP) is a voluntary program that helps farmers keep their land in agriculture. The program provides matching funds to state and local governments or non-governmental organizations with existing farmland protection programs to purchase conservation easements.

Eligibility: To qualify for FPP, the land must be privately owned, contain important farmland soils, be large enough to sustain agricultural production (10 acre minimum), be accessible to markets, and be surrounded by parcels that can support long term agricultural production. The easement must be perpetual. Land that contains historical or archaeological sites are also eligible for this program. The program is administered by the Natural Resources Conservation Service (NRCS).

Funding: Annual funding is variable, subject to congressional authorization. The funds available for New Hampshire have grown from $100,000 in 1997, the first year of the program, to $1,856,467 in 2002.

Grant Amount: Grants for Farmland Protection Projects in New Hampshire have averaged just over $71,000.

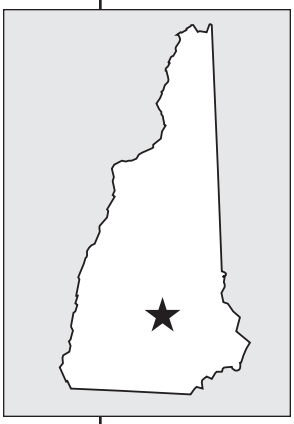
Match Requirements: The FPP share of the easement cost must not exceed 50 percent of the appraised fair market value of the conservation easement. The cooperating entity may supplement its share of the easement cost through a landowner's donation, not to exceed 25 percent of the appraised fair market value of the conservation easement.

Deadlines: For each program year, the NRCS national office releases a request for proposals (RFP). The RFP is announced (published in the Federal Register) at different times, but usually during the first three months of the calendar year. The deadline for submitting proposals is typically 45 days after the printing in the Federal Register. Based on past years, the FPP awards are announced in July and cooperative agreements must be signed by September 30th.

Stewardship: All parcels in New Hampshire that are under an FPP easement are required to have an NRCS conservation plan. This plan is monitored by the NRCS District Conservationist. The NRCS State Office conducts routine spot-checks of FPP parcels to ensure the land is remaining in compliance with the terms of the conservation easement.

Protection of the Kimball Pond land can only be described as a miracle for the Town of Dunbarton. The project's success would not have been possible without support at the local, state, and national levels. Dunbarton residents, with their votes at Town Meeting and with their generous financial contributions, were the true drive behind this project. The Trust for Public Land's assistance was also critical, as was the leadership of the New Hampshire Congressional Delegation.

— Larry Cook, Dunbarton Conservation Commission chair



Case Study:
Farmland Protection Program — Concord

The 155-acre Sunnycrest Orchard has been an important landmark to the people of Concord for many years. It contains 50 acres of mature fruit trees, a thriving farmstand and a popular volunteer-built lookout tower. There are hiking and cross-country skiing trails. The orchard presents a panoramic view of mountains to the north, and is visited by over 2000 school children a year.

When the owner proposed to sell it for development, in 2000, there was an immediate public outcry. A group calling itself the Friends of the Orchard formed almost overnight to try to raise enough money to protect the orchard. Many groups and individuals became involved in the project, including local, statewide and national land trusts, many political figures and hundreds of individuals.

Photo by American Aerial Scenes

Sunnycrest Orchard, Concord

Ultimately, the orchard was purchased by the Trust for Public Land, protected with a conservation easement and sold for continued use as a working farm and community resource to the orchard's longtime manager and his wife, Rob and Annette Larocque. The City of Concord and the Concord Conservation Trust hold the conservation easement jointly.

Funding for the project included a grant of $300,000 from the USDA Department of Agriculture Farmland Protection Program, $345,000 in private donations, $150,000 from the City of Concord's Conservation Fund (which came from the Land Use Change Tax), and a grant of $405,000 from the New Hampshire Land and Community Heritage Investment Program.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Technical Assistance: The Natural Resources Conservation Service is the main source of technical assistance for this program in New Hampshire. The American Farmland Trust, the Trust for Public Land, as well as some local governments and land trusts also have experience with this program.

Allowable Land Uses: Land protected through this program restricts the land from being converted or developed to non-agricultural use. Some farm-related housing may be allowed. Generally there are few restrictions on improvements and construction related to the farming operation. The basic purpose and structure of all agricultural conservation easements are the same. However, each easement is tailored to the specific farm being protected.

Contacts:

Richard D. Babcock
State Conservationist
Natural Resources Conservation Service
2 Madbury Road
Durham, NH 03824
868-7581 ext. 125
dbabcock@nh.usda.gov

Steve Hundley
Farmland Protection Program Manager
Natural Resources Conservation Service
2 Madbury Road
Durham, NH 03824
868-7581 ext. 110
shundley@nh.usda.gov

Land and Water Conservation Fund State-side Program

Purpose: The Land and Water Conservation Fund (LWCF) is a federally funded program, established by Congress in 1964 to create parks and open spaces, protect wilderness, wetlands, and refuges, preserve wildlife habitat, and enhance recreational opportunities. The state-side part of the program provides federal funds to states for local and state conservation and outdoor recreation projects.

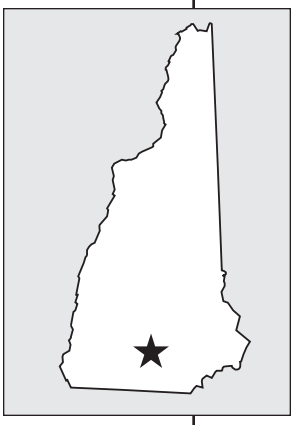
Over the last 37 years, New Hampshire. has received more than $32 million in LWCF funding. These funds have been used to complete over 600 projects in 70% of New Hampshire's cities and towns. This includes the purchase of 50,000 acres of land, and the construction of more than 200 recreation areas that provide summer and winter outdoor recreation opportunities.

Eligibility: Municipalities, school districts, state agencies, and other subdivisions of the state are eligible for LWCF state-side grants.

Funding: Annual funding is variable, subject to congressional authorization. The last two years have shown a marked increase in federal LWCF funding fol-

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Case Study:
LWCF Funds — Derry



In August of 2002, the Town of Derry successfully completed the acquisition of 116 acres, including the 86-acre Corneliusen farm. This project was creatively structured and shows the power of grant programs and of thinking outside the box.

The project received grants from multiple grant programs, including the Land and Water Conservation Fund ($100,000 in 2002), Farmland Protection Program ($95,000), and Land and Community Heritage Investment Program ($125,000), as well as funds from the Town of Derry and private contributors.

The Town of Derry purchased 76 acres of the farm and an adjacent property owner purchased the farm's remaining ten acres, which has development restrictions held by the Derry Conservation Commission. The town placed an agricultural easement on 38 acres of the farm, and then exchanged that parcel with neighboring J&F Farm for an agricultural preservation easement on an adjacent 30 acres of land.

The town plans to manage the remainder of the Corneliusen farm, approximately 38 acres, for wildlife habitat and low impact recreation. This portion of the property has an easement held by the Rockingham Land Trust.

[The Sunnycrest Orchard] project shows that by working together and reaching out to resources at the federal, state and local levels, we can keep precious agricultural and recreational land open for public use and protect our valuable community resources.

— Arthur Klemm, former New Hampshire Senate President

lowing nearly two decades of minimal funding. New Hampshire received almost $900,000 in fiscal year 2001 and over $1.4 million in 2002. Local communities receive 60% of New Hampshire's annual allotment of LWCF funds, and 40% is earmarked for state parks.

Grant Amount: The maximum grant is $100,000. Most grants are smaller.

Match Requirement: LWCF can provide up to 50% of the project cost. Community match must be demonstrated in cash or in-kind donations of labor, professional services, materials, real property, and equipment.

Deadlines: Grant rounds are generally held by the state once a year with a November deadline. The Office of Recreation Services requests that interested communities submit an application intent form prior to the November 1st deadline.

Stewardship: LWCF does not require stewardship plans for land conservation funds. Section 6 (f) of the Land and Water Conservation Fund Act mandates that any site acquired or developed, either partially or wholly, with LWCF assistance must be retained in public outdoor recreation use in perpetuity. Conversion to any other use must receive prior approval of the National Park Service and would require a replacement of the converted lands and/or facilities with substitute lands and/or facilities of like-kind use, value, quality, and location. The National Park Service has the authority to disapprove conversion requests and/or to reject proposed property or facility substitutions.

Technical Assistance: The New Hampshire Office of Recreation Services can answer all questions regarding applying to the program. The Office hosts technical workshops each fall, about two months before the application deadline. Contact the Office of Recreation Services for more information.

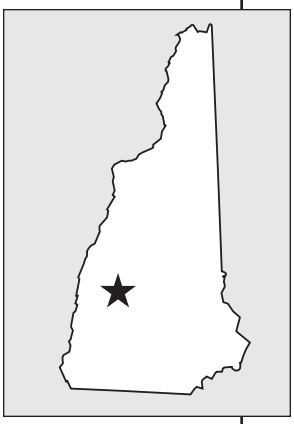
Allowable Land Uses: Land protected through this program must be available for public outdoor recreation and can include facilities for outdoor recreation.

Contact:
Ben Haubrich
Director, Office of Recreation Services
New Hampshire Division of Parks and Recreation
PO Box 1856
Concord, NH 03302-1856
271-3556
www.nhparks.state.nh.us/ParksPages/RecServices/RecSrvLWCFhom.html

Using Multiple Matching Sources

As several of the examples shown above illustrate, some projects can qualify for funding from a variety of sources. Many sources that require a match do not insist that the match be in local funds, so money from one outside source can sometimes be used to meet match requirements for other sources. Obviously, this is a good thing for the community, because the more money that can be acquired from outside sources, the less the municipality will have to find from the array of available local sources. Town residents like matching funds, because they reduce the local cost of projects, because they show that project organizers are working hard to complete the project, and because it reinforces the value of the project if outside sources are also interested in it.

Case Study:
Multiple Matching Funds — New London's Low Plain Project



The Low Plain in New London is a marshy area that provides habitat for 163 species of wildlife and is the headwaters for a brook feeding a major lake. The town acquired part of the area in the 1970s. The Conservation Commission created public trails on the property in 1976 leading to a quaking bog, beaver pond, marsh, and scenic overlooks.

In 1993, 108 acres of the area became available for purchase. A group called the Low Plain Alliance was formed with a three-year mission to purchase the 108 acres of marsh and adjoining upland, protect it with a conservation easement, and transfer title to the Town of New London. Multiple sources were sought to meet the total project cost of $310,000. The New London Conservation Commission contributed $31,000. The regional land trust based in New London, Ausbon Sargent Land Preservation Trust (ASLPT), pre-acquired the property with financing from a local bank and personal guarantees from eighteen local individuals.

Two major individual donors contributed $6000. Nine acres of the property were sold for $31,000 to help finance the protection of the rest. A $54,000 grant from the National Fish and Wildlife Foundation and $25,000 from the state of New Hampshire helped support the effort. The project was supported by the 170 donations from local organizations, businesses and individuals. Donations ranged from $10.00 to $25,000. At Town Meeting in 1994, voters overwhelmingly supported an article to appropriate $76,000 for the project.

The fundraising was completed by January 1995, less than a year and a half into the intended 3-year program. The conservation easement ensuring permanent conservation was granted to the New Hampshire Department of Fish and Game and the title to the property presented to the Town of New London.

In an engaging sequel to the story, in 1998 another fundraising effort led by the ASLPT successfully raised $63,000 in private donations and $75,000 in town monies to purchase the remaining 13 acres of the property.

In Focus: New London's 1994 Warrant Article

> **ARTICLE 31:** To see if the Town will vote to raise and appropriate the sum of seventy-six thousand dollars ($76,000) for the purchase of the Low Plains Land Area. The Board of Selectmen and Budget Committee recommend this appropriation. *(Majority vote required). (17 cents per thousand) — VOTE IN THE AFFIRMATIVE.*

Advantages

- Town already had a stake in the property.
- Townspeople had been using trails on the property for a number of years.
- There was an existing, successful land trust available to coordinate the project and the many funding sources.
- Donations to the land trust for the project were tax deductible.

Disadvantages

- Coordinating this large and multifaceted a project took a great deal of time, energy and expertise.

Hints from New London's Experience

- Set a realistic time frame for your project.
- Use real numbers — figures that are based on actual project costs.
- Make realistic assessments of the likelihood of getting funds from various sources.
- Be prepared to work cooperatively with many partners, from private individuals to national organizations.

New London Facts

Population (2000): 4,116

Acreage: 16,268

Acres Conserved: 2,401 (15%)

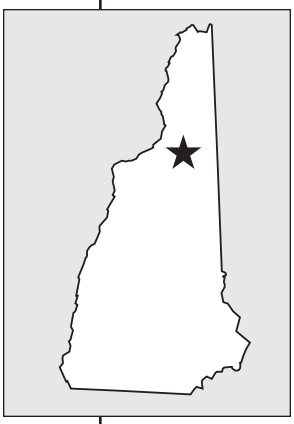
Acres in Current Use: 5,626 (35%)

Valuation (2001): $513,590,439

Tax Rate (2001): $20.05

Form of Government: Board of Selectman, traditional Town Meeting

CLICK HERE TO RETURN TO TABLE OF CONTENTS



Case Study:
Multiple Matching Funds — Randolph's Pond of Safety Project

The town of Randolph is located on the northern edge of the main section of the White Mountain National Forest, and close to the separate northern section of the WMNF, the Kilkenny Unit. After the ice storm of 1998 reduced the value of the privately held timberland around Randolph, people in Randolph began to explore acquiring the forested tract that connects the two. The proposed project, centered around the Pond of Safety, a refuge from the Revolutionary War period, would both connect the two parts of the national forest and provide the town with a huge community forest.

It was no small undertaking for a town with a year-round population of under 350 people to raise over $5 million to acquire 13,500 acres of forest. Working cooperatively with the Trust for Public Land, a creative funding package was put together. Federal Land and Water Conservation Funds were tapped for $1,500,000 for the nearly 3000 acres that were to be added to the White Mountain National Forest. The Forest Legacy Program provided an additional $2,500,000. Senator Judd Gregg was a key supporter, as was Congressman Charlie Bass. The project also received $250,000 from the Land and Community Heritage Investment Program.

Even with this substantial state and federal support, the town still needed to raise another $2.3 million to complete the purchase. The issue was discussed at town meeting in 2001, when nearly all of the adult population of the town was in attendance. Even if the money could be raised, the town had to agree to accept the land and set up a mechanism for it to be managed. There were concerns about the management of the forest. It had been found that there was enough timber to cover the short-term land management costs. After the discussion, the vote to support the acquisition was unanimous, 150 in favor, none opposed.

But the town still had to raise nearly another $2 million. Donations came from close to 200 private supporters, including both year-round and summer residents of Randolph. These private donations were used to leverage funds from a wide range of foundations. Money was received from Open Space Conservancy's Northern Forest Protection Fund, Merck Family Fund, Randolph Foundation, Davis Conservation Foundation, Moriah Fund, Anna B. Stearns Fund, and the Stanton and Elisabeth Davis Fund of the Northern New Hampshire Foundation. Partners in the project included the Town of Randolph, Randolph Foundation, State of New Hampshire, New Hampshire Congressional delegation, U.S. Forest Service, Trust for Public Land, Society for the Protection of New Hampshire Forests, Randolph Mountain Club, and Appalachian Mountain Club. It is notable that no town funds were required to complete the project.

Randolph Facts

Population (2000):
339

Acreage:
30,142

Acres Conserved:
12,640 (42%)

Acres in Current Use (1999):
15,229 (50%)

Valuation (2000):
$34,727,434

Tax Rate (2001):
$19.17

Form of Government:
Board of Selectman, traditional Town Meeting

Advantages

- Townspeople were familiar with the land; many had hiked, fished and hunted on it for years.
- Damage from the ice storm lowered the value and price of the land.
- Multiple partners with a variety of capabilities worked together.
- Randolph has a tradition of civic activity and interest in the surrounding natural environment.
- Many Randolph summer residents are willing and able to be financially generous, and may have had influence with certain foundations.

Disadvantages

- The project was long, complex and time consuming.

Hints from Randolph's Experience

- Be prepared to work cooperatively with many partners, from private individuals to national organizations.
- Don't expect a large complex project to be accomplished quickly.
- Don't underestimate your town's capacity to succeed.

Ned Therrien

Pond of Safety, Randolph

The preservation of the wilderness land around the Pond of Safety will have ecological significance to the North Country. By connecting the Northern Presidential Mountains to the Kilkenny Range, New Hampshire's invaluable wilderness will be protected, allowing for recreational use and wild feeding and breeding habitats for many wildlife species.

— Senator Judd Gregg

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Cooperating with Private Land Trusts

A land trust is a local, state, or regional nonprofit organization directly involved in protecting land for its natural, recreational, scenic, historical, or productive value.[10] New Hampshire has several dozen private land trusts working in many parts of the state. Some work in all parts of the state while others work in more specific geographic regions, or sometimes in a single town or watershed area. Typically, the larger statewide land trusts (Audubon Society of New Hampshire, Society for the Protection of New Hampshire Forests, The Nature Conservancy — New Hampshire Chapter, and Trust for Public Land) deal with projects of statewide importance and regional or local land trusts deal with projects of more local interest. High priorities for most groups are properties adjacent to existing protected parcels, or projects with high conservation value.

[10] *Starting a Land Trust, A Guide to Forming a Land Conservation Organization*. 2000. The Land Trust Alliance, www.LTA.org, ISBN 0-943915-06-6.

The Low Plain Project was a very exciting project to be involved with. The cooperation between the New London Conservation Commission and the Ausbon Sargent Land Preservation Trust was the key to making things happen. The ASLPT was a crucial part of the private fundraising, while the Town of New London's involvement allowed the whole town to feel connected to the property. When private and public entities work together, amazing things can happen.

— Sue Andrews, New London Conservation Commission

Because land conservation is the primary function of these groups, they are able to develop specialized expertise in many areas that are needed to accomplish successful land conservation projects. They are usually knowledgeable in areas such as:

- natural resource values
- setting land protection criteria
- land protection options
- landowner contacts
- negotiating conservation options
- fundraising for conservation
- grant applications
- ensuring long-term stewardship or monitoring of the protected land.

Townspeople, however, often have a great deal of very specific knowledge about local natural resources and about the owners of parcels that may be considered for protection.

When the open space interests of a town mesh well with those of a land trust servicing the town's area, there is great potential for cooperative ventures or partnerships that may increase the capacity of both to accomplish important projects.

The map in Figure 5 shows the towns served by various regional and local land trusts active in New Hampshire in 2002. Current contact information for each land trust is found in the *Where to Find Help* section of this guidebook. If one or more of these groups works in your community, you may benefit greatly from cooperating with them on land protection projects. At a minimum, be in contact with them about your land conservation projects, goals and dreams, in order to keep each other informed and seek opportunities to work together.

Private Foundations

Private foundations may be a source of funding for land conservation projects, although some may not be willing to support direct acquisition costs such as the purchase price of land. However, even those foundations wary of acquisition expenses may still be interested in funding the work and/or outreach materials of your conservation group.

While each foundation is unique (often reflecting the giving priorities of its trustees and/or donors) some general guidelines apply when seeking assistance. Whatever the size and location of the foundation, *be certain that your project falls within their giving guidelines before approaching the organization for support.*

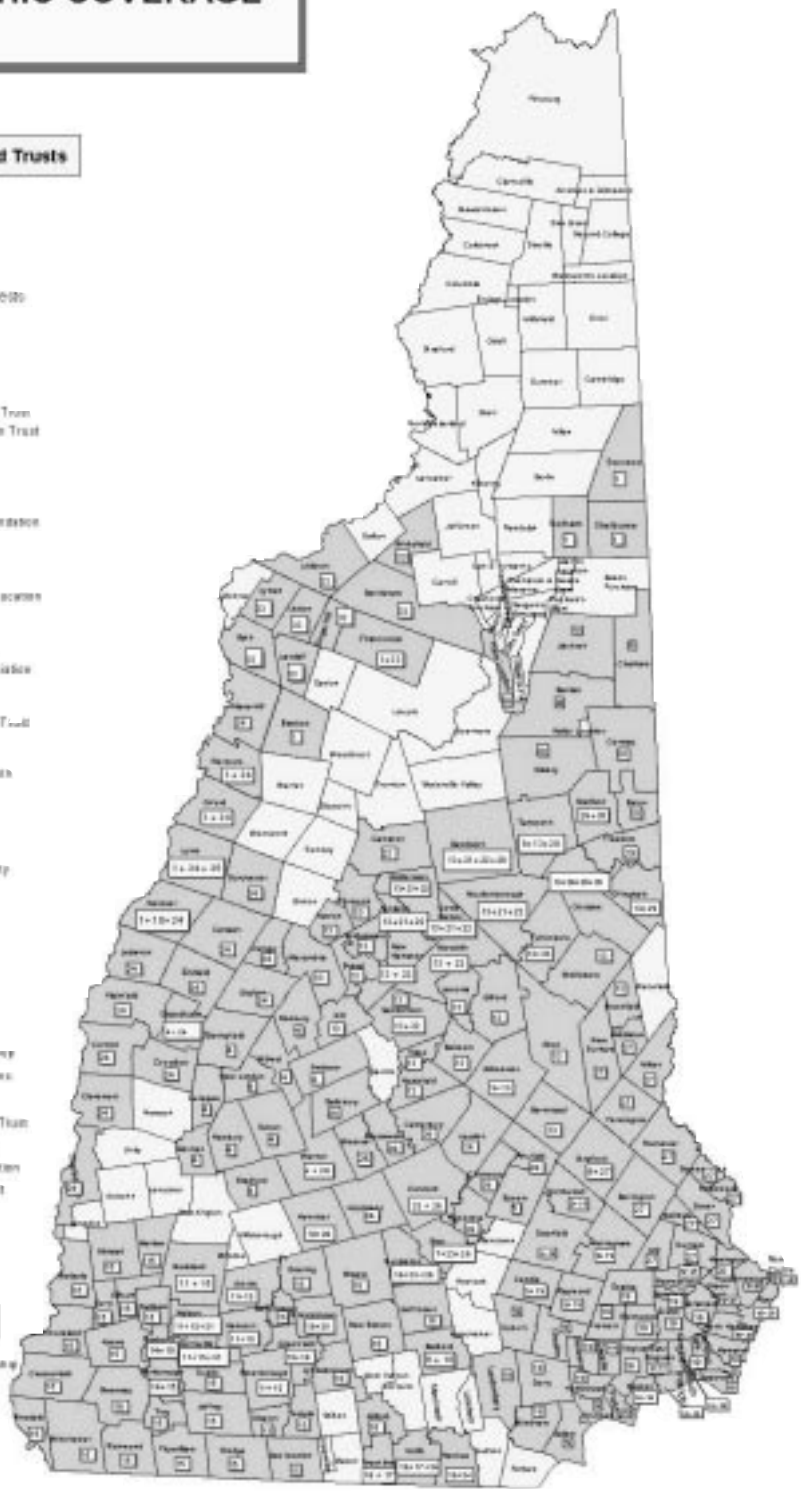
Both the Concord Public Library and Plymouth State College Library are repositories for *The Foundation Resource Collection*, which features a searchable foundation database as well as an extensive assortment of reference books for grant seekers. These materials are free for on-site public use.

Local Foundations. It is worth exploring to see if there is a local foundation that was established to support your specific town and/or New Hampshire region. Typically, these smaller foundations are managed by unpaid trustees who most likely live in, or very close to, the towns their foundation supports. As such, they have a vested interest in projects happening in nearby communities.

Figure 5.

NH LAND TRUSTS GEOGRAPHIC COVERAGE

UNIVERSITY of NEW HAMPSHIRE
COOPERATIVE EXTENSION



Statewide Coverage Land Trusts

Archaeological Conservancy
Audubon Society of NH
The Nature Conservancy
New England Forestry Foundation
New England Wildflower Society
NH Preservation Alliance
Society for the Protection of NH Forests
The Trust for Public Land
Wildlife Land Trust

Local Land Trusts

1. The Appalachian Trail Conf. Land Trust
2. Audubon Sargent Land Preservation Trust
3. Bean-Paw Regional Greenways
4. Bedford Land Trust
5. Bow Open Spaces
6. Chocorua Lake Conservation Foundation
7. [illegible] Land Trust
10. Hanover Conservation Council
11. Harris Center for Conservation Education
12. Hopkinton Trust
13. Lakes Region Conservation Trust
14. Marlborough-Roxbury Land Association
15. Monadnock Conservancy
16. Nichols-Smith Conservation Land Trust
17. Nashua River Land Trust
18. Piscataquog Watershed Association
19. Rockingham Land Trust
20. Seacoast Land Trust
21. Squam Lakes Association
22. Squam Lakes Conservation Society
23. Taxidy River Buffer Trust
24. Upper Valley Land Trust
25. Lyme Hill & Valley Association
26. Five Rivers Conservation Trust
27. Stratford Rivers Conservancy
28. Rolland Park Land Trust
29. Green Mountain Conservation Group
30. Francestown Land Conservation Inc.
31. Silver Lake Land Trust
32. Bartlemaze Agriculture and Land Trust
33. Ammonoosuc Conservation Trust
34. Nashua River Watershed Association
35. Dan Hole Pond Watershed Trust
36. Upper Saco Valley Land Trust

Information not available

Alnwick Land Trust
Great Bay Resource Protection Partnership
Highland Lake Association

[illegible]

To find out if there is a local foundation supporting projects in your area, check in the *Directory of Charitable Funds in New Hampshire*, which is maintained by the New Hampshire Department of Justice, Division of Charities. The Directory lists the charities by region, purpose and alphabetically, making it an easy source for the information you need. (For more information, see http://www.state.nh.us/ nhdoj/CHARITABLE/directory/directory-main.html.

Statewide Foundations. While New Hampshire has only a few foundations existing to support efforts throughout the state, they are very active. You should investigate them as a potential funding source. The New Hampshire Charitable Foundation, for example, has six regional divisions located throughout the state.

Most statewide foundations are based in Concord or Manchester and can be researched through the *Directory of Charitable Funds in New Hampshire* as listed above.

Multi-State and National Foundations. Unless your project sets a national precedent or protects a piece of land that has extraordinary and/or highly threatened ecological features, support from a multi-state or national foundation is unlikely unless a foundation trustee or staff member has a reason to take a personal interest in your project. Focus your attention on local and statewide grant makers before approaching larger foundations. (See New England Grassroots Environmental Fund listing on page 90.)

Tips for Applying

If your group intends to meet a significant portion of a project's costs through grant funding, one or two group members should focus on that task and attend a grant-writing workshop. These workshops are held frequently by numerous organizations throughout the state. The Partnership for Effective Non-Profits (see p. 94) can help you find training opportunities.

- As a rule, you should consult with foundation staff and/or volunteers before submitting a proposal. Foundations receive dozens to hundreds of proposals each year, all from people who believe their project is just as important and worthy of support as yours. Discussing your project in advance of an application will save time, effort, and sometimes money.
- Carefully follow the guidelines set forth by the foundation. Foundation staff and trustees spend hours deciding what information they need to evaluate your proposal fairly. Help them by providing exactly what they ask for, no more, no less.
- Write clearly and succinctly. Remember staff and trustees will be reading many proposals. While you should explain your project fully, you should also avoid telling the grant-maker everything about it. Instead, convey what is most important, describing how the local community will benefit from the project's success.
- If the foundation has prescribed deadlines, avoid writing the proposal the night before it is due. Like any writing effort, your proposal will improve with both review from another reader and a revision process. Take the time to develop a polished proposal that can be easily and quickly understood by foundation representatives.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Chapter IV

Getting It Done: Grassroots Organizing

How to Initiate a Land Conservation Conversation in Your Community

So, you want to convince your community to appropriate funding for land conservation but you are wondering what's the best way to initiate a conservation conversation in your town?

The answer to this question is neither simple nor the same for all New Hampshire communities. It is most effectively answered by using your judgment and the experience of others to understand the political dynamics of your community.

Most towns that have passed significant funding for open space have built support for the initiative through existing town committees like the conservation commission or a specially created task force. These committees have either taken it upon themselves, or have been charged with studying the feasibility of a significant funding proposal.

A few communities have responded to citizens' petition campaigns that place a funding proposal on the town meeting warrant.

This section explores each of these techniques and provides examples of communities that have recently used each approach successfully.

Prior to determining which of the methods you want to use to initiate a conversation in your community, you will want to consider the following questions:

- What work has been done to date to identify open space priorities?
- Which boards in town are most interested in this issue?
- What other organizations will want to be involved?
- What is your community's history with land acquisition and land conservation?
- What type of community do citizens want to have in the future and what do they want to avoid?

Tapping into existing town committees

Towns have an abundance of committees and boards, which may include the Planning Board, Conservation Commission, Budget Committee, Recreation Committee, Water Commission, Heritage Commission, and Zoning Board of Adjustment. Each of these boards has a unique function and role in your community. While the natural choice for studying a community's land conservation options is the Conservation Commission, other committees can provide valuable advice and political support. In addition to town boards, you should consider inviting a board member or staff person of a local land trust or other relevant private organization to attend meetings and provide insight and advice from their experiences.

Of particular value to conservation funding efforts are the Budget Committee, Planning Board, and Conservation Commission. Working with the Budget Committee can provide a better understanding of the financial issues in your community and the tax consequences of a particular funding option. The Planning Board best understands the development pressure facing the community and the goals of the master plan, which may provide direction for your conservation activities. The Conservation Commission best understands the landscape of your community and the key natural resources and features warranting protection.

Your choice may depend on your town's needs. Which lands should be protected? How much money is necessary? What are the tax benefits of land conservation to your community? Different boards can each contribute to answering these questions.

The challenge of using existing town committees is convincing them to take on the task. If you are not a member of any of these boards, you may want to consider joining. In some communities, the Planning Board and Budget Committee are elected positions. Sometimes, the Board of Selectmen appoints members of the public to sit on each of these committees.

You can also speak to the current chair or members of the target committee, and discuss your ideas and goals. They may invite you to attend a meeting and outline your ideas. And you may be surprised — some of them may have already been considering a similar effort and just need the extra indication of support.

If your contacts with the target committee are not promising, you may want to consider approaching the Board of Selectmen and asking for their support, or you may want to consider one of the alternative approaches outlined below.

Advantages

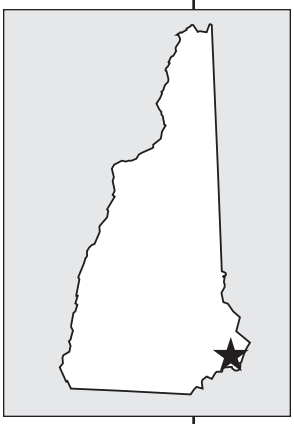
- **Institutional knowledge:** Generally, town committees have a strong base of institutional knowledge of past and current town affairs.
- **Public trust:** A town committee may already have the trust of the public, increasing the potential support for its work.

Disadvantages

- **Workload:** Many committees may already be burdened with tremendous workloads. Adding to this workload may not be possible.
- **Inertia:** Convincing an entrenched committee to consider a new responsibility may take longer than anticipated or simply may not be possible.

See Case Study: North Hampton Forever on next page.

Case Study:
North Hampton Forever



In 2001, North Hampton pioneered the general land acquisition authority bond, passing a $4 million bond with 73% in support.

In April 2000, the North Hampton Conservation Commission initiated a discussion about land conservation with the Board of Selectmen. With their blessing, the Commission formed North Hampton Forever, a subcommittee of nine public appointees and commission members. About half were members of the Conservation Commission and the remaining public members appointed by the Conservation Commission and confirmed by the Board of Selectmen.

The Conservation Commission charged North Hampton Forever with investigating, researching and analyzing the potential for funding land conservation through a bond and developing land conservation goals. After two meetings, the committee agreed that the town should pursue a bond for land conservation. They spent the next six months completing the research, including identifying the remaining developable acreage in town, analyzing the cost of residential development to the town, estimating the tax rate impact of a bond, and evaluating how many years it would take for the town to be built out or developed. The group also set a goal of conserving 1,400 acres of upland, or about 25% of the town's upland acreage. At the time, only about 555 acres were already conserved.

Armed with this information, the subcommittee prepared a Power Point presentation and began educating the public and town officials on their recommendation for a $4 million bond. The subcommittee showed the presentation to the local business association, historical society, a church group, at two public hearings, and to the Board of Selectmen.

They also prepared a series of newsletters and mailed them to residents. The series of six newsletters introduced the idea, noted what other towns had done, discussed the economic and tax impacts of the bond, and explained how residents could learn more and support the measure.

The North Hampton bond passed in March of 2001 with 73% voting in support. Why did it pass so handily?

"It makes sense financially, aesthetically, and ecologically for the town," notes Phil Wilson, co-chair of North Hampton Forever, who has also served on the Planning Board. Wilson believes the newsletters played a key role by educating the public. He also thinks that the financial arguments about the long-term cost of residential development versus the cost of the land bond helped voters realize the benefits of land conservation.

"My advice would be to make sure that the committee members have the will and skills to do the task at hand," explains Wilson. North Hampton Forever had members with expertise in marketing, finance, law, computers, and engineering — all skills that matched the work of the committee. An additional member had personal experience with land conservation, having conserved several parcels of his own property.

With the funding authorized by voters in 2001, North Hampton purchased conservation easements on 17.6 acres of land, and is negotiating deals on an additional 100 acres. North Hampton has utilized Bond Anticipation Notes (BANs) to pay for the acquisitions. Once they expend enough funds through BANs, the town will then formally bond the full value of the acquisitions.

North Hampton Facts

Population (2000): 4,259

Acreage: 8,923

Acres Conserved: 555 (6%)

Acres in Current Use: 2,945 (33%)

Valuation: $481,428,709

Tax rate: $21.32

Form of government: Board of Selectmen, SB2 Town Meeting

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Photo by Alan Briere

Creating a special task force

Many communities in New Hampshire have delegated the responsibility for examining some or all of the aspects of municipal land conservation to a special task force, created solely for that purpose. Most of these task forces are temporary committees of the town. Assuming that the task force is advisory only, with no legal power, this is a relatively simple committee to organize. The governing body can authorize the formation of a task force and outline its membership and specific responsibilities. While it is not legally necessary, some communities, including Hollis, have opted for the authorization of such a committee by the town meeting through the passage of a warrant article. Newmarket and Londonderry both created special task forces prior to passing their multi-million dollar bonds.

The governing body should provide a clear description of the task force's objectives and responsibilities, a deadline for a report or recommendations, and outline the membership of the committee.

Advantages

Expertise: Through its membership, a special task force can bring expertise from various town committees or the general public onto one board.

Public trust: A special task force with a diverse and respected membership can bring with it an automatic sense of respect and trust from the public.

Focus: With one purpose, a special task force may be able to accomplish more in a shorter timeframe.

Building support: The work, publicity and public involvement create "ownership" in the resulting open space plan.

Disadvantages

Membership: Finding additional public members to participate on a new committee may be especially difficult.

Hints

Make sure you provide enough time for the committee to complete its tasks before the official deadlines for placement of articles on the ballot. For a March town meeting, forming the task force by June of the preceding year is not too early.

The task force must have specific responsibilities, and the tasks must be achievable.

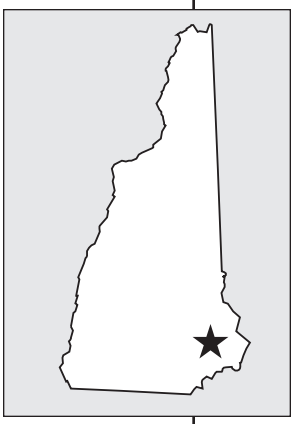
Keep the membership of the task force broad enough so as to represent influential committees and sectors of your community. Key stakeholders should be involved to the extent possible.

Consider including a representative of a local land trust on the committee.

Limit the total membership to a manageable number so the committee can function efficiently.

Involve and inform the public early and often through the use of workshops, a planning charette, surveys and publicity.

Case Study:
Open Space Task Force — Newmarket



In July 2001, the Newmarket Town Council passed a resolution establishing the Newmarket Open Space Task Force. The Task Force was composed of nine members of the public, appointed by the Town Council. The Town Council chose not to designate slots on the Task Force for standing committees of the town, but it happened that members of the planning board, conservation commission, budget committee, town council, and water advisory board all applied and were appointed by the Council.

The group met from August through December 2001, reviewing the activities of other communities, the costs and options of a variety of funding sources, and the economic and tax impacts of a bond. Using conservative figures, they also compared the cost of a $1 million, $2 million, and $3 million bond to the cost of probable residential development.

The Task Force released a report in January of 2002, recommending four separate actions by the Town Council:

1) creation of an Open Space Commission to identify lands and negotiate with landowners,
2) submission of a $2 million bond for open space protection for the 2002 town meeting,
3) dedication of 100% of the Land Use Change Tax to the Conservation Fund, and
4) renaming the Aquifer Protection Easement Fund to allow for the acquisition of land and easements for both surface and groundwater sources.

The Task Force prioritized the recommendations for the Town Council, urging the introduction of the bond during the May 2002 town meeting, and consideration of the remaining ideas in future town meetings.

"We did not want to overwhelm voters with too many articles for land conservation," explains Ellen Snyder, member of the Task Force. "And we felt that Newmarket needed to commit significant funding immediately if we were going to compete for open space."

The Town Council voted 5 to 2 to recommend the $2 million bond. But in passing it, they broadened the purpose of the warrant article to include land for outdoor recreation, athletic fields, and other public purposes. The Task Force negotiated with the Town Council over the changes, and ultimately agreed to accept the newly worded article.

"We took a calculated risk that the new language, with its broader purpose, would bring in broader support," explains Brian Hart, chairman of the Task Force. "Our community has an active youth athletic association and a pressing need for new fields, and a limited land base for municipal needs."

The last phrase of "other public purposes" was intended to allow the town to use a portion of a property, in the future, for another municipal need. The Task Force recognized the risk in this language but believed that it could be addressed by securing conservation easements on all properties that should be conserved permanently, removing the risk of conversion to another public use.

After the passage of the $2 million bond in May, the town council formed the Open Space Commission and charged it with the responsibility of identifying particular parcels for acquisition by the town.

Newmarket Facts

Population (2000):
8,027

Acreage:
9,080

Acres Conserved:
761 (8%)

Acres In Current Use (1999):
3,757 (41%)

Valuation (2001):
$308,729,656

Tax Rate (2001):
$32.94

Form of Government:
Town Council, Budgetary Town Meeting Charter

CLICK HERE TO RETURN TO TABLE OF CONTENTS

By Petition

Petitioning the town meeting is the most direct, and most difficult method of securing conservation funding. Because a petition articulates the public's concern about development, a petitioned article may be a way to overcome opposition of some local officials to conservation funding.

On the other hand, a petitioned article can appear to be "special interest" oriented, alienating some voters and perspective supporters. Without the official blessing of the board of selectmen or conservation commission, the petitioned article can also be undermined by an apparent lack of support from town leaders.

How to Petition an Article

Voters can petition the town meeting by submitting an article with the support of the required number of registered voters by no later than the fifth Tuesday before the annual town meeting. (Give yourself plenty of time and make sure you check with your town clerk for the actual date.) The number of signatures necessary is 25 or 2% of the registered voters in town, whichever is less, with an absolute minimum of 10 voters necessary.

The petition should be worded in the form of a question and should be as clear as possible. It is a good idea to get extra signatures in case any are challenged and subsequently found not to be legitimate (i.e., current registered voters at that address).

The Board of Selectmen cannot refuse to place a legally petitioned article on the ballot. They can only make "minor textual changes" to the article. They can vote to recommend or not recommend the article, as can the Budget Committee (if applicable). If the petition seeks to expend previously unappropriated funds, the Board of Selectmen may have to approach the Superior Court for permission to hold a special town meeting.

For official ballot towns, the deliberative session can legally change the intent of the article as long as they do not change the subject matter. For example, if an article read "Shall the town vote to *sell* the 1971 fire truck…" a deliberative session could legally change the language so the article would read "Shall the town vote to retain the 1971 fire truck…" The new wording does not change the subject (*the fire truck*) but does change the intent (from sell to retain.) It would be illegal for a deliberative session to change the subject of a petitioned article from *fire truck* to *police cruiser*.

The deliberative session can also change the amount of any appropriation contained within the article. Often, opponents of an article, whether it is petitioned or submitted by the Board of Selectmen, will attempt to reduce a moneyed article to a $1 appropriation, effectively killing the measure.

Advantages

✒ **Unrecognized public support:** A petitioned article can tap into an unrecognized level of public support for open space protection.

Disadvantages

✒ **Politically difficult:** Without the support of the Board of Selectmen and/or Budget Committee (if appropriate), a petitioned article will be even more difficult to pass.

Hints

✒ Of the three processes for securing conservation funding, this is the most difficult and requires the greatest amount of grassroots organizing. Be prepared for lots of conversations, letters, newspaper articles, and meetings. Organize, organize, organize!

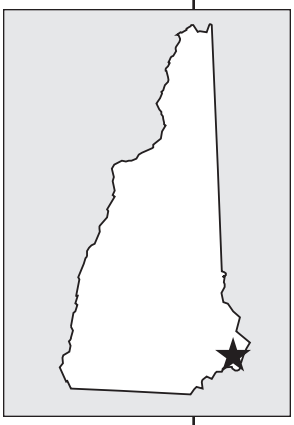
✒ Try to secure the support of the Board of Selectmen and the Budget Committee. Many voters see support from either or both of these town bodies as a seal of approval. This will greatly increase your chance of success.

- For official ballot communities, don't ignore the deliberative session, as opponents may move to zero out the appropriation associated with your petitioned article.

Relevant State Law

RSA 39:3 Time for holding town meetings

Case Study:
Petitioned Warrant Article — Hampton



Over the years, the Hampton Conservation Commission had successfully received annual commitments of $15,000 from the town for salt marsh restoration. But after North Hampton bonded $4 million in 2001 for land protection, the Hampton Conservation Commission realized that Hampton too needed to set aside much larger amounts of money for land protection. Vacation home development and rising real estate values were putting tremendous pressure on the town's remaining open space. In fact, Hampton only had two working farms left, and had conserved only about 7% of its land base.

In 2002, Hampton's warrant included four articles on land conservation, three of them requesting funding. All four were petitioned, and submitted by the Conservation Commission. The Conservation Commission requested voter approval for a $3 million bond, a $300,000 appropriation for land acquisition, dedication of 100% of the Land Use Change Tax, and the adoption of RSA 41:14-c, a procedure for allowing the selectmen to acquire property.

While all four warrant articles addressed important needs, the multiple requests probably confused and overwhelmed the average voter. The result: the $3 million bond and the dedication of the LUCT failed, while the $300,000 appropriation and adoption of RSA 41:14-c passed. Looking back on the 2002 town meeting, Vivianne Marcotte, chairwoman of the Conservation Commission, understands now that it was simply too ambitious.

Hints

Marcotte easily lists the lessons learned from the experience at the 2002 ballot:

- Start educating the public as early as you can on why the articles are needed.
- Secure broad support from as many different people as possible.
- Have patience with your local politics.
- Don't propose too many articles during any one year.

In Focus: Hampton's Petitioned Warrant Article

> **Article 17:** On petition of Vivianne G. Marcotte for the Conservation Commission and at least twenty-five registered voters of the Town of Hampton; to raise and appropriate the sum of three hundred thousand ($300,000) dollars, to be added to the Conservation Land Fund for the purpose of purchasing conservation land and, or conservation easements as authorized by RSA 36-A.

Hampton Facts

Population (2000): 14,937

Acreage: 9,073

Acres Conserved: 630 (7%)

Acres In Current Use (1999): 710 (8%)

Valuation (2001): $1,389,481,800

Tax Rate (2001): $24.16

Form of Government: Board of Selectmen, SB2 Town Meeting

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Photo by Alan Briere

Grassroots Campaign Techniques

Introduction to grassroots organizing

Grassroots organizing is the art of educating and activating your citizen neighbors to support a specific objective. Although it may sound difficult, you probably have already participated in a grassroots campaign — maybe in support of a new school, campaigning for a local elected official, or distributing or receiving information on a hot local issue.

Grassroots organizing is what will ensure the passage of your local conservation funding initiative. It takes planning, a clear message, volunteers, and time.[1] If possible, begin at least four months before voting day.

Identify your goals

The first step is to identify your goals, which you may want to categorize as long-term, intermediate and short-term goals. A goal is not a tactic or strategy, but a measurable outcome. It is what you *want* to achieve, not *how* you are going to achieve it.

For example, in a campaign to pass a bond at the March town meeting, your goals may be as follows:

[1] This section was compiled primarily from two sources: "Campaign Tips for Conservation Activists" by Sandra Jones, 1993, Jones Consulting, Ashland, NH, and "Organizing for Social Change: A Manual for Activists in the 1990s," by Kim Bobo, Jackie Kendall, and Steve Max. 1996. Seven Locks Press, Washington DC.

- **Long-term goal:** Conservation of 25% of the town's land base.
- **Intermediate goal:** Passage of a $2 million bond for land conservation at next year's March town meeting.
- **Short-term goal:** Recommendation from Board of Selectmen and Budget Committee in support of warrant article.

Identify supporters and opponents

Who in your community do you expect will support this idea? Who will oppose it? Is there an organized group, such as the taxpayer association, that may be opposed to increased spending? Are there other measures, such as a school bond, which will compete with your proposal and potentially create opposition to it? Involving a diversity of people, including old-timers, newcomers and current and past officials will help you best gauge the support of the key movers and shakers of your town. Your objective is to appeal to the values in your community, and to diffuse or counter opposing arguments.

Create a list of community leaders, both formal and informal, and try to determine where they stand on the proposed measure. If you are unsure of how a person stands and are uncomfortable approaching them, delegate contacting that individual to an appropriate member of your group or to a known supporter. Allow these key individuals to help shape the idea. Ask them what they think of it before asking for their support, and be willing to incorporate other useful ideas. Community leaders are often more interested in helping shape an idea, and expressing their opinion first.

If you have the time and volunteers, consider creating a larger voter list. You can compile this list by purchasing the voter list from town hall (use a list from a recent town meeting that had a conservation measure that passed), or purchasing the taxpayer list. Use the list to contact the potential supporters and urge them to vote for the measure. It can be used for phone banking, newsletters, and canvassing certain neighborhoods.

As you talk with people, you will hear where the issues and topics of support and opposition occur. Craft your message to focus on issue areas that resonate with people in your town, and address probable opposition, either directly or indirectly.

Develop a campaign timeline

A campaign timeline is critical to organizing your effort. To create the timeline, you should work backwards from voting day, identifying every statutory deadline, meeting date, and other priority, time-dependent events that will structure your campaign. At a minimum, these must include a public hearing on the article, the budget hearing, the deliberative session, and the deadline for filing a petition or warrant article (some of these may not be applicable). Build in extra time for delays and unexpected circumstances. In addition, you may want to consider setting a regular schedule for meetings of your core group of volunteers.

Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.

— Margaret Mead

Crafting your message

In speaking with communities that have passed conservation measures over the past year, four particular themes appear to have resonated well:

- protecting drinking water quality,
- controlling development and traffic,
- open space saves money,
- maintaining rural character.

In state and national polls, protecting drinking water quality has consistently ranked as the number one reason voters support land conservation. As you develop your local message, keep these winning themes in mind, but make sure your message will make sense in your community.

To determine what message will work in your community, review recent issues in your town. Have there been major capital improvements attributable to new residential development, such as school expansion, upgrading of a water or sewer treatment plant, or a larger police station? Has there been a particular development proposal that has galvanized public attention? Has a publicly valued open space been lost to development? Has traffic congestion become a problem?

The tagline used by Newmarket's bond proponents was "Vote YES on Article 3: Land for Open Space, Recreation, and Newmarket's Future." This phrase reflects the bond's three purposes, buying land to conserve it, buying land for outdoor recreation, and buying land for the town's future needs. Merrimack's supporters used the phrase "Vote YES on Article 10: Protect the Greens Pond Property," naming the specific property that was to be acquired with the bond proceeds. Londonderry's campaign focused on four purposes to appeal to a wide audience: conservation/recreation, apple orchards/farms, scenic byways, and "special places."

Reaching and motivating the voter

At a time when most registered voters don't participate in local elections, reaching these voters and convincing them to vote can be difficult. But with an effort that may require 60% or more of the vote to pass, it should be a top priority. There are a variety of tools available to grassroots campaigns to reach out to and motivate local citizens.

Public Presentations

Open public presentations are a necessity for reaching a broad sector of the public. Typically these presentations are held in the evening at a town facility. In addition, you can set up presentations to local civic groups, such as the Rotary Club, Garden Club, or Chamber of Commerce, and reach a broader audience with your message about land protection.

To ensure attendance for a public presentation, you should invite town officials, local civic organizations, and key community members, and send out a press release to the local papers (see page 83 for more details on press releases). Posting flyers at the post office, library, town office, and local businesses can also help attract members of the public. Table tents are also an effective way to reach patrons at restaurants (table tents are folded sheets of paper with the description on each side), if the restaurant will allow this.

The presentation itself should be no more than 30 minutes long. Visual aids, such as slides, overheads, or maps should complement the presentation, and help maintain audience interest. Many communities have used computer generated Power Point presentations, which can be adapted and updated as necessary to address questions and concerns.

Make sure that you allow plenty of time for questions and discussion. Finally, provide handouts for the audience to review before, during, and after the presentation and to share with those who are unable to attend.

The Power Point presentation used in Newmarket is included in the *Useful Information* section of this guidebook, p. 114–117.

Open Space Pays:

Newmarket's Proposed $2 Million Bond

Are you interested in land for open space, recreation and Newmarket's future?

Come and learn more about Newmarket's proposed $2 million bond for land acquisition:

Monday, April 29, 7:00 pm
Newmarket Town Hall

Dijit Taylor from the Center for Land Conservation Assistance will present a slide show explaining how keeping land as open space can help stabilize local property taxes. Following this, the Newmarket Open Space Task Force will present information and lead a discussion on Newmarket's proposed bond for land acquisition.

Refreshments will be served. For more information contact Ellen Snyder at 659-6250. Sponsored by the Newmarket Conservation Commission and Three Rivers Land Coalition.

Note: Four postcards this size can be printed on one standard 8½" x 11" sheet, saving money and mailing costs.

Living Room Meetings

Living room meetings are an informal, social way to reach a sector of your community that may not attend public meetings. To organize a living room meeting, identify potential volunteers from throughout town to serve as hosts. Their role is to provide a guest list, snacks, beverages, and a place to meet. The hosts send out an invitation to attend an informal discussion and presentation on the issue and ask invitees to RSVP.

A member of the core team attends the meeting and does a shortened presentation about the funding initiative. What ensues is typically an interesting discussion about the initiative and more importantly, what the neighbors are concerned about. Because people are much more open in a neighbor's living room than in a town hall filled with 50 strangers, you may learn a lot about what people are thinking regarding the proposal and related issues. Newmarket organized three separate living room meetings in different neighborhoods, and reached more than 30 additional voters. In turn, these 30 folks undoubtedly discussed the bond campaign with their neighbors and friends.

Fact Sheets

Fact sheets distill your message down to a single sheet of paper. Your fact sheet should explain what the issue is, why the reader should care about it, what is being proposed to address it, and what the reader can do to support the proposed solution. For a land conservation funding campaign, the fact sheet should specifically outline:

- why this is needed,
- how much the proposal will cost,
- what the funds can and cannot be used for,
- how decisions regarding the expenditure of the funds will be made and,
- when and where to register and vote.

The fact sheet should be well designed and easy to understand. Use some graphics help to break up text. Avoid using technical terms, or if they are necessary, explain them. Terminology and phrases should be consistent with other materials produced for the campaign, including newsletters and press releases. Examples of winning fact sheets are enclosed in the *Useful Information* section of this manual, pages 119–126.

Newsletters

Newsletters are an excellent way to get more detailed information directly to a broad audience without having it filtered by the media. A newsletter will cover many of the same issues as a fact sheet, but should go into greater depth. To ensure a greater chance that residents will see and read your newsletter amid all their other mail, you should consider a series of newsletters with each newsletter covering a portion of the overall message. For example, the first newsletter may introduce the warrant article and provide the general rationale. Following newsletters may explain the land conservation needs, development threats, economic impacts, and community benefits in greater depth. Each newsletter should provide the date and time for the vote and how to register to vote.

Consider sending the newsletters out to everyone in town. You can purchase lists of all taxpayers or registered voters for a small fee from your Town Clerk or Supervisor of the Checklist. Using the taxpayer list will reach a larger audience, including new residents and those who may not vote in every election.

North Hampton and Stratham both used newsletters, and believe they played a critical role in educating and motivating residents in their communities; see pages 127–140.

Photo by Peter Moore

Newmarket's lawn sign.

Lawn Signs

Lawn signs are a political tradition that can be very helpful in getting the word out, creating a buzz, and reminding people to vote. The Friends of Merrimack Open Space printed lawn signs and had them placed at key locations around town, including major intersections and roads. The signs stated which article to vote for, the date of the election, and named the specific property to purchase (Greens Pond). Newmarket's lawn signs were quite similar. In both communities, private donations paid for the printing of the signs.

One caution: depending on your community, printed lawn signs can

send an unintended message of wealth. Handmade signs send a different message but can be very time consuming to produce. If your community has not used lawn signs for local elections or other issues, be careful.

The Media: friend and foe

The media, and especially local media, can be both a friend and foe in your campaign. The media often seek out the controversial, sensational, and scandalous aspects of any issue. So, in approaching the media, be wary: they may present your funding measure from unexpected and potentially unflattering angles.

Press Releases

A press release is a critical tool for capturing the media's attention. Your press release should include the date of the release, who to contact for more information, an action-oriented title, and a concise and clear summary of the story you are presenting. If the press release is more than one page, the word 'MORE' should be placed at the bottom of each continuing page. The last page should have either "-30-" or "###", universal symbols that indicate the end of the press release. See the example press releases in the *Useful Information* section of this guidebook, pages 141–142.

The first sentence of the press release should concisely summarize your main point. It should be compelling, clear, and engaging. Following this, an additional sentence can provide supporting information.

Typically, the next paragraph may include a quote from a spokesperson or other prominent person. Or if necessary, you can continue to expand on your message.

Each successive paragraph supports the main point of the release. Make sure you put your most important message and information as early as possible in the release. The later the information is conveyed, the more likely the media will not see or use it. And, if the paper runs your release as an article, the last few paragraphs may be cut out entirely.

After sending out your press release, you should follow-up with each newspaper to make sure they received it. Speak with the assignment or news editor to find out who will be covering the event or the issue. You should follow-up with this person prior to your event, and offer to provide additional information or to meet with him/her.

If the goal of the press release is to garner media coverage of an event, it should be sent out about two weeks before the event, then again about one week before it, and finally the day before. Reporters have many stories to cover and conflicting priorities. They need to be reminded constantly, so make sure you check in with them prior to your event.

Press Conferences and Events

Press conferences offer a way to garner additional media coverage, but should only be used occasionally, when the news is very important, such as a major announcement. Typically, press conferences occur indoors, but can take place outdoors. For land conservation, hosting a press conference at the property being proposed for acquisition offers the media an opportunity for photographs and to explore the property.

A press conference traditionally consists of 'talking heads' that introduce and explain the issue and their perspective on it. You might want to consider visual

aids including organizational logos (on the front of the podium), maps, graphs, photographs, or other materials that can help communicate your message.

Press conferences should last no longer than 20 minutes, and should be scheduled so as to make it easy for the press to attend. Good times are generally in the late morning or after lunch.

If you are hosting an event, such as a field tour or closing ceremony, consider hosting a press conference as part of the event.

A press conference is only effective if the press shows up. Make sure you follow up with each media outlet, including local radio and television stations. With the appropriate angle, whether local or statewide, your story may get additional coverage.

Letters to the Editor

The editorial page is one of the most read pages of a paper, and offers you a free opportunity to share your opinion with the public. Readers will give your letter a quick glance, and may read the entire letter if their interest is caught.

Here are some hints for your letter to the editor:

- Shorter letters are more likely to be read and printed.
- Keep it straightforward — avoid using technical language that may confuse readers.
- Explain what the issue is and why it is important to you (you do not have to list all the reasons).
- Explain how readers can learn more or what they can do.

Each paper has its own policy on accepting letters to the editor, but generally the letter writer must provide a phone number and address for verification of the author. Almost all papers accept letters via email, making the process much easier for those with internet access.

You will want letters from a variety of respected authors, including town leaders, business owners, civic leaders, and new and old residents. At a minimum, the letters should appear for the two weeks prior to the vote to keep the issue fresh in the voter's mind.

Local newspapers will often allow activists to run a "guest editorial" which receives more prominent coverage on the editorial page than a simple letter to the editor. Well-written editorials can create a forum for the newspaper, lead to additional coverage and publicity, and establish an on-going supportive relationship.

If you think that the editor might be supportive, seek a meeting to explain your project and find out whether they might be willing to write a supportive editorial for your initiative. Favorable editorials from your local newspaper can give your effort a real boost.

Newmarket's Open Space Task Force convinced the town council chair, conservation commission chair, and planning board chair to cosign a letter to the editor, which ran as an opinion piece the day before voting day in the daily paper.

See the *Useful Information* section of this guidebook for a sample letter to the editor, editorials, and guest editorials, pages 143–151.

Get out the vote

Getting out the vote on town meeting day is the final step to securing victory for your local conservation campaign. There are a variety of effective strategies for both getting more voters out, and ensuring that your supporters vote.

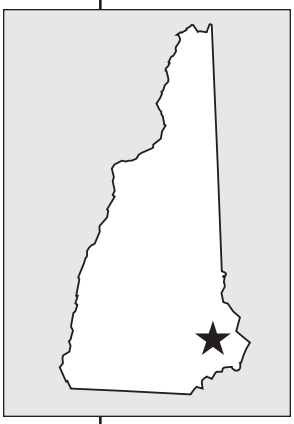
Signs at the major entrances to town reminding commuters that it is voting day can be a simple way to get more voters into the polls. In Newmarket, supporters of the open space bond placed a 4'x4' sign at each entrance to town. The sign told voters where and when to vote. Several voters commented at the polls that the sign reminded them it was voting day.

Many local businesses will allow small, non-partisan signs to be posted on their doors or in their establishments. These signs can simply state that it is town meeting day, explain where the meeting is, and at what time.

Phone banking was used in Stratham to make sure supporters showed up for town meeting. Through phone banking, volunteers contact friends and neighbors and remind them of voting day, and urge them to attend and support the conservation measure. Phone banking requires multiple volunteers — one person simply cannot do it — and several days and evenings of phone calls. Through phone banking, you can also get a count of the number of supporters who have committed to voting. During your conversation, explain the issue, ask them if they support it or not, and ask if they plan to vote. Only mark down as "Yes" those who say they will vote — any wavering or "maybes" should not be counted because they will not likely vote. Tallying the number of likely supporters is only useful if you know how many will vote in total. You can review the total number of voters at past town meetings to get a sense of the minimum number of yes votes you will need to pass your measure.

If your town votes by ballot on town meeting day (official ballot communities), you should organize supporters to stand at the polls and distribute brief information sheets on the warrant article you support. Many voters go to the polls completely unaware of the issues on which they will be voting. A brief, quarter-sheet sized fact sheet can be a useful tool for gaining extra votes from undecided voters. Supporters at the polls should hold signs and respectfully approach voters. Aggressive campaigning at the polls can anger voters.

See Case Study: Stratham's $5 Million Bond Campaign on next page.



Case Study:
Stratham's $5 Million Bond Campaign

When Stratham's conservation commission proposed a $5 million campaign called *Stratham, Our Town*, many wondered if it had any chance of passing. But just 6 months later, the conservation commission and public were celebrating the passage of the bond at the town's largest ever meeting, by a whopping margin of 462–63. Just how did they do it?

Simply put, Stratham was very organized. For years, the conservation commission had been competing with developers in this rapidly growing town, and more often than not, losing. So, in November of 2001 the commission formed a subcommittee, composed of three commission members, three residents, and two farmers. The committee was charged with designing the program, implementing the campaign and educating the public.

As the saying goes, timing is everything, and Stratham timed their bond campaign perfectly. The year before, the neighboring community of North Hampton had passed a $4 million bond, putting the notion of a land conservation bond into Stratham's collective community awareness. With the completion of the Route 101 expansion, Stratham was feeling even more development pressure. A Wal-mart had been proposed (and defeated) and a third supermarket was proposed on Route 108. Land that had been farmed for generations was being converted into an exclusive, private golf course and luxury houses. Stratham had also seen an influx of 'new' people, people who have moved away from suburbs and urbanized areas, and who understood what Stratham could become like if the town didn't actively conserve land. Stratham was ready.

Stratham Facts

Population (2000):
6.355

Acreage:
9.902

Acres Conserved:
668 (7%)

Acres In Current Use (1999):
3.002 (30%)

Valuation (2001):
$463,049,901

Tax Rate (2001):
$28.00

Form of Government:
Board of Selectmen, traditional Town Meeting

Gordon Barker, chairman of the conservation commission and part of a family that has farmed in Stratham since 1719, was a little surprised at how handily the bond passed. But he credits that to the dedicated team of seven or so individuals who consistently worked to educate the public. Barker also notes that there was no organized opposition to the bond.

One of the first things the group did was initiate contact with key opinion leaders in town. This began in November of 2001 and didn't stop until election day. All opinion leaders share a number of characteristics. Most of all they're credible and they "get around." Opinion leaders exist in every town, inside and outside of government. The members of the core group didn't just explain their ideas to the opinion leaders, but asked for feedback and incorporated this feedback into the ongoing campaign. Roger Stephenson, a member of the subcommittee, explains that "Opinion leaders want to know something before it gets in the papers, and they don't want to be told what is happening, they want to be involved."

Another early decision of the group was to focus on educating the public directly through a series of newsletters, instead of through the media.

Using the newsletter allowed the supporters of the proposed bond to control the message. The first issue of the *Stratham, Our Town* newsletter came out in December and was followed with five additional issues through March.

The newsletters progressed logically through the need for the bond and for land protection, beginning with the why, where, how and when of the bond. The second issue discussed neighboring towns that have passed similar initiatives and included quotes from respected town officials in support of the Stratham bond. The third issue outlined the basics of

the bond, including the cost to the taxpayer, and the process for deciding which lands would be purchased. The fourth issue summarized the specific economic and tax benefits to the town of protecting land through conservation versus allowing it to be residentially developed. In the final issue, *Stratham, Our Town* focused on the benefits of land protection for public water supplies, an especially hot issue in drought-stricken southeastern New Hampshire, and in a community that recently has had major groundwater withdrawals approved.

Subsequent to presenting the bond issue proposal to selectmen at the required public hearing, *Stratham, Our Town* hosted two additional public information sessions on separate nights in different parts of town. At the forums, they presented their case for the bond and answered questions from audience members.

Finally, the core group distributed flyers at the town Election Day (held three days prior to the Town Meeting), canvassed selected neighborhoods, and e-mailed or called residents to remind them to get out and vote.

The result of all this hard work: the largest town meeting turn-out ever recorded with 88% in support of a $5 million bond. As Conservation Commission Chair Gordon Barker said, "I think this is a real defining moment for the town of Stratham. It just shows that the town is interested in preserving land."

Lessons Learned from Stratham

- Do not rely on the media to get your message out.
- Be prepared to manage the media's interest.
- Keep the numbers accurate and simple: Avoid presenting too many calculations and numbers; while they are helpful for debate, they can cause confusion by becoming the focus of your debate.
- Know what your town cares about: For Stratham it was their rural, agricultural past. At the town meeting, one resident stood up and said to applause: "This for me is about green beans and tomatoes. You all know the difference between a tomato from Gordon's farm and a tomato from Shaw's."
- Be careful with the wording of your bond: It takes time to get it correctly written to ensure you will be able to achieve your goals.
- Have a core group of volunteers who will meet regularly and lead the effort.

In Focus: Stratham's 2002 Warrant Article

> **ARTICLE 4:** To see if the Town will vote to raise and appropriate up to the sum of Five Million Dollars ($5,000,000.00) for the acquisition of conservation easements or open space lands by the Town, all for the permanent protection of appropriate undeveloped land in the Town of Stratham, and to authorize the Selectmen and Conservation Commission to act on behalf of the Town in connection with such acquisitions of conservation easements or open space lands pursuant to NH RSA 36-A, and to further authorize the issuance of not more than Five Million Dollars ($5,000,000.00) of bonds and/or notes in accordance with the provisions of the Municipal Finance Act (NH RSA, Chapter 33), and to authorize the Selectmen to issue, negotiate, and regulate such bonds and/or notes and to determine the rates of interests thereon.

This for me is about green beans and tomatoes. You all know the difference between a tomato from Gordon's farm stand and a tomato from Shaw's.

— Stratham resident Doug Simmons, speaking in support of the bond proposal at Stratham's Town Meeting.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Grassroots Campaign Checklist

The following checklist may be a helpful tool for initiating and organizing your grassroots campaign. It is based on a checklist developed by the Trust for Public Land.

1. **Identify your goals:**
   - ❑ Long-term goal _____
   - ❑ Intermediate goal _____
   - ❑ Short-term goal _____
2. **Begin Building a Campaign**
   - ❑ Talk with likely supporters, compile lists of members, voters, friends.
   - ❑ Identify strong supporters and organize regular meetings.
   - ❑ Check the political landscape for potential organized opposition and address it.
3. **Develop a Campaign Timeline**
   - ❑ Research statutory and other deadlines.
   - ❑ Work backwards from town meeting/voting day to create a campaign timeline.
4. **Begin Building Political Support and Broaden the Coalition**
   - ❑ Identify spokespeople to meet with key opinion leaders.
   - ❑ Reach out to nontraditional partners, especially the business community.
5. **Craft your Message**
   - ❑ From discussions with civic and elected leaders, identify key issues and message. Keep it simple and clear.
6. **Reaching and Motivating the Voter**
   - ❑ Prepare a general presentation and schedule for municipal committees, groups.
   - ❑ Organize living room meetings.
   - ❑ Create printed materials, including fact sheets, newsletters, post cards, and flyers.
   - ❑ Post flyers and information on local web sites, libraries, schools, town/city halls, recreation centers, senior centers, and other places.
   - ❑ Draft a targeted mailing/hand-out and send to voters or taxpayers.
   - ❑ Seek media coverage and publicity through press releases, conferences, letters to the editor and op-ed articles.
   - ❑ Use the Internet, by utilizing an existing website or email discussion list.
   - ❑ Purchase and post lawn signs that concisely convey your message.
7. **Get Out the Vote for the Election**
   - ❑ Organize a phone bank to call potential supporters and urge them to vote.
   - ❑ Post signs notifying citizens of town meeting/voting day at local businesses, public facilities and the major entrances to town.
   - ❑ Distribute flyers with your abbreviated message at the polls. If you have a town meeting, consider setting up a display and making a presentation.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Chapter V

Where To Find Help

Professional Contacts

Audubon Society of New Hampshire

The Audubon Society of New Hampshire (ASNH), a non-profit statewide membership organization, is dedicated to the conservation of wildlife and habitat throughout the state. Independent of the National Audubon Society, ASNH has offered programs in wildlife conservation, land protection, environmental policy, and environmental education since 1914. The mission of the Audubon Society of New Hampshire is to protect and enhance New Hampshire's natural environment for wildlife and for people.

Contact ASNH at 3 Silk Farm Road, Concord, NH, 03301-8200, (603) 224-9909, asnh@nhaudubon.org, www.nhaudubon.org

American Farmland Trust

American Farmland Trust (AFT) is a private, non-profit organization founded in 1980 to protect our nation's farmland. AFT works to stop the loss of productive farmland and to promote farming practices that lead to a healthy environment. AFT pioneered the methodology for Cost of Community Services Studies, continues to conduct and promote research that assists communities in making better informed land use decisions, and works with communities to protect valuable farmland.

Contact the New England Field Office AFT at 1 Short Street, Suite 2, Northampton, MA 01060-3952, (413) 586-9330, ccoffin@farmland.org http://www.farmland.org/what/index.htm

Center for Land Conservation Assistance

The Center for Land Conservation Assistance (CLCA) provides support and assistance to land trusts, conservation commissions and others seeking to conserve undeveloped land in New Hampshire through direct assistance, coordination, education, access to opportunities for training and funding, and referrals. CLCA serves as a statewide resource and network for land conservation information, and by providing assistance

that will build professionalism and independence among its constituents. CLCA's annual spring conference provides training and networking opportunities for land trusts, conservation commissions and other activists. CLCA is hosted by the Society for the Protection of New Hampshire Forests.

Contact CLCA at 54 Portsmouth Street, Concord, NH, 03301, (603) 717-7045 or dtaylor@SPNHF.org

Land and Community Heritage Investment Program

The Land and Community Heritage Investment Program (LCHIP) was created to conserve and preserve this state's most important natural, cultural, and historical resources. Its matching grants fund the acquisition of lands, cultural and historical resources, or interests therein, of local, regional, and statewide significance, in partnership with the state's municipalities and the private sector, for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the state's economy, environment, and overall quality of life. (Read more about LCHIP on page 59.)

Contact LCHIP at 10 Dixon Avenue, Concord, NH 03301, (603) 224-4113, info@lchip.org, www.lchip.org

Land Trust Alliance

The Land Trust Alliance (LTA) is a national non-profit organization that serves as professional association for all the land trusts in the country. LTA promotes voluntary land conservation and strengthens the land trust movement by providing the leadership, information, skills and resources land trusts need to conserve land for the benefit of communities and natural systems.

Contact LTA at 1331 H Street NW, Suite 400, Washington DE, 20005-4734, (202) 638-4730, lta@lta.org or www.lta.org, or the New England Field Office at 5 Strong Ave, Suite 6, Northampton, MA, 01060, (413) 587-0300, ewroblicka@lta.org

Natural Resources Outreach Coalition

The Natural Resources Outreach Coalition (NROC) is a joint effort by a number of state and federal agencies working in the southeast part of New Hampshire to coordinate and focus assistance to communities in dealing with growth and natural resources. The program assists communities in understanding and implementing techniques for protecting economic health, community character and environmental quality.

Contact NROC at 36 County Drive, Laconia, NH 03246, (603) 364-5324, amanda.stone@unh.edu, http://webster.state.nh.us/coastal/CoastalPlanning/nroc.htm

New England Grassroots Environmental Fund

The New England Grassroots Environment Fund (NEGEF) is a small grants program designed to foster and give voice to grassroots environmental initiatives in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. It provides grants of up to $2,500 to fuel civic engagement, local activism, and social change. The Grassroots Fund believes that the key to long-term community health is the passion of citizen groups who are motivated by a

particular local concern and take direct action to address it. They represent the most exciting energy in the environmental movement today.

Contact NEGEF at PO Box 1057, Montpelier, VT 05601, (802) 223-4622, info@grassrootsfund.org, www.grassrootsfund.org

New Hampshire Estuaries Project

The New Hampshire Estuaries Project (NHEP) is part of the *U.S. Environmental Protection Agency's National Estuary Program (NEP)*. The NEP is a joint local/state/federal program established under the Clean Water Act to promote the protection and enhancement of estuarine resources identified to be of national significance. The ultimate goal of the estuaries project is to implement a realistic *Management Plan*. Public consensus, current scientific information, and regional regulatory realities were instrumental in the development of the New Hampshire Estuaries Project's Management Plan, which is designed to promote the preservation, protection, and enhancement of estuarine resources.

NHEP provided funding to support production of this manual to assist municipalities in the estuaries area with land protection to support the goals of the management plan.

Contact NHEP, 152 Court Street, Portsmouth, NH 03801 (603) 433-7187, http://www.state.nh.us/nhep/

New Hampshire Municipal Bond Bank

Created by the state legislature in 1977, the New Hampshire Municipal Bond Bank (NHMBB) is a non-profit agency that provides loans to New Hampshire towns, cities, school districts, and counties for a variety of purposes, including for land acquisition.

George Zoukee, the NHMBB executive director, cautions communities to work with the town's bond counsel before placing a bond article on the town warrant. Almost every year he learns of cases where a community's bond does not pass final legal review after being passed by a community, consequently preventing the bonds from being issued. While the NHMBB does not review the language of an article for bonding, it does provide services directly to community members, civic leaders, and others working on a proposed bond. Specifically, the NHMBB can:

- Provide debt service schedules for various bonds at different terms of length and interest rates
- Attend a meeting in your community to answer questions
- Provide financial advisory services on bond anticipation notes

The bond bank issues bonds at least twice a year, traditionally in June and November.

Contact NHMBB at 10 Park Street, Suite 102, Concord, NH 03301-6303, (603) 271-2595 or 1-800-393-6422, nhmbb@aol.com.

New Hampshire Department of Revenue Administration

The New Hampshire Department of Revenue Administration (DRA) is a state agency responsible for reviewing all town warrant articles that involve raising and appropriating money and ruling on whether they comply with applicable

state laws. Because DRA has the ability to invalidate articles passed at town meeting, it is critical to seek their opinion before passing an article.

The staff of DRA reviews hundreds of warrant articles each year, and are especially busy from November through February. They request the article be sent to them in a written format by mail or fax. Although they may be able to respond on a shorter time frame, they prefer to have a period of one to two weeks for review of your draft articles.

Contact the Municipal Services division of DRA at 45 Chennell Drive, Concord, NH 03301, (603) 271-2191.

New Hampshire Association of Conservation Commissions

The New Hampshire Association of Conservation Commissions (NHACC), founded in 1970, is a private, non-profit association of municipal conservation commissions. Its purpose is to foster conservation and appropriate use of New Hampshire's natural resources by providing assistance to conservation commissions, facilitating communication and cooperation among commissions, and helping to create a climate in which commissions can be successful.

Conservation commissions join NHACC by paying annual dues. Member services include quarterly newsletters, periodic conservation news bulletins, meetings and workshops, and assistance with individual problems. The NHACC represents its members at legislative and agency hearings and on many committees, agencies and coalitions. NHACC publishes the *Handbook for Municipal Conservation Commissions in New Hampshire*. The NHACC fall Annual Meeting provides training workshops for conservation commission members and other activists.

Contact NHACC at 54 Portsmouth Street, Concord, NH, 03301, (603) 224-7867, marge@nhacc.org or www.nhacc.org

New Hampshire Chapter of The Nature Conservancy

The Nature Conservancy (TNC) is a national non-profit conservation organization, in operation since 1951. Their mission is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive. TNC has protected more than 92 million acres around the world. Here in the New Hampshire, TNC, with members and conservation partners, has protected almost 93,000 acres of critical natural lands.

Contact TNC-NH at 22 Bridge Street, 4th Floor, Concord, NH 03301, (603) 224-5853, hsummers@tnc.org, http://nature.org

New Hampshire Coalition for Sustaining Agriculture

The New Hampshire Coalition for Sustaining Agriculture is an informal network of organizations and individuals that works to enhance the social, economic and environmental sustainability of agriculture in New Hampshire. It brings together members of the farm community and the non-farming public with agricultural and community development professionals to implement a shared vision: agriculture is a valued and vital part of New Hampshire's economy, environment and communities. The Coalition helps communities understand that maintaining the important open space element of farmland depends

on sustaining profitable farms that can nurture families and be passed on to future generations.

Contact the Coalition at 113 North Road, Brentwood, NH 03833-6623, (603) 679-5616, Nada.Haddad@unh.edu

New Hampshire Department of Environmental Services (DES)

This state agency is charged with overseeing the protection and wise management of the environment of the state of New Hampshire. The department's responsibilities include ensuring high levels of water quality for water supplies, regulating the emissions of air pollutants, fostering the proper management of municipal and industrial waste, and managing water resources for future generations.

Contact DES at 6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095, (603) 271-3503, pip@des.state.nh.us, www.des.state.nh.us

New Hampshire Department of Resources and Economic Development

The state Department of Resources and Economic Development (DRED) was established in 1961 and consists of four divisions: Forest and Lands, Parks and Recreation, Travel and Tourism Development, and Economic Development. The Division of Forests and Lands protects, improves and develops New Hampshire's forest resources and increases awareness of the contributions that forests make to the quality of life in New Hampshire. The Division of Parks and Recreation protects and preserves unusual scenic, scientific, historic, recreational, and natural areas of the state and makes these areas accessible to the public for recreational, educational, scientific and other uses. The Divisions of Economic Development and Travel and Tourism focus on promoting New Hampshire both nationally and internationally and supporting businesses within the state.

Contact DRED at 172 Pembroke Road, PO Box 1856, Concord, New Hampshire, 03302-1856, (603) 271-2411, www.dred.state.nh.us

New Hampshire Municipal Association (NHMA)

NHMA is a private membership group, created in the 1950s to provide a common voice for the concerns of local officials. Today it represents all of New Hampshire's 234 communities. NHMA provides technical assistance, legal representation, training and workshops and personnel services.

Contact NHMA at 25 Triangle Park Drive, PO Box 617, Concord, New Hampshire, (603) 224-7447, nhma@nhmuncipal.org, http://nhmuni.virtualtownhall.net

New Hampshire Office of State Planning

The Office of State Planning (OSP) is a part of the Office of the Governor. State law requires OSP to "Plan for the orderly development of the state and the wise management of the state's resources; compile, analyze, and disseminate data, information, and research services as necessary to advance the welfare of the state; encourage and assist planning, growth management, and development

activities of cities and towns and groups of cities and towns; participate and advises in matters of land use planning regarding lakes and rivers management programs."

OSP provides technical information to communities about many planning related issues through publications, videos, model ordinances and other materials. See the OSP website for information about many planning topics. OSP also hosts two annual conferences that address a range of land use planning issues.

Contact OSP at 2 1/2 Beacon Street, Concord, NH 03301, (603) 271-2155, http://www.state.nh.us/osp/

The Partnership for Effective Non-Profits (PEN)

The Partnership for Effective Nonprofits is an initiative of Foundation for Seacoast Health, Greater Piscataqua Community Foundation, and United Way of the Greater Seacoast. The aim of the Partnership is to coordinate the resources of local funders to assist nonprofit organizations to strengthen their management, programs, and sustainability. PEN provides a small grants program for nonprofit organizations in seacoast communities to improve their management, leadership and governance. PEN also hosts a website that includes listings and links to numerous resources, including training programs throughout New Hampshire.

Contact PEN at www.partnershipforeffectivenonprofits.org.

Regional and Local Land Trusts

New Hampshire has a growing number of regional and local land trusts. These groups specialize in voluntary land protection. Many work cooperatively with municipalities within their service areas on land protection projects of mutual interest. Please send list updates to pfleury@spnhf.org

Amherst Land Trust
George Bower — *President*
PO Box 753
Amherst NH 03031
(603) 673-4454
Bower1@compuserve.com

Ammonoosuc Conservation Trust
Rebecca Brown — *President*
80 Old Post Road
Sugar Hill NH 03585
(603) 823-8119
act@surfglobal.net

Appalachian Trail Conf. Land Trust
JT Horn — *Land Trust Administrator*
PO Box 312
Lyme NH 03768-0312
(603) 795-4935
rimajean@yahoo.com
www.appalachiantrail.org/protect/tatl

Archaeological Conservancy
Rob Crisell — *Eastern Regional Dir.*
1307 S. Glebe Road
Arlington VA 22204
(703) 979-4410
www.americanarcheology.com

Ausbon Sargent Land Preser. Trust
Deborah Stanley — *Executive Dir.*
PO Box 2040
New London NH 03257
(603) 526-6555
aslpt@tds.net
www.ausbonsargent.org

Bear-Paw Regional Greenways
Susan Zankel — *Executive Dir.*
PO Box 19
Deerfield NH 03037
(603) 463-9400
Bear-Paw@dellepro.com
www.bearpaw.org

Bedford Land Trust
Jeanene Procopis — *Chairman*
PO Box 10315
Bedford NH 03110-0315
(603) 472-5950
bedfordlandtrust@hotmail.com

Bow Open Spaces
Robert Dawkins — *Treasurer*
41 South Bow Road
Bow NH 03304
(603) 225-3678
nmenton@attbi.com

Chocorua Lake Conservation Found.
Cornelia W. Lanou — *President*
90 Keene Street
Providence RI 02906
(401) 331-9222

Dan Hole Pond Watershed Trust
Bob Pratt — *President*
PO Box 8
Center Ossipee NH 03814
(603) 539-2073
alixandbob.pratt@erols.com

Five Rivers Conservation Trust
Paul McDonald — *Chairman*
54 Portsmouth Street
Concord NH 03301
(603) 228-0477
paul@ranspell.com

Francestown Land Conservation Inc.
Jennifer Byington
Box 132
Francestown NH 03043
(603) 547-2515
jbyington@
theophanyholding.mv.com

Gilmanton Land Trust
Gary Ambelas — *Chair*
PO Box 154
Gilmanton Iron Works NH 03837
(603) 364-2828
arc1@worldpath.net

Great Bay Stewards
89 Depot Road
Stratham NH 03885
(603) 778-0015
gbnem@greatbay.org

Green Mountain Conservation Group
Blair Folts — *Executive Dir.*
PO Box 95
So. Effingham NH 03882
(603) 539-1859
bfolts@earthlink.net

Gumpas Musquash Conservation Assoc.
Connie Evans — *Acting Director*
21Hinds Lane
Pelham NH 03076-3013
(603) 635-8876
connie@softwarehackery.com

Hanover Conservation Council
Molly Donovan — *Executive Dir.*
PO Box 516
Hanover NH 03755
(603) 643-3433
HCC@valley.net

Harris Center for Conserv. Education
Meade Cadot — *Director*
83 King's Highway
Hancock NH 03449
(603) 525-3394
H_Cadot@antiochne.edu
www.harriscenter.org

Highland Lake Association
James E. Lane — *President*
PO Box 103
Washington NH 03280

Lakes Region Conservation Trust
Tom Curren — *Executive Dir.*
PO Box 1097
Meredith NH 03253
(603) 279-3246
lrct@cyberportal.net
www.lrct.org

Lyme Hill & Valley Association
Freda Swan
133 Breck Hill Road
Lyme NH 03768
(603) 353-9834

Marlborough-Roxbury Land Assoc.
John Lecraw — *President*
50 Clapp Pond Road
Marlborough NH 03455
(603) 876-4503
johnlecraw@hotmail.com

Monadnock Conservancy
Richard Ober — *Executive Dir.*
PO Box 337
Keene NH 03431-0337
(603) 357-0600
RichardOber@
MonadnockConservancy.org
www.monadnockconservancy.org

Moose Mtns. Regional Greenways
Cynthia Wyatt — *President*
PO Box 191
Union NH 03887
(603) 473-2535
cinny_wyatt@siemon.com
banderson@isga.com

Nashua River Watershed Association
Al Futterman — *Land Programs Dir.*
592 Main Street
Groton MA 01450
(978) 448-0299
nrwa@ma.ultranet.com
www.nashuariverwatershed.org

New England Forestry Foundation
Keith Ross — *Dir. of Land Protection*
PO Box 27
Orange MA 01364
(978) 544-1524
kross@neforestry.org
www.neforestry.org

New England Wildflower Society
Ann Moore — *NH State Chair*
8 Boulters Cove
North Hampton NH 03862
(603) 964-1982
anmoo@earthlink.net
www.newfs.org

NH Preservation Alliance
Jennifer Goodman — *Executive Dir.*
PO Box 268
Concord NH 03302-0268
(603) 224-2281
jg@nhpreservation.org
www.mv.com/ipusers/nhpreservation

Nichols-Smith Conserv. Land Trust
Gerald Coffey — *President*
PO Box 266
Hollis NH 03049
(603) 465-6144
gcoffey@net1plus.com

Nissitissit River Land Trust
Peter W. Smith — *President*
40 Nartoff Road
Hollis NH 03049
(603) 882-1431

Piscataquog Watershed Association
Margaret Watkins — *President*
5A Mill St.
New Boston NH 03070
(603) 487-3331
laurie@pwa.mv.com

Rockingham Land Trust
Brian Hart — *Executive Director*
14 Center Street
Exeter NH 03833
(603) 778-6088
bhart@rockinghamlandtrust.org
www.rockinghamlandtrust.org

Roland Park Land Trust
Christopher T. Mabley — *President*
PO Box 92
Center Ossipee NH 03814

Sanbornton Agriculture and Land Trust
Esther L. Cowles — *Chairperson*
207 Morrison Road
Sanbornton NH 03269
(603) 226-0160
esther@nhplt.org

Seacoast Land Trust
Danna Truslow — *Executive Director*
PO Box 4183
Portsmouth NH 03802-4183
(603) 433-0963
seacoast@rcn.com
www.seacoastlandtrust.org

Silver Lake Land Trust
William Walker — *Chairman*
PO Box 222
Harrisville NH 03450
(603) 827-3731

Squam Lakes Association
Christopher Devine — *Executive Dir.*
PO Box 204
Holderness NH 03245
(603) 968-7336
info@squamlakes.org
www.squamlakes.org

Squam Lakes Conservation Society
Warren Lake — *Executive Director*
PO Box 696
Holderness NH 03245-0696
(603) 968-7900
squamconserv@cyberportal.net
www.squamlakes.com

Strafford Rivers Conservancy
Linda Hornyak-Grieve — *Executive Dir.*
PO Box 623
Dover NH 03820
(603) 868-1494
grieve2@earthlink.net

Turkey River Basin Trust
Mary Louise Hancock — *Chairwoman*
33 Washington Street
Concord NH 03301
(603) 225-9721
MLHDeerisland@aol.com

Upper Saco Valley Land Trust
Tom Henderson — *President*
PO Box 424
North Conway NH 03860
(603) 356-9683
usvlt@ncia.net

Upper Valley Land Trust
Jeanie McIntyre — *Executive Dir.*
19 Buck Road
Hanover NH 03755
(603) 643-6626
www.info@uvlt.org

Wildlife Land Trust
John F. Kullberg — *Executive Dir.*
4 Professional Drive, Suite 112
Gaithersburg MD 20879
(301) 258-3036
JKullberg@hsus.org
www.wlt.org

Yggdrasil Land Foundation
John Bloom — *Treasurer*
Presidio Building 1002B
San Francisco CA 94129-0915
(415) 561-6158
john.bloom@rsfoundation.org
www.ylandtrust.org

Regional Planning Commissions

New Hampshire has nine regional planning commissions that assist communities in their area with planning issues. The regional planning commissions typically provide professional assistance to member communities in areas of regional planning, economic development, community planning, natural resources and other related topics. Regional planning commissions also typically have computer mapping capability and may be able to generate maps needed by communities for certain land use projects. The website of the New Hampshire Office of State Planning (http://www.state.nh.us/osp/regions/rpcmap.html) contains a map showing the service areas of each of the nine regional planning commissions.

Central New Hampshire Regional Planning Commission
28 Commercial Street
Concord, NH 03301
(603) 226-6020
mtardiff@cnhrpc.org
www.cnhrpc.org

Lakes Region Planning Commission
Humiston Building
103 Main Street, Suite 3
Meredith, NH 03253-5862
(603) 279-8171
lrpc@lakesrpc.org
www.lakesrpc.org

Nashua Regional Planning Commission
115 Main Street
PO Box 847
Nashua, NH 03061-0847
(603) 883-0366
Andrew@nashuarpc.org
www.nashuarpc.org

North Country Council, Inc.
The Cottage at the Rocks
107 Glessner Road
Bethlehem, NH 03574-5800
(603) 444-6303
nccinc@moose.ncia.net
www.NCCouncil.org

Rockingham Planning Commission
156 Water Street
Exeter, NH 03833-2487
(603) 778-0885
email@rpc-nh.org
www.rpc-nh.org

Southern New Hampshire Planning Commission
438 Dubuque Street
Manchester, NH 03102-3546
(603) 669-4664
email@snhpc.org
www.snhpc.org

Southwest Region Planning Commission
20 Central Square, 2nd Floor
Keene, NH 03431-3771
(603) 357-0557
admin@swrpc.org
www.swrpc.org

Strafford Regional Planning Commission
2 Ridge Street, Suite 4
Dover, NH 03820-2505
(603) 742-2523
srpc@strafford.org
www.strafford.org

Upper Valley Lake Sunapee Regional Planning Commission
77 Bank Street
Lebanon, NH 03766-0170
(603) 448-1680
uvlsrpc@sover.net
www.uvlrpc.org

Society for the Protection of New Hampshire Forests

Founded in 1901, the Society for the Protection of New Hampshire Forests (SPNHF) is a 10,000-member, non-profit organization that has helped protect over one million acres of land across the state. SPNHF provides services to municipalities including land steward training, GIS mapping and analysis, advocacy in the legislature, and research reports.

Contact SPNHF at 54 Portsmouth Street, Concord, NH 03301, (603) 224-9945, info@spnhf.org. www.spnhf.org

Statewide Program of Action to Conserve Our Environment

Statewide Program of Action to Conserve Our Environment (S.P.A.C.E.) is a private, not-for-profit advocacy coalition of natural resource conservation organizations, agricultural and tourism groups, business and other trade associations, and concerned individuals. S.P.A.C.E. is dedicated to the conservation of New Hampshire's farms, forests and open spaces through an effective current use assessment program. S.P.A.C.E. is New Hampshire's current use coalition.

Contact S.P.A.C.E. at 54 Portsmouth Street, Concord, N.H. 03301, (603) 224-3306 , SPACE@conknet.com, www.nhspace.org

Trust for Public Land

The Trust for Public Land (TPL) is a national non profit organization, founded in 1972 to protect land for human enjoyment and well-being. TPL helps conserve land for recreation and spiritual nourishment and to improve the health and quality of life of American communities. TPL specializes in assisting communities to achieve land protection through creative financing and preserving historic landmarks and landscapes. TPL also helps generate federal, state, and local conservation funding, and promotes the importance of public lands. TPL helps communities create a "greenprint for growth" by protecting important land that may be threatened by urban or suburban sprawl.

Contact TPL's New England Regional Office at 33 Union St., 4th Floor, Boston, MA 02108, (617) 367-6200, heather.wiggins@tpl.org or www. tpl.org

University of New Hampshire Cooperative Extension

UNH Cooperative Extension (UNH CE) provides New Hampshire citizens with research-based education and information, enhancing their ability to make informed decisions. Many UNH CE programs are designed to strengthen communities, sustain natural resources, and improve the economy. Some examples include the Community Conservation Assistance Program, the Community Profile project, the New Hampshire Living Legacy Project (protecting biodiversity) and the Strengthening New Hampshire Communities Initiative. UNH CE maintains staff in each of New Hampshire's ten counties, as well as several specialists based at the UNH campus in Durham. Your local UNH CE office can direct you to programs that will address your community's needs.

UNH Cooperative Extension County Offices

Belknap County Office
36 County Drive
Laconia, NH 03246-2900
(603) 527-5475
http://ceinfo.unh.edu/counties/belknap/Belkhome2.htm

Cheshire County Office
800 Park Avenue
Keene, NH 03431-1513
(603) 352-4550
http://ceinfo.unh.edu/counties/cheshire/Cheshome2.htm#AD_Off

Carroll County Office
75 Main St., PO Box 860
Ctr. Ossipee, NH 03814-0860
(603) 539-3331
http://ceinfo.unh.edu/counties/carroll/Carlhome2.htm

Coos County Office
629A Main St.
Lancaster, NH 03584-9612
(603 788-4961
http://ceinfo.unh.edu/counties/coos/Cooshome2.htm#AD_Off

Grafton County Office
3785 DCH, Box 8
No. Haverhill, NH 03774-9708
(603) 787-6944
http://ceinfo.unh.edu/counties/grafton/Grafhome2.htm#AD_Off

Hillsborough County — Milford Office
468 Route 13 South
Milford, NH 03055
(603) 673-2510
http://ceinfo.unh.edu/counties/hillsborough/hillhome2.htm#AD_Off

Hillsborough County — Goffstown Office
329 Mast Road, Unit 3
Goffstown, NH 03045-2418
(603) 621-1478
http://ceinfo.unh.edu/counties/hillsborough/hillhome2.htm#AD_Off

Merrimack County Office
315 Daniel Webster
Boscawen, NH 03303
(603) 225-5505 or 603-796-2151
http://ceinfo.unh.edu/counties/merrimack/merrhome2.htm#AD_Off

Rockingham County Office
113 North Road
Brentwood, NH 03833-6623
(603) 679-5616
http://ceinfo.unh.edu/counties/rockingham/rockhome2.htm#AD_Off

Strafford County Office
259 County Farm Road, Unit 5
Dover, NH 03820-6015
(603) 749-4445
http://ceinfo.unh.edu/counties/strafford/strfhome2.htm#AD_Off

Sullivan County Office
24 Main Street
Newport, NH 03773
(603) 863-9200
http://ceinfo.unh.edu/counties/sullivan/sullhome2.htm#AD_Off

UNH Cooperative Extension Programs Assisting Communities

Community Conservation Assistance Program
Amanda Stone, *Coordinator*
36 County Drive Laconia, NH 03246-2900
(603) 364-5324
amanda.stone@unh.edu

Community Profile Project
Judith Bush, *Project Coordinator*
315 Daniel Webster Highway
Boscawen, NH 03303
(603) 225-5505
judy.bush@unh.edu

New Hampshire Living Legacy Project
Ellen Snyder, *Coordinator*
214 Nesmith Hall
131 Main Street
Durham, NH 03824
(603) 862-4277
ellen.snyder@unh.edu
http://ceinfo.edu/forestry/documents/nhecosrv

The Strengthening New Hampshire Communities Initiative
Michele Gagne, *Program Coordinator*
309 James Hall
Durham NH 03824
(603) 862-5046
Michele.Gagne@unh.edu

Community Contacts

Individuals from many of the case study communities are willing to share their experiences with people from other communities hoping to use similar techniques.

Amherst — *Delegating Land Acquisition Authority to the Governing Body*
Amherst Conservation Commission, John Hardy, (603) 673-5339

Andover — *Land Use Change Tax*
Andover Conservation Commission Chairman, Jerry Hersey, (603) 735-5332 or andovrnh@tds.net (town office)

Barringston — *DES Water Supply Land Protection Program*
Town Administrator, Carol Reilly, (603) 664-9007
Stewardship Committee, Robert Eckert, (603) 664-9549, rteckert@cisunix.unh.edu

Brentwood — *Cost of community services study*
Brentwood Open Space Committee Co-Chair, Howard Cadwell, (603) 772-8436, cadwellfp@attbi.com.

Concord — *Sunnycrest/Carter Hill Orchard Project with Farmland Protection Program money*
Concord Conservation Commission, Christopher (Kit) Morgan, (603) 224-9723
Five Rivers Conservation Trust (formerly Concord Conservation Trust), President Paul MacDonald, (603) 228-0477 or paul@ranspell.com
Trust for Public Land, Julie Iffland (802) 223-1373 x 12, julie.iffland@tpl.org

Derry — *Land and Water Conservation Fund*
Conservation Commission Chair, Paul Dionne, (603) 432-6131 (town office)
New Hampshire Division of Parks and Recreation, Ben Haubrich, (603) 271-3556, www.nhparks.state.nh.us/ParksPages/RecServices/RecSrvLWCFhom.html
Trust for Public Land, Julie Iffland, (802) 223-1373 x 12, julie.iffland@tpl.org

Dunbarton — *Forest Legacy Program*
Department of Resources and Economic Development, Forest Planner Susan Francher, (603) 271-3456, susanf@dred.state.nh.us
Conservation Commission Chair, Larry Cook, (603) 774-4113, lcook@sybase.com
The Trust for Public Land, Rodger Krussman, (802) 223-1373 x13, rodger.krussman@tpl.org

Durham — *Privately funded municipal trust fund*
Town Administrator Todd Selig, (603) 868-5571, administrator@ci.durham.nh.us

Exeter — *Land and Community Heritage Investment Program*
LCHIP Executive Director, Rachel Rouillard — (603) 224.4113, info@lchip.org
Conservation Commission Chair (603) 772-4709 (town office)

Fitzwilliam — *Warrant article to acquire specific property*
Town Administrator, Paula Williams, (603) 585-7723

Gilmanton — Tax-deeded properties
Former planning board chairman, Sarah Thorne, (603) 224-9945, sthorne@spnhf.org

Hanover — *Open space plan*
Hanover town planner, Vicki Smith, (603) 643-0742, vicki.smith@hanovernh.org

Hampton — *Petitioned warrant article, appropriation for general land acquisition*
Conservation Commission Chairwoman, Vivianne Marcotte, (603) 926-6853 (town office)

Hollis — *Limited bond for general land acquisition*
Hollis Land Protection Study Committee, Hollis Town Hall, (603) 465-2209

Kingston — *Land conservation capital reserve fund*
Friends of Kingston Open Space, Rick Russman, (603) 642-5904

Lee — *Town fund balance for conservation*
Chairman of Board of Selectmen, Joseph Ford, (603) 659-7202 (town office)

Londonderry — *Comparing cost of conservation with cost of development*
Londonderry Conservation Commission, Mike Speltz, (603) 432-4121, Mike@Speltz.com

Merrimack — *Bonding for a specific property*
Friends of Merrimack Open Space, Debra Huffman, (603) 424-4432, dhuff3@aol.com

Middleton — *Acquiring land through the conservation fund*
Moose Mountains Regional Greenways, Brad Anderson, (603) 473-2535, banderson@isga.com

New London — *Multiple funding sources*
Conservation Commission Chair, Sue Ellen Andrews, (603) 526- 2354, sea21@adelphia.net
Ausbon Sargent Land Preservation Trust Executive Director Deborah Stanley, (603) 526-6555, aslpt@tds.net

Newmarket — *Bond, special task force*
Newmarket Open Space Task Force, Brian Hart, (603) 659-0357, brian.m.hart@verizon.net
Newmarket Open Space Task Force, Ellen Snyder, (603) 659-6250, ellen.snyder@unh.edu

Northfield — *Superior Court Approval for a Special Town Meeting*
Town Administrator, Joyce May Fulweiler, (603) 286-7039

North Hampton — *Bond, tapping into existing committees*
North Hampton Forever Co-Chair, Phil Wilson, (603) 964-2124, pwilson@ttlc.net

Orford — *Creating a conservation fund*
Orford Conservation Commission Chairman, Peter Dooley, (603) 353-9857

Randolph — *Multiple funding sources*
Conservation Commission Chair, James Meiklejohn, (603) 466-5771 (town office)
Trust for Public Land, Field Office Director, David Houghton (802) 223-1373 x11, david.houghton@tpl.org
Department of Resources and Economic Development, Susan Francher, (603) 271-3456, susanf@dred.state.nh.us
New Hampshire Division of Parks and Recreation, Ben Haubrich, (603) 271-3556, www.nhparks.state.nh.us/ParksPages/RecServices/RecSrvLWCFhom.html
Land and Community Heritage Investment Program, Darrell DeTour, (603) 224.4113, info@lchip.org

Raymond — *Exchange of real estate*
Attorney Gordon Snyder, (603) 895-2173.
Town Building Inspector, Richard Mailhot, (603) 895-4737

Sharon — *Warrant article appropriation*
Sharon Conservation Commission, Gina Goff (603)- 924-6206, gina@redironconsulting.com

Stratham — *Community organizing for bond*
Stratham Our Town, Roger Stephenson, (603) 778-7970, rstephenson@jjwpr.com
Stratham Conservation Commission Chair, Gordon Barker, (603) 772-7391
Jackson, Jackson and Wagner, 14 Front Street Exeter, NH 03833 (603) 778-1220, www.jjwpr.com

Weare — Proceeds from managing town forest
Town forest manager, Robert Reeve, r.reeve@snhu.edu

List of Helpful Publications

🕮 **Note:** Publications marked with this symbol 🕮 are included in the footnotes of the text of the manual.

🕮 *1997 Cost of Community Services Study*, Groton, New Hampshire. 2001. Dorothy Tripp Taylor. New Hampshire Wildlife Federation.

🕮 1999 Current Use Report. 1999. New Hampshire Department of Revenue Administration.

"Acquiring and Managing Park and Conservation Land." 2002. Trust for Public Land and National Association of Counties.

"Alternative Techniques for Managing Growth." 1999. Irving Schiffman. Institute of Governmental Studies.

🕮 Assessment of Outdoor Recreation in New Hampshire, 1997. (1998) Rob Robertson. Department of Resource Economics and Development, University of New Hampshire.

🕮 *Building a Healthy Squam Lakes Economy*. 1995. Ad Hoc Associates, Salisbury, VT, for the Squam Lakes Association.

🕮 "Calculating the Costs." 2002. *Exchange*, The Journal of the Land Trust Alliance, Volume 21, Number 2, spring 2002, page 10.

"Calendar of Important Dates for Local Officials." Produced annually. New Hampshire Municipal Association. Call NHMA (1-800-853-3358 for NHMA MEMBERS ONLY) or (603) 224-7447 to order a calendar.

🕮 "Campaign Tips for Conservation Activists." 1993. Sandra Jones. Jones Consulting, PO Box 716, Ashland, NH 03217.

"Community Rules: The New England Guide to Smart Growth Strategies." 2002. Conservation Law Foundation and Vermont Forum on Sprawl.

🕮 *The Conservation Easement Stewardship Guide: Designing, Monitoring and Enforcing Easements*. 1991. Brenda Lind. Land Trust Alliance. ISBN 0-943915-07-04

Conserving the Family Farm, a Guide to Conservation Easements for Farmers, Other Agricultural Professionals, Landowners and Conservationists. 2002. Annette Lorraine. Upper Valley Land Trust, for New Hampshire Coalition for Sustaining Agriculture. University of New Hampshire Cooperative Extension.

🕮 *Cost of Community Services Studies Survey*. 1999. American Farmland Trust and Southern New England Forestry Consortium. (Data from this unpublished report provided by American Farmland Trust.)

The Conservation Finance Handbook. 2003. Trust for Public Land.

Crossroads, Hamlet, Village, Town. 1999. Randall Arendt. American Planning Association.

Defining a Conservation Vision. 2002. Trust for Public Land and National Association of Counties.

🕮 "Determining the Stewardship Costs of Conservation Easements". 1997. Katherine Roser. Colorado Coalition of Land Trusts. *LTA 1997 Rally Workbook*, Land Trust Alliance.

"Developments and Dollars: An Introduction to Fiscal Impact Analysis in Land Use Planning." May 2000. Michael L. Siegel, Jutka Terris and Kaid Benfield. Natural Resources Defense Council.

"Directory of Charitable Funds in New Hampshire." 2002. New Hampshire Department of Justice. http://www.state.nh.us/nhdoj/CHARITABLE/directory/directory-main.html

🕮 *Does Open Space Pay in Brentwood? Part 1: Housing Growth and Taxes*. May 2002. Brentwood Open Space Task Force.

"The Economic Benefits of Parks and Open Space: How Land Conservation Helps Communities Grow Smart and Protect the Bottom Line." 1999. The Trust for Public Land.

🕮 "The Economic Importance of New Hampshire's Forests." March 2001. North East State Foresters Association

🕮 "The Economic Impact of Open Space in Hew Hampshire." 1999. Resource Systems Group for the Society for the Protection of NH Forests. Available at www.spnhf.org/explor/library.html#reports

🕮 *Good Forestry in the Granite State, Recommended Voluntary Forest Management Practices for New Hampshire*. 1997. The New Hampshire Forest Sustainability Standards Work Team. Division of Forest and Lands, New Hampshire Department of Resources and Economic Development and the Society for the Protection of New Hampshire Forests. Available at www.spnhf.org soon.

The Great Remembering. 2001. Peter Forbes. The Trust for Public Land

Growing Greener: Putting Conservation into Local Plans and Ordinances. 1999. Randall Arendt. Island Press Publishing.

🕮 *Handbook for Local Officials*. June 2001. New Hampshire Municipal Association.

Handbook for Municipal Conservation Commissions in New Hampshire. 1997. Marjorie M. Swope. New Hampshire Association of Conservation Commissions.

🕮 *Identifying and Protecting New Hampshire's Significant Wildlife Habitat: a Guide for Towns and Conservation Groups*. 2001. John Kanter, Rebecca Suomala, Ellen Snyder. New Hampshire Fish and Game Department.

🕮 *LandVote 2001, Americans Invest in Parks and Open Space*. 2001. The Trust for Public Land and Land Trust Alliance.

🕮 "A Layperson's Guide to New Hampshire Current Use." 1998. Rebecca Brown. Statewide Program for Action to Conserve Our Environment.

🕮 "Likely Tax Consequences of Conservation or Development of Mack Orchard, Londonderry, NH." 1996. Ad Hoc Associates, Salisbury, Vt. for Trust for Public Land.

Livable Landscapes: Chance or Choice? 2002. Video; case studies of Northern New England communities' response to sprawl. Ordering information at www.spnhf.org.

"Local Greenprinting for Growth." 2002. Trust for Public Land and National Association of Counties.

🕮 *Making the Case for Land Conservation: Fifteen Years of Cost of Community Services Studies*. 2002. American Farmland Trust. Also see www.farmland.org

"Managing Growth in New Hampshire: Changes & Challenges." December 2000. The Growth Management Advisory Committee. New Hampshire Office of State Planning.

"A Methodology for Valuing Town Conservation Land." 1998. Pamela J. Brown and Charles J. Fausold. Lincoln Institute of Land Policy.

🕮 *Natural Resource Inventories: A Guide for New Hampshire Communities and Conservation Groups* 2001. Amanda Lindley Stone. University of New Hampshire Cooperative Extension.

"The New Hampshire Directory of Foundations." 2002. Christine P. Graham. CPG Enterprises, Inc. of Shaftsbury, VT, www.cpgfundraising.com.

"New Hampshire Estuaries Project Management Plan." 2000. New Hampshire Estuaries Project.

"New Hampshire Everlasting: An Initiative to Conserve Our Quality of Life." 2001. Society for the Protection of New Hampshire Forests.

🕮 *New Hampshire's Changing Landscape*. 1999. Dan Sundquist and Michael Stevens. Society for the Protection of New Hampshire Forests and The New Hampshire Chapter of The Nature Conservancy.

📖 *New Hampshire's Living Legacy; the Biodivesity of the Granite State*. 1996. John Taylor, Thomas D. Lee and Laura Falk McCarthy. New Hampshire Fish and Game Department.

"Open Space Conservation: Investing in Your Community's Economic Health." 1998. John Tibbetts. Lincoln Institute of Land Policy.

Open Space for New Hampshire: A Toolbook of Techniques for the New Millennium. 2000. Dorothy Tripp Taylor. New Hampshire Wildlife Trust.

📖 *Organizing for Social Change: A Manual for Activists in the 1990s*. 1996. Kim Bobo, Jackie Kendall, and Steve Max. Seven Locks Press, Washington DC.

"Planning for the Future of New Hampshire's Forest Using the Forest Land Evaluation and Site Assessment Process (FLESA)." 2001. FLESA Advisory Committee. Southern New Hampshire Resource Conservation District.

Preserving Rural Character through Agriculture: A Resource Kit for Planners. 1999. New Hampshire Coalition for Sustaining Agriculture. University of New Hampshire Cooperative Extension.

📖 *Report of Ranked Environmental Risks in New Hampshire*. 1997. New Hampshire Comparative Risk Project.

Saving American Farmland: What Works. 1997. American Farmland Trust.

📖 *SB2 at 5: Bonds, Ballots and the "Deliberative Session."* March 2002. Richard A. Minard, Jr. and Melissa Gagnon. New Hampshire Center for Public Policy Studies.

Securing Conservation Funds. 2002. Trust for Public Land and National Association of Counties.

"Seedlings." 2000. *Iowa Natural Heritage*, Summer 2002, p 11.

Smart Growth Toolkit (working title). 2003. New Hampshire Office of State Planning. http://www.state.nh.us/osp/

📖 *Starting a Land Trust, A Guide to Forming a Land Conservation Organization*. 2000. The Land Trust Alliance. www.LTA.org, ISBN 0-943915-06-6

📖 "Vermont Land Trust Reevaluates the Costs of Easement Stewardship and How to Cover Them." 2002. Leslie Ratley-Beach. In *Exchange*, The Journal of the Land Trust Alliance, Volume 21, Number 4, fall 2002

Your Land is Your Legacy. 1999. American Farmland Trust.

CLICK HERE TO RETURN TO TABLE OF CONTENTS

Chapter VI

Useful Information

Municipal Land Use Change Tax Allocation Data

The municipalities listed below are those that have voted to allocate some or all of the use change tax to the conservation fund (120 to date — 52% of NH municipalities) AND have told NHACC they have done so.

Municipality	Allocation	Date Adopted
Acworth	100%, $2,000 annual cap	2001, 2002 $2,000 cap
Alton	50%, $10,000 annual cap	1990
Amherst	50%	1990 50%; 1996 75%; 1999 50%
Andover	50%	2000
Antrim	50%, $5,000 cap	2002
Auburn	100%	2002
Barnstead	10% or $1,000, whichever is less	1990 100%; 1995 lesser of 10% or $1,000
Bath	100%	2002
Bedford	85%	1991 30%; 2000 70%;2001 85%
Belmont	100%	1999 $5,000 cap; 2001 removed cap
Boscawen	100%	1993 50%, $10,000 annual cap; 2000 100%
Bow	100%	1996
Bradford	50%	1990
Brentwood	50%	2001
Brookline	100%	1990 50%; 2000 100%
Campton	50%, $5,000 annual cap	2001
Canaan	25%	2000
Candia	100%	1997 25%, $1,000 cap; 2000 no cap; 2001 100%

Municipality	Allocation	Date Adopted
Canterbury	100%	1990
Center Harbor	25%	1989
Charlestown	50% of anything over $10,000	1990
Chester	100%	1997 with $20,000 cap; cap removed 1999
Chesterfield	100%	1994 50%, $10,000 annual cap; 100% 2000
Chichester	50%	1999
Claremont	100%, $5,000 annual cap	1993
Concord	100%	1988 25%; 2002 100%
Conway	100% to $100,000; 50% thereafter	1999
Cornish	25%	1994
Dalton	5%	1989
Danville	100%	1997
Deerfield	100%	2001
Deering	50%	1996
Derry	100%	1997
Dover	100%	1999
Dunbarton	50%	1993 with cap; cap deleted 1997
Durham	50%	1990
East Kingston	50%	1998
Epping	50%, $50,000 cap	1995 10%, $10,000 cap; 2000 50%
Farmington	50% or $10,000, whichever is less	2001
Fitzwilliam	25%	1994
Francestown	50%	2001
Franconia	50%	1995
Fremont	50% over $10,000	1999
Gilmanton	100% to $5,000, 10% over $5,000	1997 up to $2,000; 2001 up to $5,000
Goshen	50%	1995
Grantham	50%	1993
Hampstead	35%	2000
Hampton Falls	100%	1996 10%; 2001 100%
Hancock	50%, $3,000 cap	2001
Hanover	50%	1999
Hillsboro	50%, ($7500 cap)	2000
Hinsdale	100%, $5,000 cap	2002
Hollis	50%	1997
Hooksett	50%	1993
Hopkinton	35%	1993
Hudson	100%	
Kensington	25%	1989
Lebanon	25%	
Lee	50%	1989
Litchfield	10%	1994
Londonderry	100%	1996
Lyme	100%	1993 50%; 2000 100%
Lyndeborough	10%	1990
Madbury	50%	1989
Madison	10%	1997
Mason	100%	2000
Marlborough	10%	1990
Meredith	100%, $10,000 annual cap	1990

Municipality	Allocation	Date Adopted
Merrimack	100%	2002
Middleton	100%	1996
Milton	50%	2000
Nashua	100%	1989
New Boston	10%	1995
Newbury	50%	1990
New Durham	100%, $5,000 annual cap	1998
Newfields	50%	1990
New Hampton	25%	1989
Newington	100%	2001
New Ipswich	50%, $10,000 annual cap	1989
Newmarket	50%	1989
Newton	25%	1990
Northfield	20%	2002
North Hampton	100%	1990
Northwood	10%	1990
Orford	100%, $100,000 annual cap	2000
Pelham	75%	2000
Pembroke	100%	2002
Peterborough	50%, $5,000 annual cap	1994
Piermont	10%	1997
Plainfield	50%	1989; 1999 deleted "over $20,000"
Plaistow	100%	2000
Portsmouth	100%	1995
Randolph	50%	1995
Raymond	100%	1989 25%; 2001 100%
Rindge	100%	1999
Rochester	50%, $10,000 annual cap	1999
Rumney	50%	1989
Salem	50%, $100,000 annual cap	1990 $50,000 cap; 1997 $100,000 cap
Sanbornton	50% or $5,000, whichever is more	1999 up to $5,000
Sandown	25%	1997
Sandwich	25%	1995
Seabrook	10%	2000
Sharon	100%	1994 ($5,000 annual cap removed 2002)
South Hampton	50%	1989
Stratham	100%	2000
Sullivan	50%	30% 1990; 50% 1999
Surry	100%	2000
Sutton	50%	1993 25%; 2001 50%
Swanzey	50%, $10,000 annual cap	1995
Tamworth	100%, $5,000 annual cap	2000
Temple	100%	1990 10%; 2001 100%
Wakefield	100%, $25,000 cap	2000
Walpole	100%, $25,000 cap	1995 25%, 2001 100%, $25,000 cap
Warner	100%	2000
Weare	75%	2000
Webster	up to $3,000 per year	
Westmoreland	50%	2002
Wilton	10%	
Windham	100%	1998 100%

Results of 2002 Town Meeting Votes on Articles for Land Conservation Funding

	MUNICIPALITY	ARTICLE	AMOUNT	VOTE*	% IN SUPPORT*
☑ YES	**Amherst**	To acquire 47-acre Lindabury Orchard	$400,000 bond	1872-1071	64%
☑ YES	**Amherst**	To acquire 123-acre Joppa Hill	$442,000 bond	1881-1055	64%
☑ YES	**Antrim**	To support acquisition of Antrim Woods, a 58 acre parcel within the town water district	$40,000 appropriation		
☒ NO	**Brookfield**	To support acquisition of 600+ acre property	$100,000 bond	67-62 (Failed to get 2/3 vote)	52%
☑ YES	**Brookline**	To authorize bond for land acquisition plan, including spending $306,500 to acquire the 230-acre Hobart Fessenden Woods	$1,000,000 bond	225-45	83%
☑ YES	**Candia**	To appropriate funds to the conservation fund	$50,000 appropriation		
☑ YES	**Canterbury**	Passed town budget which included land conservation funding	$20,000 appropriation		
☑ YES	**Dunbarton**	To support acquisition of Kimball Pond property	$25,000 appropriation		
☑ YES	**Epsom**	To acquire conservation easements	$10,000 appropriation		
☑ YES	**Fitzwilliam**	To appropriate funds to acquire 157-acres	$50,000 appropriation ($40,000 from surplus funds, $10,000 from taxes)		
☑ YES	**Hampton**	To appropriate funds to the land trust conservation commission fund	$300,000 appropriation	1,550–1,029	71%
☒ NO	**Hampton**	To authorize bond for land conservation	$3,000,000 bond	1,056-1,579, failed to pass	40%
☑ YES	**Hollis**	To authorize bond for land acquisition, with one year sunset provision	$3,500,000 bond	254-25	91%
☑ YES	**Hopkinton**	To appropriate funds to the conservation fund	$8,000 appropriation		
☑ YES	**Jaffrey**	To purchase 150 feet of shoreline along Contoocook Lake, adjacent to town owned shoreland	$15,000 appropriation		
☑ YES	**Kingston**	To acquire easement on 37.25 acres of land	$140,000 from capital reserve fund		1,255-494

	MUNICIPALITY	ARTICLE	AMOUNT	VOTE*	% IN SUPPORT*
☑ YES	**Kingston**	To support acquisition of 115 acres, (matched by $150,000 from the Nature Conservancy)	$50,000 appropriation		
☑ YES	**Londonderry**	To authorize, as part of capital improvement bond, bond for open space conservation	$1,000,000 bond	3,509-1,349	72%
☑ YES	**Merrimack**	To authorize a bond to buy the Greens Pond property, 563-acres of forest and wetlands	$4.2 million bond	4,123-2,039	66.9%
☑ YES	**Mont Vernon**	To appropriate funds to the conservation commission land acquisition fund	$45,000 appropriation		
☑ YES	**Newfields**	To authorize bond to acquire land for permanent conservation	$2,000,000 bond	112-14	89%
☑ YES	**Newfields**	To appropriate funds to conservation commission fund	$25,000 appropriation		
☑ YES	**Newmarket**	To authorize a bond to purchase land for conservation, recreation, and other public purposes	$2,000,000 bond	884-380	69.9%
☑ YES	**Peterborough**	To appropriate funds to the conservation commission fund	$25,000 appropriation		
☑ YES	**Peterborough**	To appropriate funds to buy two parcels adjacent to Fremont Field conservation property	$25,000 appropriation		
☑ YES	**Rindge**	Passed as line item within capital improvement budget	$5,000 appropriation		
☑ YES	**Sanbornton**	To appropriate $5,000 or 50% of the land use change tax, whichever is higher, to the conservation commission land trust fund	Minimum of $5,000		
☑ YES	**Sharon**	To appropriate funds to the conservation commission fund	$3,000		
☑ YES	**Stratham**	To authorize bond for land conservation	$5,000,000 bond	462-63	88%
TOTAL PASSED			**$20,383,000**		

*provided when known

To add any additional community votes, please email the results to Dijit Taylor, Center for Land Conservation Assistance, dtaylor@spnhf.org or 717-7045. Please provide the town name, amount of money, type or source of appropriation (bond, general fund, land use change tax, etc.), whether it was for a specific property, and vote tally.

Updated: 10/14/02

Worksheets for Detailed Cost Comparison

Sample Spreadsheet for Comparing Municipal Costs of Development with Cost of Conservation Over Duration of Bond

DEVELOPMENT SCENARIO											CONSERVATION SCENARIO
Year	Number of Housing Units Built*	Total New Housing Units	Number of New Students Added**	Total New Stu-dents	Additional Education Expense from New Students***	Municipal Expense per Housing Unit	Total Municipal Expense	Municipal Plus Education Expense	Tax Revenue from Housing Units****	Annual Impact on Municipal Budget	Principal and Interest for Bond*****
1	0	0	0	0	0	$927	0		0	0	$225,745
2	25	25	19	19	$130,492	$927	$23,175	$153,667	$125,375	$28,292	$214,017
3	25	50	19	38	$260,984	$927	$46,350	$307,334	$250,750	$56,584	$208,617
4	25	75	19	57	$391,476	$927	$69,525	$461,001	$376,125	$84,876	$203,217
5	25	100	19	76	$521,968	$927	$92,700	$614,668	$501,500	$113,168	$197,817
6	25	125	19	95	$652,460	$927	$115,875	$768,335	$626,875	$141,460	$192,417
7	25	150	19	114	$782,952	$927	$139,050	$922,002	$752,250	$169,752	$186,680
8	25	175	19	133	$913,444	$927	$162,225	$1,075,669	$877,625	$198,044	$180,942
9	25	200	19	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	$175,205
10		200	0	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	$169,467
11		200	0	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	$158,730
12		200	0	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	$153,205
13		200	0	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	$147,680
14		200	0	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	$141,960
15		200	0	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	$136,045
16		200	0	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	0
17		200	0	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	0
18		200	0	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	0
19		200	0	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	0
20		200	0	152	$1,043,936	$927	$185,400	$1,229,336	$1,003,000	$226,336	0
Sum	**200**	**200**	**152**	**152**	**$16,181,008**	**$927**	**$2,781,175**	**$18,962,183**	**$15,546,500**	**$3,508,208**	**$2,691,744**

*Number of Housing Units Built is the one item used in this table that was not part of the information collected or calculated on the worksheet in section. Make an informed estimate about the current rate of land conversion in your community.

**Number of new students assumes that there are .75 students per household (see page 18)

***Additional Education Expense for new students assumes cost per student of $6868 (see page 18)

****Tax revenue per housing unit assumes average new housing unit cost of $170,000 and a tax rate of $29.50 per thousand ($5015 per housing unit) (see page 17)

*****Conservation scenario assumes that you will take the entire bond in the first year. Payments are for a $2,000,000 bond and interest payments at interest rate of 4.0% to 4.625% as quoted by NH Municipal Bond Bank. You could do a further refinement to show the more likely scenario of it taking a few years to acquire all the property, using bond anticipation notes, then eventually spend all the money and incur all the debt.

Blank Worksheet for Comparing Municipal Costs of Development with Cost of Conservation Over Bond Duration

DEVELOPMENT SCENARIO											CONSERVATION SCENARIO
Year	Number of Housing Units Built*	Total New Housing Units	Number of New Students Added**	Total New Students	Additional Education Expense from New Students***	Municipal Expense per Housing Unit	Total Municipal Expense	Municipal Plus Education Expense	Tax Revenue from Housing Units****	Annual Impact on Municipal Budget	Principal and Interest for Bond*****

Sample Materials

Public Presentations

Slides of Power Point Presentation in support of Newmarket's Open Space Pays

Open Space Pay$:
Newmarket's proposed $2 million bond for land acquisition

Presentation by the
Newmarket Open Space Task Force
April 29, 2002

Newmarket's Open Space Task Force

- Created by the Town Council in July of 2001
- Charged with examining all aspects of open space and determining the feasibility of conserving open space in Newmarket

Newmarket's Open Space Task Force

Members included:

Brian Hart, chair	Fred Pearson
Ellen Snyder	Herb Dalrymple
Michael Farren	Andrea Daly
John Pasquale	Peg Chaffee

Findings of the Task Force

1. As of 2001, approximately 801 acres or 10% of Newmarket was protected from development.

187 acres are town owned

322 acres protected through open space cluster developments

293 acres conserved by the state agencies and private organizations, mostly on Great Bay

Findings of the Task Force

2. Newmarket will continue to have rapid residential growth for the foreseeable future:

Our population is projected to grow nearly 50% by 2020, from 8,000 to 11,500 residents, an annual increase of 150 residents.

Findings of the Task Force

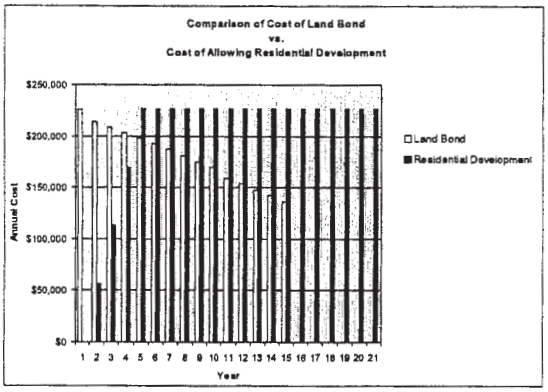
3. Cost of community service studies show that residential property does not pay enough taxes to cover the cost of the services demanded, while open space does.

Ratio of Cost to Revenue

Community	[redacted]	Open Space	Com/Ind.
Deerfield	[redacted]	$0.35 : $1.00	$0.22 : $1.00
Dover	[redacted]	$0.94 : $1.00	$0.63 : $1.00
Exeter	[redacted]	$0.82 : $1.00	$0.40 : $1.00
Fremont	[redacted]	$0.36 : $1.00	$0.94 : $1.00
Stratham	[redacted]	$0.40 : $1.00	$0.19 : $1.00

Findings of the Task Force

4. In the long run, the taxpayer cost of acquiring land for open space is less than allowing it to be residentially developed.



Things to consider . . . .

Number of students makes the difference: the more students, the higher the potential tax consequence from new housing

[redacted]

Benefits of Open Space Protection to Residents

- Helps stabilize tax rates
- Slows the total amount of residential development permanently
- Allows Newmarket to retain its rural character
- Ensures continued outdoor recreational opportunities, including hunting, skiing, hiking, and snowmobiling
- Protects drinking water quality

Recommendations of the Task Force

1. Create an Open Space Commission

Open Space Commission

With public input, the Open Space Commission is charged with:

- Establishing criteria for the acquisition of land
- Identifying priority areas, goals, and uses for community open space acquisition
- Recommending to the Town Council the purchase of identified lands from willing sellers

Open Space Commission

Members to be as follows:

(1) Town Council member
(1) Conservation Commission member
(1) Planning Board member
(1) Budget Committee member
(5) Members of the public

What can the bond be used for?

- Buy land for open space protection

- Buy land for outdoor recreation, including athletic fields
- Buy land for other public purposes

Recommendations of the Task Force

2. Bond $2 million for Open Space Acquisition

Who will determine which land to buy?

1. The Open Space Commission (OSC) will identify potential properties and recommend acquisitions to the Town Council.
2. The Conservation Commission and Planning Board will have input in OSC recommendation.
3. Public input will be sought through a public hearing.
4. The Town Council will make the final decision on the acquisition and use of the property.

Why a bond?

- Allows us to raise significant funding to compete with developers
- Provides flexibility for town to act quickly as opportunities arise
- Municipal bond interest rates are very low (4-5%)
- Reduced tax impact as compared to direct appropriation
- Generational equity: current and future residents will pay for the land acquisition

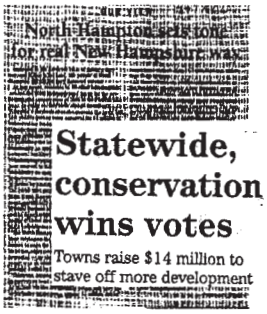
How much will it cost?

If the entire bond is spent in the first year, the tax increase would be between $.70 and $.74/$1,000. This amount would decline each year thereafter, until the bond is paid off.

However, it is very unlikely that the entire amount will be spent in one year.

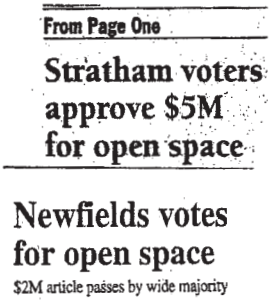
[redacted]

Our neighbors are passing similar initiatives:


North Hampton sets tone for real New Hampshire way

Statewide, conservation wins votes

Towns raise $14 million to stave off more development


From Page One

Stratham voters approve $5M for open space

Newfields votes for open space

$2M article passes by wide majority

If this bond passes . . . .

Newmarket will:

- have the ability to protect critical lands for water quality, wildlife habitat, scenic views, and future generations.
- have more control over residential development.
- help stabilize our long term tax rate.
- have land available for additional recreational needs and other public purposes.

What can I do to help?

Talk to your friends and neighbors

Write a letter to the editor

Put a sign on your lawn

Vote YES on Article 3 on May 14!

Questions

and

Discussion

Presentation made at Andover Town Meeting in support of Land Use Change Tax for Conservation Fund

Article 8

Article 8 is about taking one small, specific action to help keep our taxes low and make sure we have places to farm and log and hike and hunt in the future.

Much of the undeveloped land in Andover is enrolled in the state's Current Use program, which means the owner pays taxes based on what the land's being used for, not what it's worth on the open market.

When a landowner develops some Current Use land, they have to pay a penalty of 10% because that land is now lost as far as farming and logging and hiking and hunting go.

In a typical year, Andover collects about $6,000 in Current Use penalties. Some years more, some years less, but on average it's about $6,000, or about $3.00 per Andover resident.

Article 8 proposes that instead of spending that entire amount on ordinary Town expenses, we set aside half of it — or about $1.50 per resident in a typical year — in the Conservation Fund where it can be used to help landowners who want to voluntarily protect some of their land from being developed.

This seems like a wise strategy, because remember that as more land is developed, our tax rate will inevitably rise. The 10% penalty can be used to offset the rise that year, but the land is developed forever and so that development creates an upward pressure on the tax rate every year.

Instead, it seems wiser to put some of that penalty to work in helping a landowner who wants to voluntarily set aside a chunk of land to never be developed, so at least that land can never contribute to rising tax rates.

This chunk of land gets developed and starts fueling the pressure for higher taxes every year. We take half the penalty paid for developing that chunk of land and use it to help voluntarily protect this chunk of land over here from development, so it can never add to the pressure for higher taxes.

This doesn't solve the problem of development causing higher taxes, but at least we've invested in dampening down the trend somewhat and controlling what could otherwise become an out-of-control tax spiral. And at the same time, we'll keep some places where we can farm and log and hike and hunt.

I think this is the kind of initiative that the Selectmen have in mind as they watch the rising tide of growth coming from the south and ask us, "What do we propose to do about it?"

Article 8 is a small but important step in answering their question, and I hope you'll vote to approve it.

Thanks!

Charlie Darling
Andover Conservation Commission

Fact Sheets

Fact sheet for Merrimack Bond Initiative (side 1)

Protect the Greens Pond Property!

On April 9, Vote YES on Article 10

On April 9, Merrimack voters will have the opportunity to protect a 563-acre area of undeveloped land known as the Greens Pond Property, located in the southwestern area of Merrimack, near Amherst, Naticook, and Peaslee Rds. Although an independent appraiser has valued the property at $5.275 million, the owner has agreed to sell it to the town for $4.2 million.

How Much Will It Cost?

Article 10 authorizes a bond for up to $4.2 million to purchase the 563-acre Greens Pond Property. However, the town has received several grants to reduce the cost of the purchase to Merrimack:

$4,200,000	Purchase price
– $250,000	EPA mitigation funds
– $150,000	Conservation Comm. funds
– $175,000	NH LCHIP grant
– $450,000	NH DES grant
$3,175,000	To be funded by Article 10*

Voting yes on Article 10 will help protect our water quality and wildlife habitat by preventing development on the 563-acre Greens Pond property.

For the average taxpayer in Merrimack, Article 10 will cost just $28 a year.**

Who Supports Article 10?

"You need a long-term outlook for land use. While there may be some short-term gains, such as less pressure on schools and infrastructure, we have to look at a project of this magnitude as doing something unselfish for future generations." —D.L "Chris" Christensen, Chairman, Board of Selectman

"I am supportive of Article 10 as it will provide for open space and conservation uses for the future and the cost of this purchase will be more than offset by the tax savings of not having to provide the services and schools that would be needed if the property is developed." —Kenneth Coleman, Chairman, Merrimack School Board

* *Each of these grants has been committed by the respective agency.*

** *This estimate is based on a house assessed at $182,000 (market value $207,000) at the 2001 tax rate.*

Paid for by Friends of Merrimack Open Space, Amanda Boerner, fiscal agent. Friends of Merrimack Open Space is a local citizens group supporting the purchase and protection of the Greens Pond Property. To learn more or volunteer, call Debra Huffman at 424-4432.

Fact sheet for Merrimack Bond Initiative (side 2)

Protect the Greens Pond Property!

On April 9, Vote YES on Article 10

Voting YES on Article 10 will:

✓ **Prevent development on the 563-acre Greens Pond Property:** This is Merrimack's only chance to stop a 110-unit development, and prevent the resulting additional traffic, demand for community services, and pressure on the schools from approximately 87 new students.

✓ **Help protect our drinking water:** A portion of the Greens Pond Property is in the source water protection area for three of Merrimack's drinking water wells. Buying this land and preventing development will help keep our drinking water clean and prevent the use of an extra 14.5 million gallons of water per year.

✓ **Maintain outdoor recreation opportunities:** Right now, Merrimack residents enjoy this land for skiing, hiking, walking, snowmobiling, horseback riding and hunting. Buying this land will allow current and future Merrimack residents to continue to enjoy this beautiful land.

✓ **Enhance our quality of life:** Merrimack has experienced tremendous growth in last 20 years, losing much of our rural character. Protecting this large area will help maintain one of the last large areas of open space, and enhance our quality of life.

✓ **Invest in Merrimack's future:** By purchasing this land, Merrimack will have some land available for future municipal needs — such as athletic fields — while permanently preventing residential development.

If Article 10 passes, trails like this one will continue to be available for hiking, skiing, and other recreational uses.

Where Can I Vote?

Polls are open from 7am to 9pm on Tuesday, April 9. If you live north of Amherst Road or Greeley Street, your polling place is Mastricola Middle School at 26 Baboosic Lake Road. If you live on or south of Amherst Road or Greeley Street, your polling place is at St. John Neumann Church at 708 Milford Road (Route 101A).

Who Supports Article 10?

"An integral part of Merrimack's Master Plan includes preserving open space. We should be consistent with it and take advantage of this opportunity to preserve the tranquility, beauty, and wildlife of the Greens Pond Land." —Dave McCray

"By passing Article 10, we can control residential development and conserve important wildlife habitat, wetlands, and our drinking water." —Mike Burke, Chairman, Merrimack Conservation Commission

Paid for by Friends of Merrimack Open Space, Amanda Boerner, fiscal agent. Friends of Merrimack Open Space is a local citizens group supporting the purchase and protection of the Greens Pond Property. To learn more or volunteer, call Debra Huffman at 424-4432.

Two Fact Sheets for Andover's Land Use Change Tax Initiative

QUESTION:

What's the best way to protect Andover's **low tax rate** and our wealth of **productive fields, forests, lakes and streams**?

ANSWER: Help landowners who want to permanently protect parts of their property from development.

Voluntarily protecting land from the kind of **development engulfing southern New Hampshire** protects us from rising taxes, because higher taxes paid on newly-developed land often **don't pay for all the new services** new development requires.

VOTE "YES" ON ARTICLES 10 AND 8

QUESTION: What's the best way to protect Andover's low tax rate and our wealth of productive, undeveloped land?

ANSWER: Help landowners who want to permanently protect parts of their property from development.

Articles 10 and 8 at Town Meeting on March 14th are important first steps for Andover to preserve our working landscape and keep our taxes low.

Article 10 tells New Hampshire legislators that Andover supports a **voluntary** program that:

- **helps landowners protect their land** from development, and
- **preserves the historic and cultural assets** that make Andover unique.

Article 8 sets aside half the Use Change Tax — at a cost of **about $1.50 per resident per year** — to help voluntarily protect land and repair some of the damage that a change in use brings.

Voluntarily protecting land in Andover from the kind of **development engulfing southern New Hampshire** makes sure we'll always have land for farming, logging, hiking, hunting, and snowmobiling.

Voluntarily protecting land in Andover also **protects Andover taxpayers from rising taxes** because…

…the higher taxes paid on newly-developed land often **don't pay for all the new services** that the new development requires. The result is higher taxes for everyone.

Protect Andover's low tax rate and our wealth of productive, undeveloped land.

VOTE "YES" ON ARTICLES 10 AND 8

Water bill stuffer fact sheet for Andover's Land Use Change Tax Initiative

You're probably shocked to learn that...

Most of the land around
our town water supply is not protected

...from development and other sources of pollution.

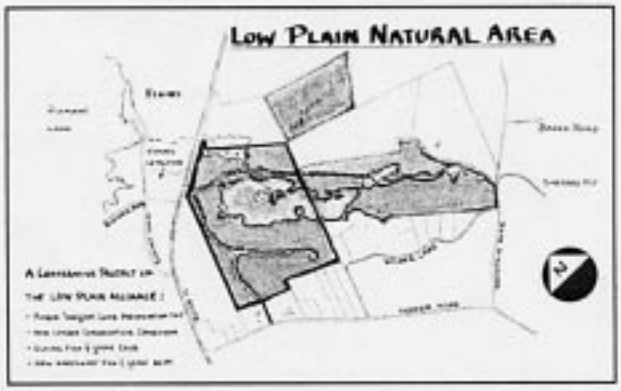
Articles 10 and 8 at Andover Town Meeting are the first steps toward correcting this grave oversight. These articles will help landowners voluntarily protect their land from development, thereby preserving Andover's wealth of productive, undeveloped land and our traditionally low tax rate.

Please plan to join your neighbors at Town Meeting on March 14 at 7:30 PM at AE/MS and…

VOTE "YES" ON ARTICLES 10 AND 8

Fact Sheet for New London Low Plain Initiative

LOW PLAIN ALLIANCE



Who Are We?

The Low Plain Alliance is a cooperative effort of The Ausbon Sargent Land Preservation Trust (ASLPT), New London Conservation Commission (NLCC), Elkins Fish & Game Club (EFGC) and NH Fish & Game Dept. to protect the Low Plain Natural Area.

Why Should The Low Plain Natural Area Be Protected?

- Prime Wetlands Designation by the State of NH
- Significant habitat for 163 species of wildlife (birds, mammals, reptiles & amphibians)
- 43% of total bird species listed on the N.H. checklist have been sighted at the Low Plain including the endangered pied-billed grebe, bald eagle, peregrine falcon and the threatened rusty blackbird
- Footpaths & ski trails lead to quaking bog, beaver pond, marsh, overlooks
- Chandler Brook originates there and feeds into Pleasant Lake

What's Been Done?

With the security of 18 individual guarantors and financing by New London Trust, the ASLPT, acting as the transition title holder, purchased the Low Plain Natural Area on August 3, 1993. Ultimately title will be transferred to the Town of New London.

What Are The Project Costs?

The purchase price was $283,000 (assessed value $311,200). The total project cost including insurance, legal fees, carrying costs and purchase price is $310,000. The annual property tax is $100.

Where Will The Funds Come From?

Source	Amount	Estimated Timing of Gift
NLCC	$ 31,000	Received July 30, 1993
State of NH	$ 25,000	Summer 1994
Sale of 9 Acres	$ 31,000	November 1993
Town Meeting	$ 63,000-$95,000	March 1994
Nat'l Fish & Wildlife Foundation Grant	$ 54,000	November 1993 Notification
Two Donors	$ 6,000	Received July 1993
Fundraising Effort	$ 68,000-$100,000	Campaign began August 1993
TOTAL PROJECT COST	$310,000	

You Can Help Us!

By making a tax-deductible contribution of cash or stock. For your convenience, we have enclosed a return envelope.

Please make checks payable to: ASLPT – "Low Plain"

For additional information, call 526-6555

Two Fact Sheets from Stratham Our Town Bond Initiative

Save Stratham's Rural Character

Town Meeting is YOUR chance to save undeveloped land

Stratham is Worth It!

Vote YES on Article 4

At Town Meeting March 15 7:30 PM - Municipal Building

For more information:

Call Conservation Commission Chairman Gordon Barker 778 1039
or Roger Stephenson 778 7970

Read about the initiative

- newsletters available on-line www.wigginml.org/towngovt/conserve.htm
- Newsletters & info on display at Wiggin Library

To make a difference you must be at Town Meeting and Vote

Friday March 15 7:30 PM

Stratham, Our Town

"The Town of Stratham desires to maintain a well planned community with a rural residential and agricultural character, affordable housing, diversified but limited commercial and economic development, quality education, and protected natural and historic resources"

— Stratham Master Plan Vision Statement, 1998

On Friday evening March 15, Stratham voters at Town Meeting will be asked to approve a **warrant article to protect open space** by issuing a $5 million bond to purchase or protect some of our remaining developable land

The Importance of Open Space to Water Protection

- **The surest way to prevent water contamination** is through land acquisition or obtaining conservation easements
- The **greatest threat** to groundwater contamination is from mismanaged activities on the land surface. The health of our streams, ponds and groundwater depends on how the surrounding lands are used
- **Only 12 percent of NH's water supply lands are permanently protected** from development and potential contamination
- Without a town water source, your well source is critical. **Now is the time for Stratham** to set aside land to help ensure safe and adequate water for the future

Wildlife

- Large areas of habitat are vital to **protect native species such as wild turkey**.
- Open space protection will **conserve special habitats**. Meadowlarks and Bobolinks are just two examples of birds that depend on open fields for nesting

By approving a bond issue to protect open space, Stratham residents can:

❏ Conserve lands that keep our water clean

❏ Permanently protect scenic views and community character

❏ Conserve wildlife habitat & productive agricultural lands

VOTE AT TOWN MEETING —— FRIDAY MARCH 15 7:30pm

Newsletters

North Hampton Forever Newsletters (original version is 8½" x 11")

North Hampton *Forever*

An Initiative to Save Our Open Land

Issue 1, September 10, 2000 Edited by Christine Butcher

Why? The seacoast is booming. There is building, going on all around us. It seems like more all the time. And whether we like it or not, North Hampton is changing.

The blessings of population growth and prosperity have created a growing demand for new housing. At the same time for reasons that are unique to North Hampton, a large amount of buildable property is coming onto the market. North Hampton is an attractive place to call home. The result? More development is almost certain.

That quiet, uncrowded, semi-rural flavor we love is slipping away. Without our noticing, the roads are slightly busier. The police are slightly more occupied. There's a slightly longer wait for a sandwich at Joe's. And our beautiful, open fields and forests may soon be slightly scarce.

Growth is good. But too much, too fast, too soon can take us all by surprise. We can watch it happen, or we can try to manage it. But one way or another, North Hampton is changing.

How? Growth management is complicated business. Growth is fundamental to our prosperity and to our property rights, and it's a rare New Hampshire person who would limit either. In fact, most growth control efforts have died in court because they do interfere with property rights. So how can we preserve large, undeveloped areas of land and the special qualities they contribute to North Hampton?

There is one simple, fair, and straightforward answer. It is to purchase the land. At first glance, this seems ambitious and very expensive. But the cost should be measured against the costs that development creates. From schools to snow removal, from police to paving, new development is expensive for the town. In fact, the total cost to taxpayers is almost enough to buy the land.

A radical idea? Not really. It has been done successfully in more than 170 communities. All it really takes is commitment and communication, -- the commitment needed to formulate a practical plan, and the communication needed to enlist the support of the people of North Hampton.

Who? North Hampton *Forever* is a commitment initiated by a sub-committee of the North Hampton Conservation Commission, with the help of a number of interested citizens. The group is exploring ways to preserve some of the town's large, open tracts of land, including the possibility of purchasing such land.

Their objective is to find the ways and means to conserve open land, and be ready when appropriate land comes on the market. Mechanisms need to be established to select, purchase, maintain and conserve such land.

The town should also be in a position to take advantage of matching funds that may become available from state or federal sources. All of these things come under the heading of " a practical plan".

The remaining job, the communication part of the project belongs to everyone in North Hampton. Talk to your friends and neighbors and think about it. Should we just watch our town grow? Or should we try to manage that growth?

Here is what you can do to help.

For more information or to offer your assistance, contact Roland Neves at 964-8688, Phil Wilson at 964-2124, Dick Wollmar at 964-6793 or check the bulletin board at the Library.

North Hampton *forever*

An Initiative to Save Our Open Land

Issue 2, October 31, 2000 edited by Christine Butcher

What Have Other Towns Done?

The need to preserve open lands is becoming increasingly clear. Communities across the country are recognizing that protection of open spaces does more than beautify the landscape. It relieves pressures on town services. It helps protect the quality of the schools. It creates opportunities for farmlands and recreation. And it protects property values throughout the community.

Recognizing these benefits, more and more communities are deciding that open space is an investment worth funding. In fact, in 1999, there were 102 referenda in 22 states, with 90% of them achieving passage. A total of more than $1.8 billion dollars were approved for purchasing and preserving open lands and new park lands.

Property Taxes

Fifteen towns in Cape Cod approved new three percent property tax assessments to finance open space purchases. In an editorial in the Cape Codder, realtors advised readers that the assessment, about $50 a year on average, was a sound investment to protect property values.

In New Jersey, Westampton, West Amwell, Tewksbury, Springfield, Pohatcong, Plainsboro, Millstone, Lawrence, and Roseland have all approved property tax assesments devoted to open space preservation.

Bond Issues

The town of Glendale, Arizona chose to use a bond issue approach for a major land purchase effort. The $53.7 million bond issue passed by a margin of more than two to one. Homer Township, Illinois, approved an $8 million bond issue for open space protection.

Nearer home, towns approving bond issues include Glastonbury and Rocky Hill, CT. The village of Stowe, VT passed a $350, 000 bond issue for the purpose of open space acquisition. In NH, Northfield used a bond to purchase 85 acres, and Londonderry used one to protect its apple orchards.

Matching Funds

Some efforts have been state- wide. For example, Rhode Island voters approved, by a two to one majority, a $15 million bond for protecting farmland and acquiring and developing bikeways, greenways, and state parks.

The measure provides $5 million for state farmland easement purchases and park improvements and $10 million for regional and local bike paths and greenways, with an emphasis on local matching grants for projects consistent with the state's Greenspace and Greenway Plan.

Here is what you can do to help.

Get your North Hampton forever bumper sticker and show it off!

Call Roland Neves at 964-8688, Phil Wilson at 964-2124, or Dick Wollmar at 964-6793 , or pick one up at the Library.

North Hampton *forever*

An Initiative to Save Our Open Land

Issue 3, December 29, 2000 Edited by Christine Butcher

The Arithmetic of Growth

What we are trying to do:
Using a combination of public and private funding, we hope to protect up to 800 acres of buildable property by donation or by purchase of the building rights to such land.

Is it constitutional?
Yes. This proposal is not unlike using town funding to purchase new parkland.

Are you using my tax dollars?
Yes, but not general funds. The North Hampton Forever initiative will be put to the townspeople as a bond issue, so everyone will have the opportunity to vote directly on this initiative. In addition, there will be a public hearing for each acquisition.

Will this affect growth?
Yes, in a limited way. It will moderate the rate of residential growth, which will alleviate the need for expanded town services and facilities.

Will it hurt our tax base?
No, because it will do nothing to slow the rate of commercial growth in areas zoned for commercial activity.

Will it save tax money?
Yes, new studies in towns similar to North Hampton have shown that the cost of necessary town services exceeds the tax revenue from new residential development.

Will it hurt my property values?
No, by preserving the semi-rural flavor and heritage of North Hampton, property values will be enhanced

How much will it cost me?
To raise approximately $4,000,000 for open space, it will cost approximately 83¢ per thousand on your bill.

You figure it out.
For an extra 83¢/thousand on your tax bill, you get open fields, fragrant forests, better schools, safer roads, picturesque farmlands, higher property values and the thanks and admiration of your grandchildren. We think it's worth it.

Want to know more?

For easy access to all the detailed studies and tax numbers, from sources like the Urban Institute, the New Hampshire Wildlife Federation and studies on towns like ours, please call Roland Neves at 964-8688, Phil Wilson at 964-2124, Dick Wollmar at 964-6793.

North Hampton *Forever*

An Initiative to Save Our Open Land

Issue 4, February 3, 2001 Edited by Christine Butcher

You get more for your money!

In a money saving effort to preserve the rural heritage of North Hampton and to protect some of its open land from development, the North Hampton *Forever* Initiative, the Selectmen, and the Budget Committee are asking citizens of North Hampton to approve a $4,000,000 bond issue. The money will be used to protect forever as much as 800 acres of buildable land. By leveraging town funding with private donations and government grants, open land can be protected at remarkably low cost. At the same time, the town is relieved of costs created by new homes. The result is a considerable savings to taxpayers, and is accomplished while preserving everyone's property rights and enhancing our property values. Just look at the figures below.

Sample Property under Negotiation:

A 60 acre parcel, appraised at $550,000, developable into 20 house lots.

Cost to Town if Developed

Item*	Cost/Home
Town svcs.	$ 1,552
Schools	12,765
Total cost	14,317
Tax income	-7,392
Net cost	$ 6,925

If 10 new homes are built in the first year, the net cost to the town, after adjusting for the new tax revenue, is $69,250/year.

If an additional 10 homes are built in the second year, the cost to the town's taxpayers increases to $138,500/year.

*These figures assume:
- Average assessed value of new homes: $400,000
- Average 1.5 children/home
- School costs: $8,510/child
- 15 year bond @ 5% interest

Cost to Town if Protected

The building rights for this property are appraised at $465,000, and the owner is willing to sell. Using a bond for this amount, the annual bond payment would be $44,126, resulting in first year savings of $25,124.

But for this project, the North Hampton *Forever* Initiative has obtained some private funding and applied for a DES grant, bringing the cost down to $200,000.

At this price, the bond payment would be $18,979, resulting in a savings to taxpayers of $50,271 in the first year, and $119,521 in the second year. Over the 15 year life of the bond, a total of $2,008,250 in savings.

We Need You

With your support, the town can preserve its lovely open and peaceful atmosphere. We can add to the recreational and educational options for citizens young and old. We can lessen the pressure population growth puts on our schools. And we can ease the pace of new residential development without growth control legislation.

Perhaps most important, the cost to protect buildable land is less than the cost of town services required for the homes that would have been built.

The initial cost is only 83¢/thousand on your tax bill. The rewards are immeasurable, for taxpayers and for North Hampton.

We cannot achieve this without your help!

Election day will be March 13th. Please vote yes on Article 21 and take a friend to vote.

North Hampton *forever*

An Initiative to Save Our Open Land

Issue 5, March 5, 2001 Edited by Christine Butcher

Lower Taxes, Stronger Schools, Beautiful Open Land

with North Hampton *forever everybody wins!*

How does it work?

North Hampton *forever* makes it possible for the town to compete for buildable land. With bond funding in place, the Conservation Commission can negotiate for purchase of building rights, or when appropriate, outright ownership. For every purchase, there will then be a PUBLIC HEARING, after which the SELECTMEN will make the decision.

What land will be chosen?

Large tracts of buildable land will be the primary target. Most of this land is west of Route 1. Small parcels that connect greenways or protect special places will also be considered. Much of the land will be available to townspeople for passive recreation and some could be used for new recreation facilities.

Does it affect property rights?

No, North Hampton *forever* makes it possible to slow the growth of residential building without affecting private property rights in any way. And there will still be building lots available.

How can it save tax money?

The cost of town services, especially schools, is more than the tax revenue paid by average new homeowners. Even in the first year, taxpayers save more than they spend. Also, it enables the town to benefit from government grants requiring matching funds.

How does it benefit the schools?

By slowing the growth of the school population, North Hampton *forever* means smaller classroom sizes, more individual attention and less crowded facilities. Eventually it can reduce the need for expanding or building new schools.

How much will it cost?

To raise $4,000,000, to protect as much as 800 acres of open land, will cost between 40¢ and 82¢ per thousand on your tax bill, depending on how much money is actually drawn on the bond. Thus, for a home assessed at $100,000, the most it could cost would be $82. And even that amount will be offset by the savings in town services.

North Hampton *forever* is recommended by the School Board, the Selectmen, the Budget Committee, and many of your friends & neighbors. If you have questions about plan, please call one of the people listed on the back.

North Hampton *forever*

An Initiative to Save Our Open Land

Issue 6, May 18, 2002 Edited by Christine Butcher

Other People's Money

It sounds like fun, spending other people's money, but when it's your friends' and neighbors' tax dollars, suddenly you want to be very, very careful. If it seems like a long time since you've heard from us, blame it on our desire to do it all *correctly*. We are proud finally to be able to close on this first purchase, the Garland farm.

Doing It by the Numbers

North Hampton *forever* has spent the past year establishing the methods, procedures and criteria for properly evaluating properties and funding the acquisition.

To accurately evaluate varied parcels of land we established a quantitative rating index based on our objectives. The key criteria are the size of the property, the proportion of high, dry, buildable land, the potential for recreational or educational use, and its relation to green belts or conservation easements. A weighted average gives us a numerical value for each property we consider.

We are currently actively looking at six or seven different properties, totaling, along with others, over 1700 acres, putting us well on the way to our goal of protecting a total of 800 acres.

The Garland Farm

Access to this historic property is down a picturesque country lane bounded on each side by rambling stone walls. Two early American homes face the road flanked by ageless lilac bushes. Located at 51 West Road, this is the far northern corner of North Hampton. The details of the purchase are as follows:

Size of property: 19.6 Acres, Size of the easement: 17.6 Acres

Buildable portion: Five house lots

Total Cost: $105,000, Average Cost per Acre: $5996

Sellers: George Metalious, Priscilla L. Metalious and Terry M. Rostamo

Easement Ownership: North Hampton Conservation Commission in the name of the Town of North Hampton pursuant to NH RSA 36-A:4

The easement allows for passive recreational use by the public at the discretion of the owners, and for the potential use of the land for farming, if such farming is carried on with 18th tools and techniques, a great educational use.

We are very grateful to the Barrett Foundation for awarding North Hampton *forever* a $5,000 grant, underwriting the cost of our mailings. Using other people's money for mailings means that more of the bond funding can be devoted to land protection. Thank you, Barrett Foundation.

Stratham, Our Town Newsletters (Original version is 8½" x 11")

Each issue had text on one side with short notes and mailing information on the reverse. Only some of the back pages are shown here.

Stratham, Our Town

An Initiative to Save our Open Land

Issue 1, December 14, 2001 — Stratham Conservation Commission

Why?

Seacoast New Hampshire is booming. People attracted to our lovely rural town see that we live in an ideal setting: we enjoy the beauty of the ocean nearby; the easy access to Boston, Portland and Concord; the recreational opportunities offered by New Hampshire's mountain ranges and clear deep lakes. Stratham is an attractive place to call home. It is no wonder that people want to move here.

But the peaceful country flavor we all love is slipping away. Have you noticed how much busier the roads are? How many more incidents require police intervention? How much longer you wait in line at the grocery store? And have you seen fields on your street turned into asphalt, or old trees cut down? Stratham is changing. What do we want to do about it? We can watch it happen, or we can try to address it, now.

Studies show that residential development creates tremendous town costs that will eventually be reflected in our property taxes:

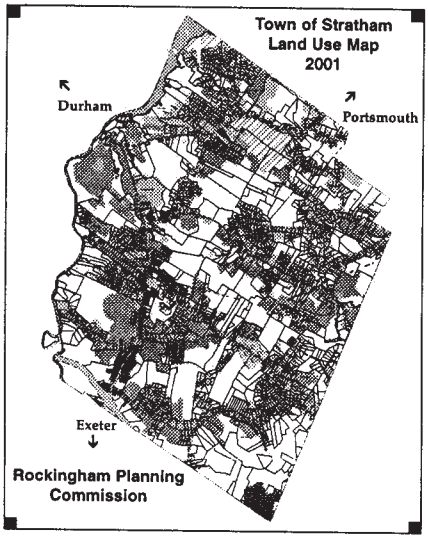
- a new elementary school
- new roads
- increased police protection
- a paid fire department
- a town water and sewer system

We can choose now to invest these tax dollars in the preservation of our open spaces, or wait until we have to invest them in town services.

Where?

Today there are about 1800 developable acres of open space in Stratham. If you squint at the Land Use Map below, you can see a white "S" shaped pattern of largely undeveloped land beginning below Stratham Hill Park, then traversing to the south of town to Parkman Brook, near Shaws.

Imagine trails leading into places in this "S" where one could explore without ever seeing a house; where wildlife could pass through on migration, demonstrating an ecosystem that is healthy and intact; and where families could hike, bike and picnic. Imagine places where farmers could lease fields to graze animals or grow crops for sale at local farmstands. We can still do this.



How?

Our 1996 Master Plan clearly revealed a town consensus to preserve and enhance open spaces in Stratham, for the beauty they bring to our daily lives.

We can do this by balancing the rate of residential growth. While growth is fundamental to our economy, we feel that Stratham needs to grow in a more prudent way.

One of the most simple and direct solutions is to purchase development rights from willing landowners on the open market. This way, landowners are able to benefit from the value of their land without having to move from it. Another solution is to place the land in conservation easement with a local land trust, in exchange for a tax deduction. Again, the landowners remain as stewards of their own land. Both matching funds and tax deductions are available from our state and federal governments.

Are these radical ideas? No. Nationwide last year, voters passed 174 bonds providing $7.5 billion for land conservation. In New Hampshire alone, the towns of Hollis, Chester, Kingston, Londonderry, Bow, Northfield and North Hampton have done so.

And When?

We propose that the residents vote at the March Town Meeting to fund a bond issue, details of which will be presented in the upcoming newsletters and public forums.

Here is what you can do to help.

For more information or to offer assistance, please contact Gordon Barker at 778-1039, Pat Elwell at 778-1659 or Anne Sloan at 778-9018.

Want to Know More?

Check out these organizations:

American Farmland Trust	413-586-9330	www.farmland.org	Farmland Conservation
American Planning Association	312-431-9100	www.planning.org/	Land Use Planning, Zoning
Citizens for NH Land and Community Heritage	603-230-9729	www.specialplaces.org	Support for NH Projects
Land Trust Alliance	202-638-4725	www.lta.org	Land Conservation
NH State Land Conservation Investment Program	603-271-2155	www.state.nh.us/osp/ospweb.htm.....	.....Monitoring Conservation Easements
NH Wildlife Federation	603-224-5953	www.nhwf.org	Dollars and Sense of Open Space
Seacoast Land Trust	603-433-0963	(no web site)	Conservation Easements
Trust for Public Land	802-223-1373	www.tpl.org	Land Protection

Open Space in Stratham: A New Initiative

Stratham, Our Town is the name of a new initiative of the Conservation Commission. A number of interested citizens, appointed to a Subcommittee by the Selectmen, are exploring the means available to protect some of our remaining open spaces in Stratham.

The *Our Town* initiative is a bond issue which will be presented to voters on the ballot in the March election. We're calling this project "*Our Town*" because it must belong to everyone. Read about it in this newsletter. Talk to your friends and neighbors. Think about it. Throughout the winter, we will mail you newsletters to explain in more detail what it is .....and why it's good for our town.

Stratham Conservation Commission
Stratham, Our Town
Town Offices
Stratham, NH 03885

Bulk Rate
US Postage
PAID
Stratham, NH
Permit #1

Resident
Stratham, NH 03885

Stratham, Our Town

An Initiative to Save our Open Land

Issue #2, January 9, 2002 Stratham Conservation Commission

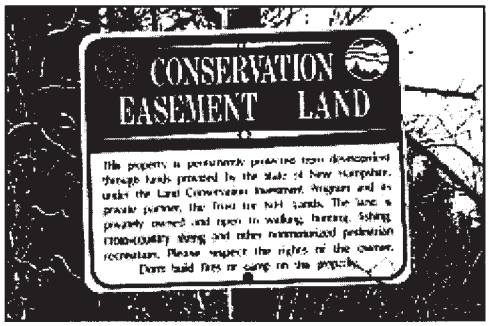
What have other NH towns done to conserve open space?

Bow was one of the first towns in NH to explicitly buy land for protection. The townspeople have put a high value on open space and wildlife habitat, so they have bought conservation easements on more than 1800 acres. They also created a non-profit organization, Bow Open Spaces, to oversee the easements.

At town meetings last year, towns all across the state funded programs for open space protection totalling over 10.5 million dollars.

With a broad margin, *Chester* voted in a $3 million bond, payable over 10 years. Their Strategic Land Protection Commission is now prioritizing properties in terms of aesthetic value, farming potential, size of parcel, and view from roads.

Hollis overwhelmingly authorized a $2 million bond for conservation land, to be administered by a selectmen's commission. The bond complements the Conservation Fund, which is funded separately and managed by the Hollis Conservation Commission. Hollis calls a separate town meeting to approve each land purchase. Each request has passed overwhelmingly (in spite of occasional lack of clarity, since some properties become available in the 11th hour.) The town takes the first right of refusal for later sales.



It buys the development rights, but leaves the farming rights with the owners.

North Hampton passed a $4 million bond with 74% approval, for the purchase of conservation easements on "...as much buildable land as possible". They are targetting 850 acres, 25% of the remaining unprotected uplands. Before money is allocated for a project, a careful review takes place.

The land protection subcommittee submits a recommendation to the Conservation Commission and a public hearing is held. If the citizens approve, the Commission then recommends the parcel to the Selectmen, who decide whether or not to purchase the land.

Stratham is next!

"We can do this in our town too. It's our first real chance to be pro-active. When you consider that every child's schooling costs the town at least $7,000, preserving our land is just like putting money in the bank."

- Lucy Cushman
Chairman,
Cooperative School Board

"Speaking from a planning point of view, I'm all in favor of this new initiative."

- Joe Derwiecki
former Chairman,
Stratham Planning Board

"I totally support this initiative. It gives landowners an option to realize a financial benefit while preserving their land in its natural state."

- Pete Wiggin
Chairman,
Heritage Commission
and 13th generation Stratham resident

The *Our Town* newsletters will all be available at the*www.WigginML.org/towngovt/conserve.htm*

Stratham, Our Town

An Initiative to Save our Open Land

Issue 3, January 23, 2002 Stratham Conservation Commission

The Arithmetic of Growth, Part 1

How big is Stratham?

Stratham covers 9728 acres, adding up to about 15 square miles.
There are approximately 2000 buildable acres remaining in town.

What is the "Stratham Our Town" initiative?

Our goal is to permanently protect more than 750 acres (roughly 1/3 of our remaining buildable land).
We are asking voters to approve a $5 million bond to be paid back over 15 years.

Why $5 million?

$5 million will give Stratham the flexibility to save significant parcels of open space.

How would this affect my property taxes and my property values?

The project will initially cost about $1 per $1000 on your tax bill, but this amount will be reduced as the bond is repaid. Studies show and realtors understand that protected open space enhances property values.

Will this initiative hurt our commercial tax base?

No. This initiative does not affect areas zoned for commercial activity.

Why is this good for Stratham?

- Our 1998 Master Plan proposes the protection of open space as a high priority for the town.
- This is an investment in the rural character of our community.
- Open space yields more in tax revenues than it costs in town services. For every dollar that comes in, only 40¢ goes out. But with residential property, for every dollar that comes in, $1.15 goes out.
- By protecting open space, we can help to ensure our water supply and protect the health of our streams. We can help sustain the habitat of many local plant and animal species.

Who will decide how the money is spent?

The Conservation Commission recommends that the Selectmen appoint a committee which will review criteria for land protection and hold public hearings for each parcel under consideration. The Selectmen will make the final decisions. Initially, the use of Bond Anticipation Notes (BAN) will help us to borrow only what we need, without obligating the town to the whole bond amount.

Why can't we allocate money for each property in our yearly town meetings?

Town meeting comes only once a year. Landowners cannot always delay the sale of their property in order to wait for town meeting. This bond will give Stratham the financial readiness to act quickly when a desirable parcel of land becomes available.

What does this mean for landowners?

This is a totally voluntary program. It simply gives willing landowners the tools and the opportunity to sell their development rights to the town at any time during the year. This can provide income to the property owners, allow them to retain ownership and permanently protect open space.

Stratham, Our Town

An Initiative to Save our Open Land

Issue 4, February 5, 2002 Stratham Conservation Commission

The Arithmetic of Growth, Part 2

In a money-saving effort to preserve Stratham's rural character and to protect some of its open space from development, the ***Stratham Our Town*** initiative is asking Stratham voters to approve a $5 million bond issue. The money will be used to permanently protect as many as 750 acres of buildable land. As a result, our town will curb water consumption, retard the growth of traffic congestion and preserve open space forever.

Below are two alternatives for a sample parcel of land, using current values:

A 100 acre parcel, appraised at $1.2 million, is currently developable into 40 house lots.

Cost to Stratham residents if this property is DEVELOPED:

When the subdivision of forty new homes is built, the additional tax burden to all residents will be $190,670 per year, *each year.* To arrive at this figure, we multiplied the cost of one new home (town, county and school taxes) by 40, rounding to the nearest dollar. (See Figure 1)

Yearly Costs for Forty Homes	
Town Tax (40 x $563.04)	$22,522
County Tax (40 x $408.00)	$16,320
School Tax (40 x $10,497.78)	$419,911
Total New Tax Liability	$458,753
Less Property Taxes (40 x $6702.08)	–$268,083
Total Annual Tax Deficit (every year, forever)	$190,670

Figure 1 (See data on back for detail)

- This single development will increase taxes by $190,670 per year, every year, forever.
- **Developing the land will result in a tax rate increase of 42¢ per thousand, forever.**
- It will increase traffic congestion on our roads.
- It will cause a loss of open space.

Cost to Stratham residents if this property is PROTECTED:

When the landowner is willing to sell, the Selectmen will hold a public hearing to discuss the merits of the property, appraisal value of the land, and purchase options. If purchase is approved, the cost will be $88,468 per year for 15 years. (See Figure 2)

Cost of Open Space Protection	
15 Year Bond Payment ($960,000 @ 5% for 15 years)	$ 92,489
Less Property Taxes	–$ 4,021
Open Space Cost	$ 88,468
Open Space Bottom Line	
Development Cost	$190,670
Less Open Space Alternative	–$ 88,468
Net Open Space Savings	$102,202
15 Year Savings	$1,532,985
30 Year Savings	$4,392,990

Figure 2 (See data on back for detail)

- This Open Space Alternative will increase taxes by only $88,468 per year for 15 years.
- **Protecting the land will result in a tax rate increase of 20¢ per thousand, for only 15 years.**
- After 15 years the bond will be paid off and the property will continue to generate $4,021 in Current Use tax revenue each year, every year, forever.

For more information or to take a closer look at our data, please call Kirk Trachy at 778-7212 or Roger Stephenson at 778-7970.

Calculations are based on this data:

- average cost of a new home = $400,000
- property taxes for the "developed" option are based upon 68% valuation
- average 4-bedroom home has 1.5 schoolchildren
- average yearly schooling cost per child is $6999.
- development rights of the parcel are valued at 80% of the total appraised value, $1.2 million
- open space landowner still pays Current Use property taxes.

Conservation Commission
Gordon Barker, Chair (778-1039); Pat Elwell (778-1659), Jerry Batchelder (772-5196), Brad Jones (772-6922), Bob Keating (772-4080), Jim Cushman (778-0847), Richard Grimes (778-9773), and Patricia Grahame (778-7308).

Subcommittee for the *Our Town* Initiative
Roger Stephenson (778-7970), Jennifer Kinsey (772-5435), Caroline Robinson (772-6646), Anne Sloan (778-9018), Kirk Trachy (778-7212).

Stratham Our Town is a cost-effective investment in the rural character of Stratham.

We need your help!

Save the date.

Arrange for a baby sitter now!
Stratham will vote on the bond at Town Hall on March 15 at 7:30 pm. It will be your only chance to cast your vote on this issue.

To volunteer your time and expertise, please call Anne Sloan at 778-9018.

Stratham, Our Town

An Initiative to Save our Open Land

Issue 5, February 20, 2002 Stratham Conservation Commission

The Water Issue

The greatest threat to public drinking water is caused by development activities on the land surface

In Stratham we get our water from wells, which recharge with rainwater. But all the buildings we construct, with their streets and driveways, prevent rain water from seeping into the ground to recharge our wells. Water that hits pavement cannot seep directly into the ground. It runs downhill, typically collecting in stormdrains that flow to a stream or a river, and then it continues out of town to a distant water body.

The health of our streams, ponds and groundwater depends upon the use of the surrounding lands

Since we do not have a town water system, Stratham residents all depend on the groundwater running beneath our own properties. Every summer, along with the threat of contamination, we face the threat of a major drought: it's affecting us *right now*. In addition to causing wells to dry up, the drought poses a major problem for fire fighters who rely on ponds for their water supply. "This is the driest spell since I came on with the Fire Department," says Fire Chief Robert Law, a Stratham native who has been Fire Chief for six years. "The newer ponds are dry as a bone. Everyone in town is worried about it."

Our surest means of protecting groundwater is through land protection.

Now is the time for Stratham to plan ahead and set aside land to help ensure safe and adequate water for the future

Land protection through purchase or conservation easement is the surest way to protect groundwater. A *conservation easement* is a legal agreement that permanently restricts development on a parcel of land. People *voluntarily* enter into conservation easements to protect and enhance the natural resources on their property.

To protect water resources in Stratham as a whole, we need to preserve our wetlands and their buffers, and protect large blocks of land. These are just two of the vital steps we can take now to invest in the preservation of our water supply.

Vote YES on Article 4 at Town Meeting March 15, 7:30 pm

New residents must register to vote at the Town Office before March 2nd. Call 772-4741 for details.

For more information on how this initiative can help protect our water supply, please call Gordon Barker at 778-1039, Pat Elwell at 778-1659, or Ann Sloan at 778-9018.

What do our civic leaders think of this initiative?

Jim Stuart, Chairman of the 1998 Master Plan Review Committee: *"Anything that preserves open space and removes an area from the residential market is in the public interest. The bond is a good idea."*

Marty Wool, Selectman: *"This is an idea whose time has come. We cannot afford not to do it."*

David Short, Selectman: *" This is an important tool for our town's ability to plan growth in the future."*

Lucy Cushman, Chairman of the Cooperative School Board: *"This is our first real chance to be pro-active. When you consider that every child's schooling costs the town at least $7,000, preserving our land is just like putting money in the bank."*

Joe Derwiecki, former Chairman, Planning Board: *"I'm all in favor of this land protection initiative."*

John Hutton, former Chairman, Planning Board: *"This is a wonderful, well designed tool to slow development. Our homes will be worth more and it will make our commercial area more attractive to businesses."*

Pete Wiggin, Chairman, Heritage Commission and 13th generation Stratham resident: *"I totally support this initiative. It gives landowners an option to realize a financial benefit while preserving their land in its natural state."*

Protecting Our Water

Join us
for more information
and to get involved:
Town Library: March 5th, 6:30-8pm
Memorial School: March 6th, 6:30-8pm

Residents
Stratham, NH 03885

Stratham Conservation Commission
Stratham, Our Town
Town Offices
Stratham, NH 03885

Bulk Rate
US Postage
PAID
Stratham, NH
Permit #1

Press Releases

October 19, 2001

For immediate release
Contact:
Hollis Land Protection Study Committee
John G. Eresian, Chairman
603 465 9467

PRESS RELEASE

Two warrant articles to purchase the development rights to a large parcel of open farmland in South Hollis will be presented at a Special Town Meeting in Hollis on October 30. Funding would come from the bonding for open land protection authorized at the 2001 Annual Town Meeting. The Hollis Land Protection Study Committee will recommend purchasing the development rights to 39 of the 43.2 acres owned by William H. Hall, Jr. at 54 Dow Road in Hollis for the appraised value of $507,000. The other 4.2 acres with buildings are excluded from the purchase. Mr. Hall will continue to own the remaining property rights to the 39 acres and plans to farm the land indefinitely.

Voters at the 2001 Annual Town Meeting overwhelmingly approved Warrant Article 2, which authorized bonding up to $2 million for open land protection. The Article specifies that a non-emergency Special Town Meeting must be called before December 31, 2001 to approve any specific purchases by simple majority vote. Warrant Article 2 bonding authority expires at year-end on any funds that have not been earmarked specifically, but those actual land purchases and bonds that have been approved by a Special Town Meeting can take place thereafter.

The 2001 Annual Town Meeting also approved the purchase of 21.38 acres of open land on Dunklee Pond at South Merrimack Road in North Hollis at the appraised value of $200,000. This purchase from Woodmont Orchards used funds approved from Warrant Article 2. Since then, the purchase and sale agreement and lot line relocation have been completed, and environmental tests are currently being conducted to determine whether any hazardous substances remain from an abandoned farm dump site on the property. The results of these tests should be known by the end of October.

If the purchase of the development rights to the Hall property is approved, some funds from Warrant Article 2 will still remain through year end for other opportunities that may become available to the Land Protection Study Committee. The Committee's offer in September to purchase the viewscape of the Woodmont Orchards property on Route 122 was rejected.

The 2000 Annual Town Meeting approved Warrant Article 19 which authorized the Selectmen to appoint a special committee, now known as the Hollis Land Protection Study Committee, to explore the feasibility of using bonds to purchase open land for protection and to recommend specific purchases. The Committee was authorized to supplement the ongoing land acquisition efforts of the Hollis Conservation Commission and consists of Peter Baker, John Eresian (Chairman), Gerald Gartner, Morton Goulder, Bruce Hardy, Thomas Jambard, Lorin Rydstrom and Roger Saunders. At the Special Town Meeting the Committee plans to review its other land purchase endeavors during the past year.

For immediate release: April 17, 2002

For more information, contact:
Brian Hart, Open Space Task Force, 603/ 224-9945 (d), 603/ 659-0357 (e)

Public Invited to Learn about the Benefits of Open Space and Newmarket's Proposed $2 million Land Bond

[NEWMARKET] – The Newmarket Open Space Task Force and the Newmarket Conservation Commission have scheduled a public program, titled *Open Space Pays: Newmarket's proposed $2 million land acquisition bond,* to explain the benefits of open space protection and to discuss Newmarket's proposed $2 million bond for land acquisition. The public is invited to attend this presentation, scheduled for Monday, April 29, at 7pm at the Newmarket Town Hall. The program is free and refreshments will be served.

"We wanted to provide an opportunity for Newmarket's citizens to learn more about this important initiative, prior to voting on it on May 14," explains Brian Hart, chairman of the Open Space Task Force. The $2 million bond was one of several recommendations from the Open Space Task Force, created by the Newmarket Town Council in July of 2001 and charged with exploring the options for and feasibility of open space protection in Newmarket. "We encourage everyone to attend this presentation, learn more, and ask questions."

The evening presentation will have two components. First, Dijit Taylor from the Center for Land Conservation Assistance will present a slide show explaining on how keeping land as open space – such as farms and forests - can help stabilize local property taxes. The slide show is based on the results of cost of community service studies completed in New Hampshire communities, including Dover, Exeter, and Stratham. The studies have shown that on average, residential properties do not pay enough in property taxes to cover the cost of services – including schooling, trash pick up, and road maintenance – that they require. In contrast, open space pays more in local tax revenues that it costs in municipal services.

The second component of the evening is a presentation and discussion on Newmarket's proposed $2 million bond for land acquisition. After a short presentation, community members will have the opportunity to ask questions about the bond and its purpose and goals.

Newmarket will vote on the $2 million bond, listed on the warrant as Article 3, on Tuesday, May 14. The warrant article received strong support and was passed at the town's deliberative session on April 9. In addition, the Town Council and Budget Committee have both endorsed the proposal. Many New Hampshire communities have passed similar land protection initiatives, including Stratham and Newfields, who passed $5 million and $2 million bonds respectively.

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Letters to the Editor

CONCORD MONITOR Saturday, September 7, 2002

City should use tax to help offset growth

Take a drive down any number of the more rural roads in Concord and you'll see an increasing number of new subdivisions and home development in locations where we've become accustomed to seeing fields and forests.

The growth our city is experiencing is expected to continue. The recent Vision 2020 study indicates that Concord is at the edge of a bubble of growth around Boston.

The proposed expansion of Interstate 93 will make our community even more attractive and accessible to people who work between Concord and the Boston area.

The growth we are experiencing need not be a bad thing for Concord, provided that we – as residents – ask our city leaders to balance such growth with the preservation of open space.

The city collects a land use change tax when undeveloped land is developed. At present, 25 percent of this tax is placed in a conservation fund, which the city uses to acquire land. Last year, the city contributed $150,000 from this fund toward the preservation of Carter Hill Orchard.

On Monday, the city council will consider a resolution increasing the percentage of the land use change tax allocated to the city's conservation fund from 25 to 100 percent. It is fitting that all this tax be allocated to the conservation fund, where it can be used to offset the impact of growth by improving the quality and quantity of the open space within our community.

The proposed resolution recognizes the importance of preserving open space and gives our city leaders the resources they need to balance growth with preservation and enhancement of our open spaces.

Please contact your city councilor or attend the Monday meeting and voice your support for this important proposal.

KRISTINE S. TARDIFF
Concord

500-an-acre land is gone in Concord

At its meeting on Monday, the Concord City Council will decide whether to dedicate 100 percent of the revenue collected from the land use change tax to land conservation. I support your editorial last June urging the council to adopt this proposal.

In 1973 the Legislature passed the current use law to reduce property taxes on undeveloped land. This law provides an incentive to landowners to delay development of their land, but it does not permanently protect it. The only way to protect land is either by buying it or the development rights to it.

When an owner removes a parcel from current use, the city assesses a current use change tax equal to 10 percent of the land's market value. One hundred and twenty communities now use the money generated by the land use change tax to fund conservation land purchases. Unfortunately, Concord now dedicates only a quarter of this money for conservation purposes. The rest goes into the general fund for ordinary expenses.

Although some city officials see money collected from the current use tax as a windfall to spend during years of rapid development (such as we have had recently), we should not be so shortsighted. Once land is gone, it is gone. General fund expenses will always be there. Besides, we have adjusted our budget to get along without this money. This is a painless way to collect money for this purpose.

Land in Concord is getting expensive. We cannot realistically expect to make meaningful land purchases without meaningful dollars. The days of $500 an acre land are gone.

JAMES E. OWERS
Concord

SUNDAY MONITOR September 8, 2002

For open space

When undeveloped "current use" land in Concord is developed, the developer pays a "Land Use Change Tax." Currently 25 percent of the Land Use Change Tax collected is placed in the city's Land Acquisition Fund. The city uses the Land Acquisition Fund to purchase and preserve land in Concord. This fund contributed $150,000 to preserve Carter Hill Orchard last year.

On Monday the city council will consider whether to join many neighboring communities and increase to 100 percent the amount of Land Use Change Tax allocated to the Land Acquisition Fund.

Development pressures in Concord are high. Only 10 percent of land in Concord is guaranteed to remain undeveloped "open space." New York City has 27 percent of its land as open space and parks. Concord needs more funds to help preserve Concord forests and farmland for the future.

Please turn out on Monday to support the resolution to place 100 percent of the Land Use Change Tax in the Land Acquisition Fund. It would be a shame to have to drive to New York in order to enjoy undeveloped open space.

CHIARA DOLCINO
Concord

To the Editor:

Andover residents will have the opportunity to vote on two important issues at Town Meeting on Tuesday, March 14. Articles 10 and 8 of the town warrant, if passed, will help protect Andover taxpayers from rising taxes and will help preserve the rural nature of the town.

Article 10 tells New Hampshire legislators that Andover supports the idea of a voluntary program to help landowners protect their land from development and preserve the historic and cultural assets that make Andover unique.

This article by itself commits the town to nothing. But it sends an important message to the state legislature as it considers SB 401, the Land and Community Heritage Investment Program. LCHIP would provide matching funds to help landowners and communities protect open land and preserve historic structures. This is a wise and necessary program in a state that is growing as rapidly as ours.

Article 8 sets aside half the Use Change Tax — a small penalty paid by a landowner when they take their land out of the Current Use program — to help other landowners who want to protect their land from the kind of development that is engulfing southern New Hampshire. Protecting land from development is the best way to ensure that we will always have fields for farming and forests for logging, hiking, and hunting.

Voluntarily protecting land from development also protects Andover taxpayers from rising taxes. Many studies in New Hampshire have shown that the higher taxes paid by new residential development rarely cover all the new services that the new development requires. Voluntarily setting aside land that will never be developed limits how deeply the town can get pulled into the new-development tax trap.

In Andover we are currently spending the entire Use Change Tax on general town expenses in the year we receive it. But the change in use is permanent, and we are impacted by the loss of undeveloped land and the increase in taxes every year, forever.

Article 8 would re-invest half the UCT money -- about $1.50 per resident per year -- in creating two important permanent benefits: lower taxes and a legacy of productive, undeveloped fields and forests, lakes and streams.

I urge everyone in Andover to attend Town Meeting on the 14th and to vote "Yes" on Articles 10 and 8. And I further urge other towns to take similar steps to protect their undeveloped land -- and their tax rates -- before it's too late.

Charles B. Darling
Andover

Editorials

OUR VIEW 4-11-02

North Hampton sets tone for real New Hampshire way

Imitation is the sincerest form of flattery, they say, and if this is the case, the people of North Hampton should feel very flattered indeed.

At last count, residents in 19 other communities around the state have approved funds for the protection and conservation of land in their towns this year. In doing so, they took a page from North Hampton's playbook after the success the town had last year in getting voter approval for $4 million in conservation funding.

Aside from attempting to forestall some of the many problems associated with overdevelopment — including the loss of the essential character of a community as open spaces disappear under the developers' backhoes — the North Hampton model relied on convincing voters it was in their financial best interest to maintain goodly portions of their community as open space. Aside from lowering property values in already property-wealthy communities by placing these parcels in current use, the group that put together the North Hampton plan, North Hampton Forever, showed that development, particularly of residential housing, places additional burdens on schools, police, fire and public works departments, and, as a result, on the pocketbooks of those already straining to pay local and state property taxes.

The North Hampton group proved that rather than relying on the influx of new businesses and homes to ease the tax burden, tax concerns could be better addressed — and the environment better protected — by simply keeping the land open. The result was an overwhelming vote in favor of the bonding authority.

This year, Stratham voters passed a $5 million conservation bond and Newfields voters approved a $2 million version. Newmarket voters will have the opportunity to approve a similar $2 million conservation bond at their May 14 Town Meeting, and we urge them to do so.

All these efforts are particularly critical here on the Seacoast, where only a few thousand acres of open space still exist. Aside from the actions of individual communities, several major conservation groups, such as the Nature Conservancy, The Society for the Protection of New Hampshire Forests and the state-run Land and Community Heritage Program, have taken steps to conserve some of the remaining open land.

Large areas around Great Bay have been preserved, along with several town forests and old farms. The ultimate goal would be to somehow link these green spaces and form a trail through the southern part of the state that would join with others either already developed or being worked on to our north and west.

Imagine being able to walk from the Seacoast through the White Mountain National Forest to the Canadian border and beyond without ever leaving green spaces. What a boon to tourism and New Hampshire's quality of life that would be.

Everyone talks about the "New Hampshire way" in contexts ranging from taxes to entrepreneurial skills. But a real example of the New Hampshire way — working locally for local causes, without the need to go to state or federal sources with the attached requirements those sources institute, and with hard local lobbying — is the way the residents of North Hampton worked on their conservation project.

It is an example for us all of how thinking "outside the box" can be applied to many of the problems we face locally, and what an important contribution thinking and acting locally can be to having long-term and far-reaching impacts in ways we never thought possible.

— *Portsmouth Herald*

Concord Monitor, March, 28, 2002

Opinion

Spending to save

▶ **Communities are anteing up to protect endangered lands.**

Editorial

There is a great myth about Yankee barns. They were not built, as many suppose, for use by cows, sheep and the like but so farmers could put things aside in case they needed them later.

As many communities proved at town meeting this year, that Yankee value has been rediscovered by one community after another. Though property tax bills pinch like tight shoes, voters in many cities and towns opted to spend serious money to protect land from development. Some rapidly growing towns, among them Hollis, Merrimack and Stratham, voted to put millions aside for conservation without even having specific parcels in mind to buy. So far this year, communities have raised some $14 million, and there is a strong likelihood that by summer, the total will top $20 million.

New Hampshire will continue to grow. The race is on to preserve not just the land, but a way of life.

That is good news on many scores, and it is possible only because of a state program that offers matching funds to the communities with the best proposed use for the money. The bad news, as usual, is that worthy projects far exceed the $12 million the state has committed to the program for the biennium.

Talk all you will of the joys of the big city, the American dream still includes a barbecue grill, not on a balcony but out in the yard. In 1997, Fannie Mae, one of the nation's biggest mortgage lenders, set out to learn whether the dream of home ownership had changed. It hadn't. Only one in 10 people surveyed wanted to live in a big city.

New Hampshire has no big cities, which may be exactly why it is the fastest growing state in the Northeast. Much of southern New Hampshire is already "the burbs." As a study done for the Society for the Protection of New Hampshire Forests notes, the state's population has doubled since 1950 and it is on track to grow by another third between 2000 and 2020. Every year, between 12,000 and 15,000 acres of New Hampshire land is lost to development. Even communities where open space abounds can see what the future holds.

Matching funds to promote conservation have worked well since the birth of the federal Land and Conservation Fund in the 1960s. It succeeded beyond most people's wildest dreams in New Hampshire, where the Trust for New Hampshire Lands raised $50 million during the 1990s recession for a program that became a national model of public-private conservation efforts.

As Paul Bofinger, the creator of that program, points out, state money spent to match local money raised to protect land in one community reaffirms that we are all in this together. In one way or another, all gain when land of particular historic, environmental, agricultural or recreational value does not give way to house lots.

As more and more taxpayer groups have learned, keeping land in open space lowers tax bills. Undeveloped land pays more in taxes, sometimes far more, than it requires in services. The opposite is true for residential development. We are glad to find that the frugal-minded have seen the value in spending on conservation. Their support is welcome and necessary to not only preserve this valuable program but to expand it.

To some extent, taking land off the market increases the value of the remaining land, worsening the housing shortage. Nor should communities spend to protect land in order to freeze out newcomers. The matching funds program, because the requests are competitively judged and exhaustively reviewed, screens against such outcomes.

New Hampshire will continue to grow. The race is on to preserve not just its land but a way of life and the very lives of many species that call the state home.

Soon, a consortium of groups led by the land conservation program will meet to decide how much land is enough to, in some fashion, protect. We don't know the answer to that, other than to say, more than you now think will be necessary.

PRINT CLOSE

The Telegraph ONLINE
SERVING NASHUA AND SOUTHERN NEW HAMPSHIRE

Merrimack should buy Greens Pond property

Thursday, April 04, 2002

To respond to this editorial click here. Be sure to include contact information if you would like your letter to appear as a letter to the editor.

Merrimack residents have heavy decisions to make next Tuesday when they turn out to vote on the school and town warrants.

A proposal to build a new middle school and to renovate the Mastricola Middle School into an upper elementary school, all at a cost of $20.8 million, is a big-ticket item. So is a decision on how to dispose of solid wastes generated in town, now that the town dump has reached capacity.

A third item – purchase of the 563-acre Greens Pond property – may not affect townspeople as personally as the other two items, but in the long term, the vote on this proposal also will decisively shape Merrimack's future.

If voters reject the purchase, the town will forego the opportunity to set aside a large tract of land for conservation and recreational opportunities. What's worse, the chance for acquiring so much open space in one parcel may not come around ever again.

Yes, voting $4.2 million for the land that is situated west of Naticook Road, south of Amherst Road and north of Peaslee Road is a big step. But it's a step that should be taken.

If Merrimack procrastinates, part of the land will sprout 110 houses, creating more municipal costs and depriving townspeople of a place to take a hike, cross-country ski, jog, sled, go horseback riding or view wildlife in a natural habitat.

What's important is that the open space is close to home. Its enjoyment won't require a long ride to another town or to a distant part of the state. As Merrimack continues to grow, that will be increasingly important to the town's quality of life. Every community needs breathing spaces.

Conservationists also consider this tract, which has beaver ponds and wetlands, important to protecting the town's aquifer and water supply.

The $4.2 million cost breaks down to $7,460 per acre. Merrimack may receive $1 million in grants to lower the town's costs to $3.2 million.

A 15-year bond issue is proposed to pay off the purchase cost. That means Article 10 will require a 60 percent majority to pass.

The Board of Selectmen is recommending passage while the Budget Committee has turned thumbs down. This is one article where Merrimack residents should overturn the Budget Committee's negative recommendation by voting yes.

Any Merrimack resident who favors the purchase but doesn't venture to the polls on April 9 jeopardizes passage. Buying Greens Pond is a must for Merrimack.

On April 9, residents may be worried about the economy, about other warrant articles and spending as a whole, but in voting to buy the Greens Pond tract, they will show that they were able to rise above these considerations and preserve a bit of once rural Merrimack for the sake of not only themselves but for generations to come.

That's called vision. The Greens Pond land should become town property.

To respond to this editorial click here. Be sure to include contact information if you would like your letter to appear as a letter to the editor.

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PORTSMOUTH HERALD

Preserving open space is good for town, Seacoast

- Complete 2002 Editorial Archives
- Hampton Union
- Exeter News-Letter
- Rockingham News

To write a letter to the editor please email **opinion@seacoastonline.com**

After decades of allowing builders to develop almost every inch of appropriate land - and even some questionable acreage - east of Route 1, the majority of the Hampton Board of Selectmen has finally decided to support a proposal to set aside $4 million to maintain at least some green areas in the town.

In doing so, this group has joined its more forward-thinking colleagues on the boards of North Hampton and Stratham, which have already set aside money to try to ward off the kind of sprawl that will drive taxes up while driving the quality of life down in their communities.

The proposal is not to appropriate money, but simply to guarantee that the town will have the authority to bond this amount should appropriate land become available. Board Chairman Jim Workman equated the proposal to establishing a line of credit.

This kind of effort is necessary all across the Seacoast where land is disappearing faster than the cake at a child's birthday party. Developers are fully aware that despite the slowing economy and a dropping stock market, upper-end homes are still selling like hot-cakes in this region.

However, community officials who were previously under the misconception that more homes meant a larger tax base, which would equate to a lower tax rate, are rapidly becoming enlightened. New homes, particularly the three- and four-bedroom variety that are so popular among buyers these days, mean more children in the community, and that equates to higher educational costs.

And new developments require more police and fire protection, increased water and sewer usage in communities that have those services - or more strain on the environment in those that do not, an increase in the amount of trash generated, and a need for more snow-plowing and increased road repairs. All this adds up to increases in the tax burden on all citizens that is simply not met by the additional taxes collected from the people who buy these homes.

The reality is that open land costs a community much less than developed land, and it is this realization that is driving proposals to retain at least a portion of the rural character of these Seacoast towns - along with the desire of residents to be able to take a walk in the woods, even a short one, every once in a while.

We applaud the decision by the Hampton board and urge voters at the March 2003 town elections to support the conservation proposal. We have just one caveat: There has to be a plan.

Buying up small parcels of open land around town should not be the purpose of this proposal. The goal should be to attempt to purchase contiguous parcels as they become available in order to establish what towns like Rye and Kittery have - town forests where residents can at least have the illusion of being out of the din of life here on the Seacoast.

Thankfully, there is still plenty of land in Hampton, on the west side of Route 1. Acres and acres of open fields and forested property still exist, primarily because there has been a hesitance on the part of developers to pay the huge cost of bringing town water and sewer into that part of town.

But sewer and water lines are creeping steadily along Drakeside Road and once the I-95 barrier is breached town land-use boards will be inundated with requests for development in that area. If it gets out of hand, as it did on the east side of town, there will soon be a need for another fire station, another police station and at least one more school to serve the burgeoning population.

Four million dollars is a lot of money in today's economy. But, used judiciously and with an eye to the future, it promises to be a worthwhile investment in Hampton's quality of life.

Guest editorials

May 13, 2002
Fosters Daily Democrat
Article 3 will help protect land from development
By Larry Pickering, Bill Arcieri and Fred Pearson
Newmarket

As the current chairmen of the Town Council, Planning Board and Conservation Commission, we write in support of Article 3, a $2 million bond to buy land for open space, recreational fields and other public purposes.

In response to increasing concern in Newmarket about residential development and the loss of open space, the Newmarket Town Council created the Open Space Task Force in July of last year and charged it with evaluating the feasibility of purchasing land and protecting it from residential development.

The Task Force concluded that the preservation of open space would provide tax and environmental benefits to Newmarket's residents, and recommended a $2 million bond for land acquisition. This recommendation was endorsed by the Town Council and Budget Committee and placed on the town's May 14 warrant as Article 3.

Newmarket residents will benefit by voting "yes" on Article 3 for several reasons:

1. Tax rate stabilization: Protecting open space from residential development will stabilize Newmarket's tax rate and reduce town tax dollars needed for increased services. Studies in Stratham, Exeter, Dover, Deerfield, and Fremont have demonstrated the town tax advantage of protecting open space from residential development. In each case, residential property was shown to cost the town as much as 15 percent more in services required (such as police, fire, schooling costs) than in the taxes paid. And further, in each case, open space cost 6 percent to 65 percent less in services than in taxes paid, meaning that open space was a net benefit. These figures demonstrate a significant advantage for towns that invest in open space. Newfields and Stratham have already passed similar bonds at their March town meetings.

2. Residential growth: Newmarket is projected to grow by 49 percent by 2020 - meaning an additional 150 new residents a year. It is clear that residential growth will continue - and the only way to reduce the long-term tax consequence of this new growth is to limit it by purchasing open space and preventing residential development. By voting "yes" on Article 3, Newmarket will have the flexibility to compete with developers and respond to opportunities to protect open space. The Task Force projects that a "yes" vote on Article 3 will allow the town to purchase at least 400 acres of land.

3. Quality of life: Passing Article 3 will help ensure Newmarket's quality of life for future generations. By protecting open space, we will protect our drinking water supplies, provide for outdoor recreational opportunities like hiking, hunting, and snowmobiling, and conserve critical wildlife habitat. Further, we will make sure that we as a town have some land available for recreational fields and other public purposes.

If warrant Article 3 passes, how would the decisions on acquisition be made? The recently established Open Space Commission, with input from the Conservation Commission, Planning Board and Budget Committee, would make recommendations to the Town Council. The Town Council would hold a public hearing to solicit your input prior to any decision. Finally, prior to the acquisition, the Town Council will determine the use of the land - for open space, recreational fields or other public purposes.

In summary, a "yes" vote for Article 3 will help Newmarket stabilize our long-term tax rate and allow us to acquire land for multiple uses by Newmarket residents. We, as representatives of the Town Council, Planning Board and Conservation Commission, support Article 3 and encourage residents to vote "yes" on Article 3 on May 14.

Pickering is chairman of the Newmarket Town Council, Arcieri chairs the town Planning Board and Pearson is chairman of the Conservation Commission.

Town Ordinances and Actions

TOWN OF DURHAM
15 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-5571
Fax: 603/868-5572

RESOLUTION NO. 97-23 DURHAM, NEW HAMPSHIRE

A RESOLUTION CREATING THE LOIS E. BROWN-WAGON HILL FARM EXPENDABLE TRUST FUND

WHEREAS, Lois E. Brown was a citizen of Durham, New Hampshire; and

WHEREAS, Lois E. Brown passed away naming the Town of Durham as a beneficiary in her Last Will and Testament; and

WHEREAS, Lois E. Brown left the proceeds from the sale of her home to the Town of Durham for "the care and preservation of Wagon Hill Farm as a public park"; and

WHEREAS, the Town of Durham has received distribution in the amount of $79,400.23 from the estate of Lois E. Brown; and

WHEREAS, the Town of Durham is deeply appreciative of the kind gift made by Lois E. Brown for use at Wagon Hill Farm;

NOW, THEREFORE BE IT RESOLVED that the Town of Durham hereby creates the ***Lois E. Brown-Wagon Hill Farm Expendable Trust Fund,*** that fund to be the repository of the estate of Lois E. Brown, and appropriates the $79,400.23 to be deposited in said expendable trust fund; and

BE IT FURTHER RESOLVED that the Town Council, the governing body for the Town of Durham, be named as the "Agents to Expend" for the ***Lois E. Brown-Wagon Hill Farm Expendable Trust Fund.***

PASSED AND ADOPTED by the Town Council of the Town of Durham this 1ST day of DECEMBER, 1997 by EIGHT (8) affirmative votes and ZERO (0) negative votes.

George A. Rief, Chairman.
Durham Town Council

ATTEST:

Linda L. Ekdahl, Town Clerk

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Celebrating 100 YEARS

SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS

SPNHF GIS Services Program

Background

In the last five years, the Forest Society has assembled extensive natural resource geographic information system (GIS) databases and has developed sophisticated analytical capabilities to support its mission of land protection and exemplary land management. The goal of this program is to provide local land trusts, conservation commissions, and related organizations access to the most current GIS mapping and analysis so that they can be as effective and strategic as possible in protecting the state's most important natural lands.

What types of mapping and analysis can be done?

- **A base map of your service area** showing key natural and cultural features, including the most current conservation and public lands data.
- **Mapping your newly protected parcels of land**, including data gathering and digitizing into the statewide GRANIT Conservation Lands datalayer.
- **Natural resource inventory (NRI) mapping** of data keyed to your mission, for in-house decision-making and/or to inform community land use planning.
- **Strategic local land protection planning maps and analysis**, using numerical modeling of resource values to determine land protection strategies and priorities.
- **Project- or campaign-oriented maps** for public education and/or land conservation fundraising purposes.
- **Mapping and graphics** for reports, grant proposals, slides, digital presentations, and project documentation.

How do we get started?

Convene your group and discuss how GIS mapping can support your conservation goals. Then schedule a meeting with SPNHF program staff to discuss your needs and ideas. A scope of work will be prepared, along with a fee estimate to cover staff time and material costs, and a production schedule will be tailored to your project needs.

Who do I contact?

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CLICK HERE TO RETURN TO TABLE OF CONTENTS