

# Candia Conservation News: *Helping to Preserve Candia's Natural Resources*

A publication of the Candia Open Space Committee (COSC), a sub-committee of the Candia Conservation Commission (CCC)

Winter 2007

## DEERFIELD ROAD TOWN FOREST

As you may recall, the Deerfield Road Town Forest was purchased by the Town of Candia in August of 2005 with money from the conservation fund. From the beginning of discussions about purchasing the property, the owner of the land made clear her wishes for it to be placed under conservation easement. Prior to the purchase of the land, a public hearing was held on May 26, 2005. At that time it was explained that a conservation easement was a requirement of the purchase and sales agreement.

At the March 2006 Town Meeting, the management of the property was transferred to the Candia Conservation Commission (CCC) and it was added to the town forest properties as the Deerfield Road Town Forest. The CCC researched local land trusts and chose Bear-Paw Regional Greenways to monitor the easement. The CCC and Bear-Paw have been working on a draft of the easement, and will hold a public hearing to discuss it on Thursday, January 31, 2008 at 7:00pm at Town Hall. It is available for review and comments on our web site at [www.candiaconservationcommission.org](http://www.candiaconservationcommission.org).

### Conservation Easement

The Deerfield Road Town Forest will be the first town owned land in Candia to be put under conservation easement. The purpose of this easement is to permanently protect the significant natural resources that exist on the property for us and generations to come. The 82-acre parcel lies approximately midway between Bear Brook and Pawtuckaway State Parks within a large unfragmented block of important wildlife habitat. It provides pristine water resources and opportunities for forest management, recreational and educational activities.

### Warrant Article 35

Although the land was purchased with money from the conservation fund with the full understanding it would be placed under conservation easement as specified in

the purchase and sales agreement, the town must vote to do so. Therefore, the CCC has submitted Article 35 to that effect to the 2008 Town Warrant. It will read:

*Article 35: To see if the Town will vote to grant a conservation easement on Town-owned property known as Map 401, Lot 1-1, further described as the Deerfield Road Town Forest, in accordance with the terms of the Purchase and Sales Agreement signed by the Candia Board of Selectmen and Mary Girard on July 11, 2005. (By request of the Conservation Commission.)*



Stream on Deerfield Road Town Forest

## LAND USE CHANGE TAX

The selectmen have submitted Article 34 to the 2008 Town Warrant reducing the percent of Land Use Change Tax dedicated to the conservation fund from 100% to 25%. **This tax was created by RSA 79-A as a way for towns to accumulate funds for the protection of open space without taxing the general population.** 10% of the market value is taxed when land is taken out of Current Use – usually for development. Our conservation fund averages about \$100,000 per year from this source – an indication of

the amount of open space annually converted for development. Although \$100,000 seems like a lot, it doesn't go very far when used for purchase of development rights or land. Our conservation fund currently has about \$790,000. About half of this is encumbered by the Sanborn easement, protecting 49+ acres of Prime Agricultural Soils (ranked as a high priority by the state of NH). We are working on some other projects so the balance of the conservation fund could easily be spent on any one of them.

In the past, our policy has been to ask voters to replenish the amount we spend in order to maintain a balance of \$500,000 in the conservation fund. Since we never know when opportunities will arise, this balance allows us to negotiate the protection of important parcels in town on short notice. **Maintaining the dedication of 100% of the Land Use Change Tax helps defray these expenses and reduces the amount we need to ask taxpayers to replenish.**

While we understand the selectmen's desire to hold expenses down, the net result of reallocating 75% of the Land Use Change Tax to the general fund will be only about 20 cents per thousand or about \$60 per year on a \$300,000 home. In the long run, it will be more costly to taxpayers if we have to ask them for more money to protect our natural resources.

This short-term fix in the budget does not take into account the long range results of missed opportunities to protect our water resources, town forest land, agricultural soils and wildlife habitat. While this may seem frivolous to some, we might remind you of the recent difficulties in Georgia resulting from diminishing water supplies unable to keep up with increasing demands of the growing population. **Our ability to proactively conserve natural resources now will directly affect our quality of life in years to come.**

# Candia Conservation News: *Helping to Preserve Candia's Natural Resources*

A publication of the Candia Open Space Committee (COSC), a sub-committee of the Candia Conservation Commission (CCC)

Winter 2007

---

## **KINNICUM POND WALK**

Join the CCC and Bear-Paw Regional Greenways for a walk/snowshoe to Kinnicum Pond on Saturday, January 12, 2008 at 1:00pm. Kinnicum Pond is one of Candia's most sensitive natural treasures. Known as a peat bog, it is part of a large wetland complex near the center of a 2,800-acre unfragmented wildlife habitat block in southwest Candia. We'll explore the area and discuss efforts to protect it and others like it. Please register at [info@bearpaw.org](mailto:info@bearpaw.org), [www.bear-paw.org](http://www.bear-paw.org) or 603.463.9400. We look forward to seeing you there!

meeting times and dates and for more information. We thank Candia citizens for their continued support.

## **MORE ABOUT CONSERVATION EASEMENTS**

The most permanent method we currently have for protecting land is the conservation easement. It is a legal document — a voluntary agreement between the landowner and the easement holder — which terminates development and mining rights in a manner specified and agreed to by both parties. Conservation easements are tailored to meet a particular landowner's preferences. The effect is to permanently protect land. In the case of the Deerfield Road Town Forest, the easement grantor (Town of Candia) enlists the easement holder (Bear-Paw Regional Greenways) to uphold the terms of the easement. The Town of Candia retains ownership of the land while Bear-Paw takes on the responsibility of monitoring the land annually to ensure that the terms of the easement are upheld.

It is a misconception that placing a conservation easement on land grants property rights to the easement holder. The development rights of the property are extinguished — not transferred, by a conservation easement. The only right Bear-Paw will have as the easement holder is the right to access the property for annual monitoring.

## **FOR MORE INFORMATION**

We encourage Candia citizens to join us at our monthly meetings. The CCC meets on the third Tuesday of each month and the COSC meets on the third Monday of each month. Please visit our web site for details on