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Promoting Voluntary Land Conservation on the Lamprey, Exeter, and Squamscott River Corridors

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Promoting Voluntary Land Conservation on the Lamprey, Exeter, and Squamscott River Corridors

A Final Report to

The New Hampshire Estuaries Project

Submitted by

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6/30/05

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New Hampshire
Estuaries Project

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Executive Summary

With the support of the New Hampshire Estuaries Project, the Rockingham Land Trust (RLT) researched the names and addresses of landowners along the Exeter, Squamscott, and Lamprey River corridors and within the target communities. Landowners were invited to participate in one of two free, land conservation and estate planning workshops. RLT followed up with each participant by letter and phone. The goal of the project was to secure the completion of three conservation easements from participants in the workshops. Due to low landowner participation and the significant decision involved in completing a conservation transaction, this goal was determined to be unrealistic, and RLT focused its time and resources on working with landowners within the NHEP area and the targeted river corridors who were ready to commence with a conservation transaction.

Four landowners within the targeted river corridors or communities have contacted RLT in the past year. RLT has completed one conservation easement on land on the Exeter River in Sandown, has two pending conservation projects (one easement and one fee simple) on the Lamprey River in Epping, and has one pending conservation easement on land in Brentwood.

Introduction

The Rockingham Land Trust is a regional, non-profit land conservation organization dedicated to conserve the region's open spaces, including farmland, forests, water resources and wildlife habitat. RLT received a NHEP grant in March of 2004 to support and promote the voluntary conservation of land along the three primary river corridors in its geographic reach, the Lamprey River, Squamscott River, and Exeter River.

Project Goals and Objectives

The objective of this project was to complete three conservation easements on important lands within the Lamprey, Exeter, and Squamscott River corridors. Specific goals to achieve this objective included:

- 1) identification of landowners in priority areas of the Rockingham Land Trust along the Exeter, Squamscott, and Lamprey Rivers
- 2) participation of 60 landowners at three estate planning workshops
- 3) addition of 250-500 landowners to our mailing list
- 4) meeting with six or more landowners to discuss conservation possibilities

Activities

The Rockingham Land Trust was unable to incorporate the results of our conservation lands priority mapping project into the selection of the landowners targeted for participation in the workshops. The mapping project was significantly behind schedule and will be completed in the fall of 2005, so the data was not available. Instead, RLT reviewed tax maps for the target communities of Brentwood, Exeter, Fremont, Raymond, Newfields, and Stratham, NH to identify landowners with land along the Squamscott and Exeter Rivers. Approximately 200 landowners were identified and added to the mailing list. For the target communities of Durham, Newmarket, Epping, and Lee, RLT did not do tax map research, as the Lamprey River Advisory Committee has had extensive contact with many of these landowners along the Lamprey River.

In addition, the Statewide Program of Action to Conserve the Environment (SPACE) provided names of landowners in the target communities who were enrolled in the current use program. (SPACE provided these names to the mail house on the condition that RLT not have direct access to the landowner's names and addresses. The mail house merged the SPACE names and the RLT gathered names into one mailing list.) These landowners were sent a mailing inviting them to one of two land conservation and estate planning workshops (see Appendices for a copy of the brochure). The land conservation and estate planning workshops were held in Exeter and Sandown on November 8 and November 16. A total of 27 landowners attended the workshops (half of the targeted figure of 60). RLT did not distribute press releases on the land conservation and estate planning workshops. RLT determined that this would not generate additional landowner interest, as the brochures were mailed directly to the targeted landowners.

In February, RLT sent a follow up letter to each of the participants, inviting them to contact RLT to further discuss the potential conservation of their land. (This letter did

not generate any responses.) In late March, RLT contacted each of the landowners by phone (see Appendices for the letter and a summary of the contacts).

Based on the results of these workshops and follow up conversations, one prospective landowner was identified as being currently interested in pursuing a conservation easement. This landowner, while not within a target community, owns land within the NHEP area and near a core conservation corridor in Kensington. RLT facilitated initial discussions between the landowner and the Kensington Conservation Commission. The possible conservation easement is still under discussion.

While the land conservation and estate planning workshops did not generate new project leads in the target river corridors, RLT did receive inquiries from several landowners with land along the Exeter and Lamprey Rivers and land in the target communities. RLT focused its project time on pursuing these opportunities. RLT staff, board members, and volunteers met with the landowners, walked the property, discussed the conservation easement, identified project funding sources, developed partnerships with the community Conservation Commissions, and prepared the terms of the acquisition and conservation easement. These activities occurred in short and long bursts of time over an extended period. Extensive conversations with each landowner, in person, over the phone, and via email, were the basis for building the trust and confidence of the landowner in the terms of the conservation easement and the organization's capability of defending the conservation easement in perpetuity.

Results and Discussion

RLT identified approximately 200 landowners along the Squamscott and Exeter River corridors and invited these landowners and an additional 800 landowners to the workshops. RLT hosted two estate planning workshops instead of three, because of the limited availability of the guest speakers and because similar workshops had been or were being hosted by other organizations. Twenty seven landowners participated in the two workshops, under the target of 20 per workshop. With such a large mailing, the turnout was disappointing. The workshops were hosted in November, which is probably not an ideal period of time due to the Thanksgiving vacation and the November 4 presidential election. RLT was overly optimistic to set the project's goal as the completion, in a one year period, of three easements resulting from the workshops. This goal would have required a nearly 10% response rate from the actual number of participants, and a 5% response rate from the targeted attendance figure of 60.

RLT has discussed the possibility of a conservation outcome with four landowners who participated in the workshops, and one of the four landowners is in active discussions with RLT and the Town of Kensington.

Overall, RLT is in the process of finalizing four conservation projects supported in part by the NHEP grant. RLT completed one conservation easement and has three pending land conservation projects within the project area.

In September of 2004, a landowner donated a conservation easement on 35 acres of land on the Exeter River in Sandown. This land contains 2,500 feet of shoreline along the Exeter River and is within 1,000 feet of a conservation easement on the Exeter River that was donated to RLT in 2003. RLT partnered with the Town of Sandown Conservation Commission on this project, leveraging the Conservation Fund to cover the transaction costs of the easement. This opportunity was not the result of the workshops but rather of a newspaper article about another conservation easement donation in Sandown.

In June of 2005, after extensive negotiations, RLT came to agreement with Dan and Kathleen Sewall to acquire a 73 acre portion of their property in Epping. This land has 2,700 feet of frontage on the North River and 3,700 feet of shoreline on the Lamprey River. It is across the North River from the conserved Flag Hill Winery and Distillery. It has extensive wetlands and critical habitat for two rare turtle species. The Town of Epping Conservation Commission and Board of Selectmen have agreed to contribute \$100,000 toward the \$400,000 purchase price. The Lamprey River Advisory Committee will contribute the remaining \$300,000. The acquisition of the 73 acres by RLT and the subsequent granting by RLT of a conservation easement to the Town of Epping is scheduled to occur by the end of August 2005. This opportunity was not the result of the workshops but the land has been a long-time priority of several conservation organizations.

As of this writing, RLT has a verbal agreement to acquire two conservation easements on 83 acres of land in Epping for the price of \$360,000 (one easement is on the farmland and one easement is on the floodplain and forestland). This represents a bargain sale, with the landowner contributing 25% of the appraised value. This land, owned by Linda and Jack Clarke, has more than 6,000 feet of shoreline along the Lamprey River, and is adjacent to Flag Hill Winery and the Sewall land. Together, the protection of the Sewall and Clarke properties will conserve the confluence of the North and Lamprey Rivers. In May, RLT received a \$230,000 Farm and Ranch Land Protection Program grant for this property. The Lamprey River Advisory Committee has committed \$155,000 toward the project. This easement is scheduled to close by October 31, 2005. This opportunity was not the result of the workshops but the land has been a long-time priority of several conservation organizations.

The fourth property is the Austin land in Brentwood. This landowner contacted RLT in December of 2004. After interviewing RLT and other potential easement holders, the landowners decided to donate the conservation easement to RLT. The Town of Brentwood Conservation Commission has generously offered up to \$10,000 from the Conservation Fund to cover the costs of the transaction, including survey, legal fees, and other expenses. The property is 90 acres in size and is adjacent to the Rockingham County farm. It contains the headwaters of Dudley Brook, a tributary to the Exeter River. This easement will be completed by October 31, 2005. This opportunity was not the result of the workshops, but was generated through a decade long discussion on land conservation options by UNH Cooperative Extension staff.

Conclusions

Landowners are more and more aware of how they can conserve their land, due to the significant number of open space bonds and conservation projects being completed in southeastern New Hampshire. The land conservation and estate planning workshops offer landowners the chance to explore the possibility of a conservation easement in a no obligation, low pressure environment. The low response rate from the workshops is not necessarily an indication of a lack of interest by landowners, but a demonstration of the significance of the decision a conservation easement requires. A conservation easement is a permanent restriction that reduces the value of one's land and reduces the options for future generations. Three of the four conservation projects that are became the focus of this project have taken many years to get to the point where the landowner is ready to commit to a conservation outcome. These workshops are hopefully planting the seeds of future land conservation projects.

While the specific goals of this project grant have not been achieved, the grant funding is being used to support voluntary land conservation activities within the watershed of the NHEP and within the targeted river corridors. Through this grant, NHEP provided support for the staff and technical assistance necessary to pull together complex conservation easement projects. This type of technical assistance is more and more important, as communities have passed millions of dollars in conservation funding and are relying on volunteer conservation commissions and open space committees to facilitate and complete quite complex real estate transactions.

Recommendations

- NHEP should continue providing financial assistance for outreach programs to educate landowners about conservation easements and estate planning. NHEP should consider supporting more innovative approaches, including discussions with conservation easement landowners and tours of conservation easement properties, to attract more landowners. These types of educational presentations should be ongoing, as landowners change over time.
- NHEP should continue to providing grants for technical assistance to communities and land trusts for the completion of conservation easement and land acquisition transactions. The grants can be targeted to help communities pay for professional assistance from land trusts or easement consultants, like Sylvia Bates.
- NHEP should consider sponsoring regional training sessions on conservation easements, transactions, and other nitty gritty details of conservation to help facilitate quality conservation by communities.

Appendices

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<i>Summary of workshop participants and follow-up</i>	12

**Workshop Dates
and Locations:**

Monday, November 8th

7pm—9pm

Senior Citizen Center
30 Court Street (Rt. 108)
Exeter, NH

Tuesday, November 16th

7pm—9pm

Sandown Town Hall
NH Route 121 A
Sandown, NH

**Land Protection
and
Estate Planning
Workshops**



**FREE Workshops for
Landowners Designed
to Discuss the Options
Available for Protecting
Your Land**

These workshops are funded
by a grant from the New Hampshire
Estuaries Project



Workshop dates and locations:

**Mon. Nov. 8th: Exeter
Tues. Nov. 16th: Sandown
7pm—9pm both locations**



Rockingham Land Trust
8 Center Street, Floor 2
Exeter, NH 03833

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IF YOU OWN LAND AND HOPE TO PASS IT ON to your heirs...

If you own land and hope to keep it undeveloped...

If you just inherited land and are not sure what this means for your taxes...

Then this free, informative workshop is for you.

RECENT CHANGES IN FEDERAL LAW increase the available tax incentives for landowners who conserve their land through conservation easements. These changes may help you achieve your personal or family goals while providing you with income tax deductions and reducing the taxable value of your estate.

THIS WORKSHOP, LED BY TWO OF the region's leaders in estate planning and land conservation, will introduce participants to the basics of estate planning and federal tax law regarding conservation easements and estates. In addition, participants will learn about the options available to them for conserving their land, from the donation of conservation easements to the bargain sale of the property to a conservation organization. Finally, participants will be introduced to the work of one of the region's non-profit land protection organizations, who will outline recent projects completed with landowners in your community.

WITH THE INCREASE IN REAL ESTATE values, all landowners should have an estate plan and should understand all of the options available to them. Learn more and ask your questions during this free, educational workshop.

Workshop Agenda

*Light Refreshments
Will be Served*

• 7:00pm—7:15pm
WELCOME AND REFRESHMENTS

• 7:15pm—8:00pm
THE LAND PROTECTION BENEFITS OF ESTATE PLANNING

*Charles Tucker, Attorney and
Partner, Donahue, Tucker and
Ciandella, Exeter, NH*

• 8:00pm—8:45pm
LAND PROTECTION OPTIONS

*Phil Auger, Extension Educator,
UNH Cooperative Extension,
Brentwood, NH*

• 8:45pm—9:00pm
CONCLUDING REMARKS

*Brian Hart, Executive Director,
Rockingham Land Trust,
Exeter, NH*

Registration

*The workshops are free but
pre-registration is required.*

Please call or email Karin Rubin at the Rockingham Land Trust to register:

Telephone:
603-778-6088

Email:
krubin@rockinghamlandtrust.org

PLEASE LET US KNOW WHICH WORKSHOP YOU WILL ATTEND AND HOW MANY PEOPLE WILL PARTICIPATE SO WE CAN PREPARE WORKSHOP MATERIALS FOR YOU.

The Rockingham Land Trust is a membership based, non-profit organization serving greater Rockingham County. Our mission is to conserve the region's open spaces, including forestland, farm land, water resources and wildlife habitat. Founded in 1980, the Trust has helped protect nearly 3,000 acres of land through more than 55 conservation easements. The Trust is governed by a volunteer board of directors and has two full-time staff members.





February 25, 2005

[REDACTED]
Exeter, NH 03833

Dear [REDACTED]

*I hope we can work in
2005 to conserve your land
and add to the recent
successes on Mount Ridge Road.*

I write to follow up on your potential interest in the permanent conservation of your land.

During the fall of 2004, you attended a land protection and estate planning workshop in either Exeter or Sandown. The Rockingham Land Trust hosted these workshops, and we hope that you found the session informative and useful. As you consider the future of your land, and as you plan for the eventual disposition of your estate, the Rockingham Land Trust remains available to work with you to meet our mutual goal of conserving important farmland, forestland, water resources, and wildlife habitat.

The Rockingham Land Trust has a long record of successful conservation, and we currently have protected more than 3,000 acres of land. In 2004 alone, we completed 14 conservation easements protecting 1,000+ acres of land in Rockingham County. These projects included the donation of conservation easements by long-time landowners to the purchase of a conservation easement on a working farm.

We hope to have the opportunity to work with you and are available to meet with you and further discuss the conservation options that may best meet your needs and timeline. Please feel free to contact me at 778-6088. I hope to have the chance to speak with you in the next few weeks.

Warm wishes,

Brian Hart
Executive Director

This letter and the land conservation and estate planning workshops were made possible in part through a grant from the New Hampshire Estuaries Project pursuant to an award from the Environmental Protection Agency.

Please note our new address is 8 Center Street, Exeter, NH 03833. Thank you.

Rockingham Land Trust Report on Follow Up to Estate Planning Workshop Participants

First Name	City	Follow Up	Comments
Ms. Linda Bennett	Exeter	3/22/05 left message	Called back; interested in selling conservation easement; initiated discussions with Town of Kensington
Mr. & Mrs. William and Mary Wright	Exeter	3/22/05 left message	
Mr. & Mrs. Ronald Peverly and Audrey Peverly	Danville	3/22/05 left message	Interested but not right time; wants to see if neighbor protects land as well
Ms. Barbara B. Broderick	Stratham	3/22/2005	if neighbor protects land as well
Ms. Charlotte Christian	Derry	Unable to locate phone number	Interested, but believes there is no incentive to complete an easement
Mr. & Mrs. Sherman and Joan Brickett	Hampton Falls	3/22/2005	incentive to complete an easement
Mr. Joshua Piper	Hampton	Unable to locate phone number	
Ms. Star Higgins	Hampton	Unable to locate phone number	
K.R. Breslin	Stratham	Unable to locate phone number	Completed easement with Town of Stratham on 6/29/05
Mr. Robert E. Goodrich	Stratham		
Mr. Christian Scott	Chester	3/22/05 left message	
Mr. Kevin Scott	Chester	3/22/05 left message	Previously attempted to complete easement with Town of Chester; would be willing to consider again if funding available
Ms. Shirley Kimball	Danville	3/22/2005	
Mr. & Mrs. Clarence and Nancy Ware	Chester	3/22/05 left message	
Mr. & Mrs. George and Marilyn Evans	Kensington	3/22/05 left message	
Ms. Marsha Menter	Derry	3/22/05 left message	
		3/23/2005	Called back; complex family situation; referred her to Town of Derry for funding
Mr. & Mrs. Harry and June McNally	Sandown	3/22/05 left message	

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