
SCENIC DURHAM

An Initiative to Conserve Our Scenic Character and Valued Open Lands

Issue 3

May 2008

Durham Celebrates Seven Conservation Projects

In the past four years, the Town of Durham has been a partner in seven successful conservation projects, protecting approximately 465 acres of undeveloped land in town. All of the parcels that have been conserved were identified as key conservation priorities by Durham residents in the 2000 Master Plan. The cooperation and generosity of the landowners was critical to the success of these projects, as was the foresight of the Durham Town Council and the Durham Conservation Commission, both of which voted to approve Durham's contributions to these projects.

Durham voters can also take credit for the success of these projects, for without town conservation funds to match grant funds, most of these projects would not have been possible. In 2003, Durham voters overwhelmingly approved a warrant article authorizing a \$2.5 million bond to fund land conservation projects in Durham.

Durham voters should be proud. Future generations will look back on these conservation projects and admire the foresight of today's residents. The legal restrictions put on the properties conserved in Durham will protect the lands in perpetuity, preventing the land from ever being subdivided or developed. The success of these land conservation projects means that many of Durham's most visible scenic landscapes and farms will remain intact for future generations. The forests, rich farmland soils, recreational opportunities, wildlife habitat, wetlands, drinking water supplies, and other natural resources on these parcels will remain part of the fabric of our town forever. For that, we should celebrate!

Read more about the seven conservation projects inside ...



Public Walks Planned on New Conservation Parcels

Save the dates! Bring the family and explore some of our newest conservation lands with a knowledgeable guide. Walks will be on easy trails and will take place rain or shine. Wear appropriate footwear, and please leave pets at home. Check the Friday Updates when we get closer to the date or call Cynthia Belowski at 868-5562 for more information.

Langley - Longmarsh Walk

Sunday, October 5, 3:00 - 4:30 p.m.

This walk is co-sponsored by the Durham Land Protection Group and the Durham Conservation Commission

Roselawn Farm Walk

Saturday, November 1, 9:00-11:00 a.m.

This walk is co-sponsored by the Durham Land Protection Group, the Durham Conservation Commission and The Strafford Rivers Conservancy

Editor's note: This issue of Scenic Durham is the third in a series that began in 2003, as Durham voters were contemplating a warrant article authorizing a conservation bond. These educational materials have been produced by volunteer members of the Durham Land Protection Working Group, who are responsible for their content. Thanks to Courtney Bent and the Strafford Rivers Conservancy for the photos used in this edition, and to the New Hampshire Charitable Foundation for funding assistance to produce this newsletter.

Durham Conservation Projects 2004-2008

1. Mill Pond Center Easement - 10 ac.

Appraised value	\$140,000
Durham Portion of Purchase*	\$70,000 (Con. Com. funds)
% matching funds	50%

This project, completed in 2004, insures that the scenic view of the Mill Pond Center barn (as viewed from Route 108), the grassy fields, and the shoreline of the Oyster River will be forever protected from development. The Rockingham Land Trust (now Southeast NH Land Trust) partnered with the Town of Durham to split the cost of a 16-acre conservation easement, purchased from the non-profit Mill Pond Center for the Arts. The easement includes open public access and a provision for the fields to be maintained in an open state.

2. Emery Farm Easement - 58 acres

Appraised value	\$970,000
Durham Portion of Purchase*	\$425,000 (bond funds)
% matching funds	56%

A prominent symbol of the Durham community, Emery Farm is a place where people can still see how farming is an important part of their lives. In 2006, the Hills family partnered with the Town of Durham, the Society for the Protection of New Hampshire Forests, The Nature Conservancy, and the USDA Farm and Ranchland Protection Program to protect 58 acres of farm fields and forests with a conservation easement. High-quality farmland soils attracted a \$485,000 grant from the federal government, and the project also insures low-impact recreational access to the forested parts of the property. The Hills family generously donated a portion of the easement value towards this project.

Project numbers correspond to numbered parcels on Conservation Lands Map (page 3). "Con. Com." indicates that Conservation Commission funds were used.

3. Merrick Easement - 25 acres

Appraised value	no appraisal available
Durham Portion of Purchase*	\$75,000 (Con. Com. Funds)
% matching funds	significant donation from landowner

The Merrick property is a forested 25-acre parcel at the intersection of Route 4 and Route 108. The Merricks generously offered to sell the easement to the Town at a price dramatically below the actual value of the land. The conservation easement protects this highly-visible corner from development, and provides for low-impact recreation on a series of informal trails that travel through the woods on the property.

4. Langley Farm Easements - 87 ac.

Appraised value	\$1.85 million
Durham Portion of Purchase*	\$300,000 (bond funds)
% matching funds	84%

The Langley Farm, known as Little Bay Buffalo Farm, is an important historic and scenic landmark on the shoreline of Little Bay. The Langley family placed a conservation easement on their farm and nearby woodlot, working with The Nature Conservancy, the Town of Durham, the Great Bay Resource Protection Partnership, and the Society for the Protection of NH Forests. One easement (4a on map) protects the farmlands and critical wildlife habitat along Great Bay, a stream corridor, and two islands. Another easement (4b on map), which allows permanent low-impact public recreation access, conserves the farm's woodlot off Longmarsh Road and connects this parcel with a network of other conservation lands.

5. Beaudette Woodlot - 134 acres

Appraised value	970,000
Durham Portion of Purchase*	\$200,000 (bond funds)
% matching funds	79%

Unlike the other conservation projects described here, this project involved the outright purchase of land (by The Nature Conservancy on behalf of the Great Bay Resource Protection Partnership), with Durham contributing funding and holding a conservation restriction on the property. The land is located on the north side of Bennett Road, and links to almost 700 acres of other UNH and conservation lands to the north. The land will eventually be owned and managed by NH Fish & Game and managed to protect and maintain its value as wildlife habitat. The property contains several streams and wetlands that provide habitat for wildlife species of conservation concern in the state.

*Project costs such as surveys, appraisals and stewardship fees are not included.

Durham Conservation Projects 2004 to Present



Durham conservation projects since 2004
 Permanent conservation land

Unofficial conservation land (no legal restrictions)

Map created by Durham Land Protection Working Group 5/08

6. Fogg Farm Easement – 86 acres

Appraised value	\$910,000
Durham Portion of Purchase*	\$695,000 (bond funds)
% matching funds	24%

The Fogg family owns the prominent farmstead, fields and forests at the intersection of Mill Road and Packers Falls Road. The land sits on top of the Spruce Hole aquifer, an important future source of clean drinking water for the Town of Durham. Protection of our water supply attracted a \$235,000 grant from the NH Department of Environmental Services for this project. A conservation easement insures that the fields, forests, and drinking water on this farm will be protected; the project also allows for low impact public access on the portion of the property that borders West Foss Farm, owned by UNH.

7. Roselawn Farm Easement – 67 ac.

Appraised value	\$1,115,000
Durham Portion of Purchase*	\$170,000 (Con. Com. funds)
% matching funds	85%

The Gangwer family has owned Roselawn Farm on Perkins Rd. since the 1850s. Roselawn Farm offers a variety of fresh products at the farm stand as well as a pick-your-own operation; it has produced specialty crops including blueberries, apples, peaches, pears, strawberries, raspberries, pumpkins, and tomatoes. The property is notable for its rich agricultural soils, and the USDA Farm and Ranchland Protection Program contributed \$340,000 to the easement purchase in order to protect these important soils. The Town of Madbury also contributed \$170,000 to the project, and the Gangwers generously donated almost 40% of the total easement value. Protection of this valuable farmland will help to insure a viable farm community in this region.

*Project costs such as surveys, appraisals and stewardship fees are not included.

About *Scenic Durham*

In 2002-3, the Durham Land Protection Working Group created the *Scenic Durham initiative*. This initiative was based on many years of work by the Planning Board, Conservation Commission, Town Council, and hundreds of citizens who contributed to the 2000 Master Plan. The initial goal of *Scenic Durham* is to permanently protect approximately 500 acres of Durham's most important open lands. The strategy is to approach and work with interested landowners of the most critical lands, to finance portions of the projects through a \$2.5 million bond issue, and to seek outside grant funding to leverage town funds.

The Conservation Bond (with authority to raise \$2.5 million) was approved by the Town Council in 2003. Since then, the Town has helped protect approximately 465 acres in seven different projects. These projects, valued at almost \$6 million, have used approximately \$1.9 million of town funds, \$1.6 million from the conservation bond and \$315,000 from Conservation Commission funds. These projects represent a significant investment by Durham taxpayers. But as we all know, land in this part of New Hampshire is expensive, and conservation projects are no exception. We have leveraged our town funds by 69%, working with partners and applying for state and federal grants. In addition, several landowners generously sold easements at significantly less than fair market value. For every \$1 of funds spent by the town, we have received more than \$3.20 in conservation value. These projects represent a lot of bang for our buck!

While we celebrate the considerable achievements of this initiative and move closer to achieving our initial goal, we continue to work toward protecting Durham's natural resources. There is much work remaining, but our progress has been significant.



Emery Farm goats



Roselawn Farm Easement Closing: Kevin McEneaney (SRC), Dea Brickner-Wood, June & Jesse Gangwer, Anna Boudreau (SRC), Todd Selig

Hot off the Press: Roselawn Farm Conserved

[Reprinted from Town of Durham, Friday Updates, April 18, 2008]

At the Town Council meeting on November 5, 2007, the Council received a presentation by Dea Brickner-Wood, a Durham resident and member of the Land Protection Working Group (LPWG). Ms. Brickner-Wood, who also works with the Great Bay Partnership, explained that the LPWG has partnered with the Strafford Rivers Conservancy (SRC) on a project to protect one significant farm and forestland tract in Durham, located on the north side of the Route 4 Bypass, known as Roselawn Farm. The SRC had reached an agreement with landowners Jesse and June Gangwer to purchase a Conservation Easement that would encumber approximately 67.2 acres.

The USDA Farm and Ranchland Protection Program (FRPP) had \$340,000 in grant funds available for the Roselawn Farm project, pending obligation of the required 50% matching funds. The \$340,000 in matching funds was sought from the Town of Durham (\$170,000) and the Town of Madbury (\$170,000). Durham's \$170,000 share would be funded through the Conservation Fund.

Upon receipt of an affirmative recommendation to move forward from the Durham Conservation Commission, the Town Council scheduled a public hearing on the proposal and ultimately approved the project. After months of working with the towns of Durham, Madbury, Lee, Mr. and Mrs. Gangwer, and the FRPP on this complicated conservation easement deal, Ms. Brickner-Wood and representatives from the SRC were successful in bringing the project to closing this past Wednesday afternoon, April 16th, at a law office in Dover. A thank you is extended to the Gangwer family for its willingness to preserve this valuable tract of conservation land for the benefit of future generations in Durham and Lee. In addition, Ms. Wood has worked tirelessly on this project and is deserving of special recognition.

Frequently Asked Questions about Land Conservation

Why is it important to Conserve Land?

Although land conservation has been proposed as a tool for slowing development, this is not the purpose of conservation efforts. The goal of land conservation is to preserve land that possesses significant natural resources. Such resources include drinking water, fertile farming soils, habitat for wildlife and opportunities for sustainable forestry, farming and public recreation. Durham voters, by approving the Conservation Bond in 2003, indicated that the benefits provided by conserving these resources justify a public investment. Land conservation can preserve the landscape, but is unlikely to check the pace of development in our town. We might do well to bear in mind a statement by Urban Land Institute expert Ed McMahon: "Growth is inevitable and desirable, but destruction of community character is not. The question is not whether your part of the world is going to change. The question is how." Land conservation is a tool that allows us to protect important natural resources and features in our community.

What is a Conservation Easement?

A conservation easement is a legal agreement between a landowner and a conservation organization (usually a land trust) that permanently limits uses of the land in order to protect its conservation values. Easements leave land in private ownership. With conservation easements, landowners permanently give up some of the rights associated with the land, including the right to subdivide and develop the land. All future landowners will be bound by the easement's terms. An easement can restrict particular uses, depending on the conservation values of the property. Easements can allow continuing agricultural activity, or may apply to just a portion of a property. One of the typical primary purposes of a conservation easement is to protect the land's conservation values.

Do Conservation Easement Lands Pay Taxes?

Yes. Lands subject to a conservation easement are still privately owned, and are taxed at the Current Use rate, as they would have without the easement. Conservation projects do not cause a loss of tax revenue for the town.



Langley Farm



Wetlands at Beaudette property

Who Decides What Land to Conserve?

The 2000 Master Plan outlined many conservation priorities for the town of Durham, including protection for farmland soils, scenic views, drinking water supplies, and other natural resources. The Town Council approves all conservation projects funded with town funds. The Conservation Commission serves an important advisory role in this process. Any citizen, group, or elected official can bring a potential project forward to the Conservation Commission and the Town Council for consideration. The Council has developed a set of guidelines and a process for land conservation projects, available from the Town Administrator.

What is the difference between Conservation Commission funds and Conservation Bond funds?

Conservation Commission funds (or the "Conservation Fund") contains revenue allocated from the Land Use Change Tax. They are tax revenues that are assessed as a result of development of land in Current Use, and are used by the Conservation Commission for land protection and other conservation-related projects. The Land Use Change Tax is not paid by all taxpayers, only by landowners when they convert their land that was in Current Use from open space into developed land. The Conservation Bond was approved by Durham voters in 2003 (by two-thirds majority). This vote gave the town permission to borrow up to \$2.5 million dollars for land conservation projects. Funds from both sources have been used for land conservation projects in recent years.

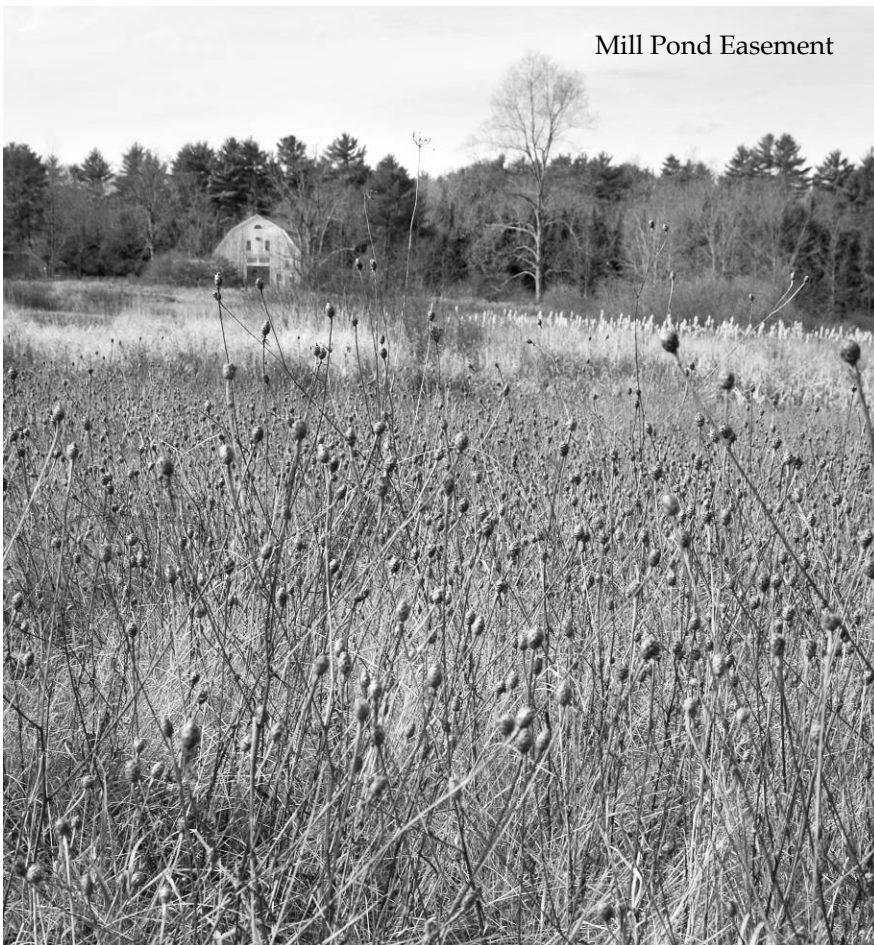
How can I learn more about conservation options for my land?

The Durham Land Protection Working Group has a brochure called "Conservation Options for Durham Landowners" on the Town of Durham's website, posted on the Conservation Commission's webpage. Go to: http://www.ci.durham.nh.us/GOVERNMENT/boards/conservation/conservation_agenda.html

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Mill Pond Easement



About the Durham Land Protection Working Group

The Durham Land Protection Working Group is an independent group of Durham residents who have been working to help conserve land in Durham. Members work in partnership with the Conservation Commission to research land protection opportunities, contact landowners, and work on funding for land protection.

Members include:

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