

# **Open Space Committee Report**

**March 2004**

## **INTRODUCTION**

The people of Mont Vernon have voiced their desire to preserve open space in town. In 1999 residents came together in a two-day community profile meeting in which they listed the qualities they loved and wanted to preserve in town and voiced their hopes for the future. Over the course of that fall weekend Mont Vernon's citizens said they wanted trails for horses, snowmobiles hiking and cross-country skiing. People worried about the loss of land in town to development and the lack of a reservoir of funding to buy and protect undeveloped land. They said that they wanted a plan for acquiring and protecting Mont Vernon's natural resources.

In 2000 Mont Vernon wrote its Master Plan, which was adopted after a series of public meetings. Priorities in the plan include preserving our ground water supply, wetlands, forests, conservation land, wildlife habitat and scenic roads and vistas. In addition, the wildlife habitat conservation chapter, which was written with help from UNH Cooperative Extension staff, outlines a plan for protecting biodiversity by protecting habitats. The Master Plan has proven to be one of our most valuable tools for conservation planning.

In 2003 residents of Mont Vernon voted at the March town meeting to form an Open Space Committee **"to study the appropriation of funding and designation of open spaces to protect the natural resources of the town of Mont Vernon."** Representatives from the planning board, conservation commission and the public serve on this committee.

## **DEFINITION OF OPEN SPACE**

Open Space is land that is not developed or substantially altered by human activity and has important natural, historic, ecological, cultural or recreational resources. Open Space can include forests, farmland, fields, shore lands, waterbodies, and wetlands. Open Space can also encompass scenic vistas, town forests, recreational areas such as non-built up parts of municipal parks, and historic sites.

Open space may have historic structures that are significant to the town's heritage and history. Open space can be public or private parcels of land that have permanent protection and size is not necessarily considered to be a limiting characteristic. Lands designated as open space may be in their natural state to protect specific environmental features or they may be used for agricultural, forestry, or outdoor recreational purposes. Some lands deemed environmentally sensitive or that have endangered species may or may not be conducive to certain recreational uses.

## **BENEFITS OF OPEN SPACE**

Our quality of life is enhanced by open space and the protection of our natural resources. It protects scenic vistas that we take for granted as we drive or pass by open fields and farmlands, forests or waterbodies and it offers the possibility of sustainable forestry. Open Space preserves biodiversity by protecting the habitats of the plants and animals that make up our natural communities.

One of the greatest benefits of preserving open space is economic. Research conducted by UNH Cooperative Extension concludes that open space; forest, farmland, wetlands, and wildlands, is good for the municipal bottom line. In contrast, residential development almost always is a net financial drain for the community. According to the UNH Cooperative Extension, an acre of open space in the southern New Hampshire towns that were studied, generated an average three times more revenue to the town than it “consumes” in town services, while an acre of residential development consumed about 15% more than it generated in taxes.

## **MONT VERNON’S NATURAL RESOURCES**

One definition of natural resources states that they consist of “goods and services provided by the natural environment”. Our natural resources fall under the broad categories of wetlands and vernal pools, ground water, ponds, streams, soils, fields, and forests. The Mont Vernon Master Plan has a number of recommendations for protecting our natural resources and in turn for protecting the quality of life they provide.

- Obtain additional conservation easements and /or lands through negotiations with developers, particularly those lands adjacent to sensitive areas such as wetlands, surface waters or critical habitats.
- Pursue funding of right of ways and easements that would result in continued trail and greenway development.
- Actively work with New Boston and Amherst to protect one of the regions biggest tracts of unfragmented forestlands, the New Boston Air Station.
- Adopt and enforce a set back of a minimum of 125 feet from all open water.
- Adopt a minimum three hundred-foot buffer for the entire length of Purgatory Brook.
- The town should encourage the preservation and conservation of priority agricultural lands.

- Consider open fields as desirable land to be kept as open space in a subdevelopment
- Investigate ways to preserve ridgelines.
- Acquire property to be managed as a town forest.
- A Mont Vernon land trust should be established within the town or collaboration should be sought with existing land trusts.

### **CRITERIA FOR OPEN SPACE PROTECTION**

For the purposes of this report, areas that have been identified as open space must meet specific criteria in order to be designated as worthy of protection and conservation. The Mont Vernon Conservation Commission has adopted the following criteria from the master plan to determine the purchase of a property. The more criteria a parcel meets the more desirable a property becomes as potential conservation land and open space.

- The property is the habitat of rare, threatened, endangered species, or species of special concern in New Hampshire.
- It combines habitats of importance into larger areas.
- It increases the size of protected habitats.
- It increases buffers around priority habitats.
- It is a riparian area.
- It forms a corridor between habitats and unfragmented lands.
- It has agricultural or other open land such as a field and shrub-land habitat.
- It has uncommon land features that can provide habitat for certain species.
- It has a habitat that is critical to species during particular phases of their lives.
- It is wildlife travel corridor.
- It has the potential of sustainable income.

- It provides recreational opportunities such as hiking, biking, and horseback riding trails.
- It has historic and/or aesthetic values.

The Open Space Committee recommends that the town use the following criteria in addition to those listed above for selecting open space to protect.

- The property must be located in or partially in the town of Mont Vernon.
- The landowner of the property is a willing seller and wants to collaborate with the town for the purpose of open space.
- The property meets one or more goals identified in the Mont Vernon Master Plan.
- The land is in imminent danger of being developed.
- The land protects a drinking water supply.

### **FEASIBILITY CHECKLIST**

A property should not be selected for purchase if one or more of the following considerations apply:

- The property is irreparably contaminated or the cost of clean up is too high.
- There is reason to believe that the land/easement would be unusually difficult to manage or enforce.
- Adjacent properties are being, or are likely to be, developed in a manner that would significantly impact the conservation or public values or the property in a negative way.
- The landowner insists on provisions that would seriously diminish the property's primary conservation or public values or the town's ability to enforce an easement and/or manage the land.
- Ethical problems exist in association with the acceptance of the project.

## **OPEN SPACE TO PROTECT IN MONT VERNON**

The “Wildlife Habitat Conservation” chapter of the Mont Vernon Master Plan of 2000 defines significant habitats that should be given special consideration in land use planning and lists priorities for protection. Significant habitats can be habitats of rare, threatened and endangered species, unfragmented lands, riparian areas, agricultural lands, uncommon land features, habitat that is critical to certain species during particular phases of their life cycles and wildlife travel corridors.

Unfragmented areas are parcels of land that have not been divided up by roads. A number of our native species depend on substantial unfragmented areas for their survival. The master plan lists the following significant unfragmented parcels: Hazen- Salisbury, Hazen -Beech Hill, Town- Lamson Farm, Village to Brook, Joe English and Purgatory Brook (pages W-8 to W-11). The Master Plan recommends that maintaining the roadless condition of these parcels should be a consideration in development decisions and it recommends cooperative planning with New Boston, Amherst and Lyndeborough to protect shared unfragmented parcels.

The Nashua Regional Planning Commission (NRPC) published a Regional Environmental Protection Program (REPP) in 2000, which provides further support for the protection of Purgatory Brook and Falls which is shared by Mont Vernon and Lyndeborough. The other top priority identified in the REPP report is a greenway trail system that would connect existing protected lands. Land use decisions in Mont Vernon should be made with reference to the Master Plan, which was written with technical assistance from the NRPC and The UNH Cooperative Extension Service.

## **RESIDENTIAL DEVELOPMENT, OPEN SPACE AND PROPERTY TAXES**

Until recently in New Hampshire it was assumed that new homes contributed new taxes which offset resulting increases in the costs of school and town services. But in the mid-1990’s, New Hampshire towns began to measure the relationship of housing development and taxes. UNH Cooperative Extension and the Rockingham Conservation District assisted some of these first efforts, in the form of a “Cost of Community Services Study (COCS)”

The COCS quantified the significant pressure on tax rates of residential development in New Hampshire. UNH Cooperative Extension’s Phil Auger summarized these early studies in a seminal article, “Does Open Space Pay?”<sup>1</sup>. In *all* communities studied, the conversion of open space to year-round family homes was shown to increase taxes. New homes don’t generate enough taxes to cover the school and town services costs they generate. And although open space lands do not generate as much tax income, they use less in town services, by a wide margin.

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<sup>1</sup> “Does Open Space Pay?” Philip A. Auger. <http://ceinfo.unh.edu/nrgn1010.pdf>

The COCS determines the net fiscal contribution of different land uses to town budgets. A carefully conducted COCS study allows a community to quantify its own unique characteristics and develop a set of ratios that compare annual revenue to annual expenditures for different land uses. The COCS is a tool that helps towns to identify the true fiscal impact of leaving land as open space or developing it for residential or commercial uses.

The COCS methodology was pioneered by the American Farmland Trust<sup>2</sup>. Nationally, studies have been done in over 70 localities in 18 states. The studies have been found to be most useful in communities undergoing land use transitions, especially where there is high pressure for development.

In 12 of the 13 cases cited in the following table, the results of the COCS demonstrate that tax revenue from residential property is insufficient to pay for the services residents require. Undeveloped open space and commercial/industrial lands provide more tax revenue to their community than they require in services; therefore, in affect, they subsidize residential land use.

In New Hampshire, community-wide COCS study outcomes<sup>3</sup> have been reported for 12 towns. These studies compare the income and expense of different land uses over a set time period in a defined geographic area. The following table captures the results of the 12 New Hampshire studies and the results of a study in Mont Vernon completed in March 2004.

The Mont Vernon Cost of Community Services study analyzed revenues and expenditures based on existing land uses in the tax year 2002. The authors analyzed tax revenue from the following sources: school revenue from the state, property taxes, yield taxes and land use change taxes, other taxes, motor vehicle permits, and other revenue from the town clerk. Categories of expenses include general government, educational expenses, residential expenses, the fire department, the police department, public works and highway expenses, and the conservation commission.

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<sup>2</sup> *Making the Case for Land Conservation: Fifteen Years of Cost of Community Service Studies*, American Farmland Study Trust, 2002 (also see <http://www.farmland.org/>), as cited in *Saving Special Places: Community Funding for Land Conservation*, Society for Protection of New Hampshire Forests, 2002, pp.12-13

<sup>3</sup> The 12 studies discussed above are distinguished by the fact that they cover the entire community in question over a set period of time. Numerous other COCS analyses have been completed by New Hampshire towns, focusing on the impact of an actual or hypothetical subdivision or the impact of new residential construction only (as was done in Hollis). While these approaches may be analytically sound, we have elected to include only those New Hampshire studies that conform to the American Farmland Trust methodology

| Community    | Population | Open Space | Residential Cost per Dollar of Tax Revenue     | Commercial/Industrial Cost per Dollar of Tax Revenue | Open Space Cost per Dollar of Tax Revenue |
|--------------|------------|------------|------------------------------------------------|------------------------------------------------------|-------------------------------------------|
| Alton        | 3,500      | 55%        | \$0.92<br>(\$1.53 year round; \$0.43 seasonal) | \$0.54                                               | \$0.52                                    |
| Brentwood    | 3,197      | 54%        | \$1.17                                         | \$0.24                                               | \$0.83                                    |
| Dover        | 25,500     | 35%        | \$1.15                                         | \$0.63                                               | \$0.94                                    |
| Deerfield    | 3,200      | 52%        | \$1.15                                         | \$0.22                                               | \$0.35                                    |
| Exeter       | 13,000     | 25%        | \$1.07                                         | \$0.40                                               | \$0.82                                    |
| Fremont      | 2,700      | 64%        | \$1.04                                         | \$0.94                                               | \$0.36                                    |
| Groton       | 339        | 71%        | \$1.01                                         | \$0.12                                               | \$0.79                                    |
| Lyme         | 1,537      | 78%        | \$1.05                                         | \$0.28                                               | \$0.23                                    |
| Meredith     | 5,000      | 40%        | \$1.06<br>(\$1.57 year round; \$0.51 seasonal) | \$0.48                                               | \$0.29                                    |
| Mont Vernon  | 2,034      | 62%        | \$1.03                                         | \$0.04                                               | \$0.08                                    |
| Peterborough | 5,600      | 55%        | \$1.08                                         | \$0.31                                               | \$0.54                                    |
| Stratham     | 5,200      | 35%        | \$1.15                                         | \$0.19                                               | \$0.40                                    |
| Sutton       | 1,479      | 72%        | \$1.01                                         | \$0.40                                               | \$0.21                                    |

The Mont Vernon Cost of Community Services Study concludes that for every \$10,000 in property taxes and other revenues from residential land use we spend \$10,300 to provide services such as schools, roads and the fire department. In contrast, Mont Vernon spends eight cents to provide services for every \$1.00 it receives in revenue from open space. In other words, **residential land use costs more money than it brings into the town while open space saves money.**

## RECOMMENDATIONS FOR FUNDING OPEN SPACE

The two most viable open space funding options are bonding and allocating all of the land use change tax to the conservation commission fund.

1) The Open Space Committee recommends that a **general bond be presented to the voters** of Mont Vernon at 2005 town meeting to acquire funds for the specific purpose of purchasing open space that meets the criteria outlined in this report. A number of New Hampshire communities in 2002, including Amherst, Brookline, Brookfield, Hollis, Londonderry, Merrimack, Newfields, Newmarket and Stratham all chose this form of funding for open space. Bonds can be crafted in a way to meet the unique circumstances and specific goals of the town's Master plan. The town can pass a bond that identifies the specific parcel to be purchased or one that provides general authority to purchase land for open space.

A general bond is recommended for the following reasons:

- Funds will be available when parcels of land become available. Some landowners may not be able to wait until annual town meeting to sell their property.
- The impact on the tax rate is spread out over the lifetime of the bond. The tax impact of the bond is less than the tax impact of development.
- Having money available that has been set aside specifically for the purchase of open space, will give land owners in town confidence that the resources are available, if they are interested in working with the town.
- Land will be appraised to determine fair market value. As the price for land continues to rise, funds need to be available to compete with developers who have quick access to capital funds.
- Bonds allow your community to leverage other funding sources such as matching grants.

2) The Open Space Committee recommends that a warrant article be proposed to Mont Vernon Voters stating that **100% of the Land Use Change Tax (LUCT) be placed in the Conservation Fund** specifically to be used for the purchase of open space that meet the criteria outlined in this report. There is a logical connection between the land use change tax and conservation so it is a palatable form of raising money. It is especially attractive because it does not depend on property taxes. Dedicating 100% of the land use change tax to conservation is also recommended in the Mont Vernon Master Plan.

## **FURTHER RECOMMENDATIONS OF THE OPEN SPACE COMMITTEE**

- 1) A permanent Open Space Committee shall be created in accordance with the New Hampshire RSAs.
  - The Open Space Committee, in conjunction with the Conservation Commission, will be responsible to review, research and negotiate with landowners the purchase of parcels for open space as outlined in this report.
  - This committee should be comprised of members of the Conservation Commission, Planning Board and citizenry of Mont Vernon.
  - Top priority of the Open Space Committee and Conservation Commission should be preparing a general bond to be presented to the voters of Mont Vernon at town meeting 2005.
  - All parcels coming up for development should come before the Open Space Committee and Conservation Commission for their recommendations.
- 2) The Open Space Committee should present this report to the Board of Selectmen, Planning Board, and Conservation Commission.
- 3) Any proceeds from managing town property should be applied toward conservation needs.
- 4) The Open Space Committee should have an information link on the Mont Vernon town website.
- 5) This report should also be placed on the town website and in the Library.

Respectfully submitted by:

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