

Sanbornton Conservation Commission

Committed to the Stewardship of Sanbornton's Natural Resources

Spring 2022 Newsletter

New Conservation Easement - 23 Acres on Perkins Rd

On January 18, 2022, the Conservation Commission closed on a Conservation Easement on the Mitiguy property, a material portion of which is a charitable gift from Ms. Nancy Mitiguy. The property is largely wooded, with Parsonage Brook flowing through to the Merrimack River, which carries water to the Atlantic. The property lies within the community's historic district, adjacent to a corridor for future conservation. The Sanbornton Conservation Commission is the easement holder, while Ms. Mitiguy retains ownership and the fee interest for the property.

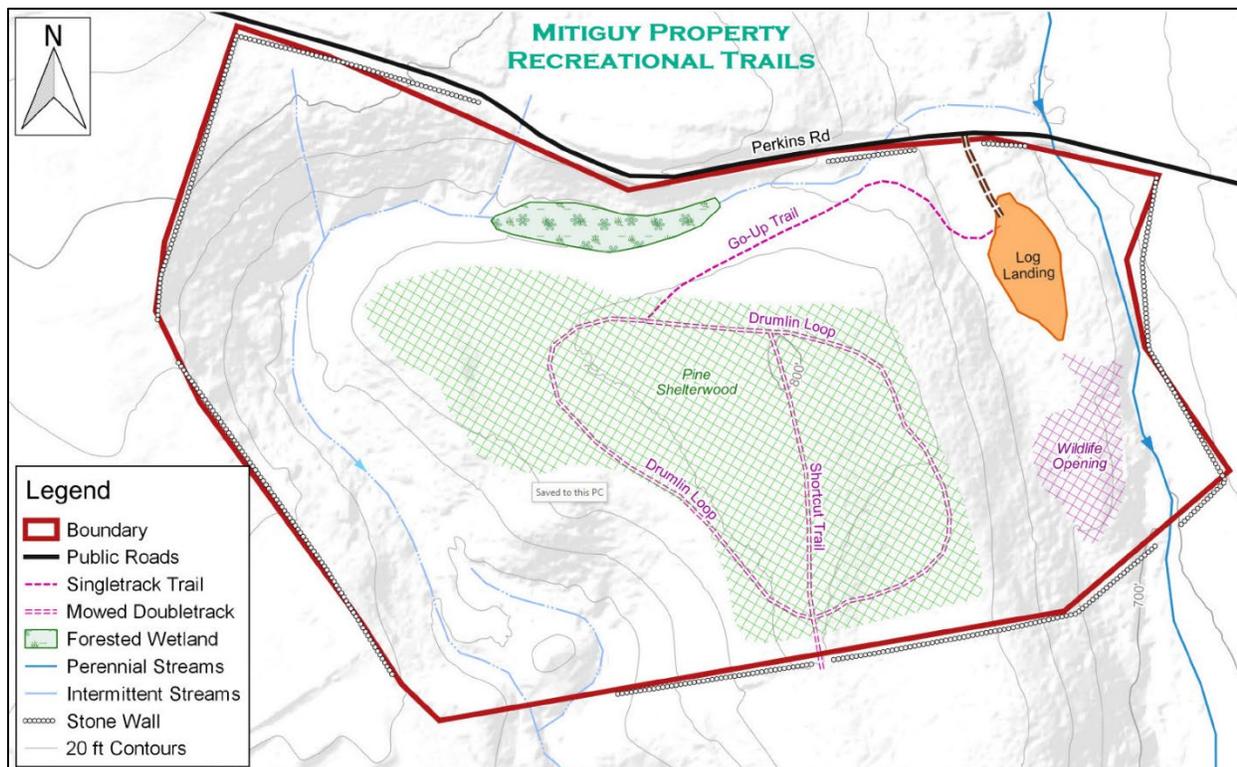
This parcel was purchased 45-years ago by her father, Harry Mitiguy, who believed strongly in having open space for the enjoyment of all community members. Harry also served on the Conservation Commission in Amherst, NH. The family's intent with this purchase was to relocate to Sanbornton following Harry's retirement, but unfortunately, he passed away in his early 60s. Nancy's mother, Harriet, continued to hold the property until her passing in 2018, leaving it in Nancy's hands. Harriet's passion for land conservation was made clear when she donated 100 acres of family farmland in

Vermont to the Vermont Land Trust. Recognizing her parent's passion for land conservation, and even more so her own, Nancy states that communities need "Open space for recreation," quietly adding, "so we can maintain our sanity."

This is most evident in the landscape of this property as noted in the illustration below, highlighting walking trails flagged for community use, as well as provisions in the agreement for hunting and fishing. The Mitiguy family also identified primary goals for the property to include maintaining diverse and healthy wildlife habitats, maintaining a healthy forest that provides for future timber quality, and using best forestry management practices to protect local and regional water quality.

In brief, Nancy notes that her priority in initiating the conservation easement was for "long-term preservation of forested habitat for wildlife and birds, in an area that has seen considerable development pressures."

The Commission appreciates the Mitiguy family's long-term commitment to land conservation and the provisions for the community's recreational interests on this property. *(Easement FAQs & more on back)*



Why Conserve Land?

Land conservation offers landowners the opportunity to have an enduring impact on New Hampshire's natural landscape, which can benefit all of us, our children, and our communities and bring us all closer to the land. You may wish to see your well-managed farm or forest continue to be well managed in the future. You may hope to preserve an exceptional natural area or high-quality wildlife habitat. Perhaps you value a scenic view or well-used trail and wish to ensure that these features are always available for future enjoyment.

What is a Conservation Easement?

A conservation easement deed is a permanent, legally binding agreement between a landowner and a qualified conservation organization or public agency that restricts the use of the land to protect its significant natural features.

There are several hundred acres of individually owned land that have conservation easements in Sanbornton. Conservation Easements in New Hampshire are authorized by RSA 477:45-47.

Who owns the land when a conservation easement is placed on a property?

As a landowner, you continue to own and have the right to manage your land while giving up the right to engage in specific intensive uses of the property. You will continue to be responsible for paying the local property taxes on the parcel.

What uses are permitted on conservation easement land?

Typically, conservation easements allow the landowner to continue to use the land for agriculture, forestry, non-commercial outdoor recreation, wildlife habitat management, and all other uses that are compatible with the conservation goals for the property and not explicitly prohibited by the easement terms.

What uses are prohibited on conservation easement land?

Conservation easements generally prohibit subdivision and development, commercial and industrial activities (except agriculture and forestry), mining and excavating, filling or disturbance of wetlands, and disposal of man-made waste or hazardous materials.

How are conservation easements monitored and enforced?

The conservation organization that holds the easement has the authority and obligation to ensure that natural resources are protected in perpetuity. The easements in Sanbornton are personally reviewed yearly.

Do easements restrict my ability to sell, convey by will, or give my land in the future?

No, you may sell or convey the land to a different owner at any time and any price. Conservation easements run with the land forever, so all future owners will be required to follow the easement terms.

What costs are involved with easements?

Conservation easements may involve expenses for items such as legal fees, survey and appraisal costs, or other professional services.

Are there financial benefits to donating a conservation easement?

Yes, by donating a conservation easement, you may benefit in several possible ways, including the possibility of tax deductions and estate tax benefits. Consult a qualified professional to discover how the options apply to your situation.

As it relates to local property taxes, conservation easements usually reduce property value, which, in turn, may reduce property tax assessment. If your land is already enrolled in the Current Use Assessment Program, you would probably not see any further reduction in property taxes as the result of granting a conservation easement.

Land Conservation Resources

Many varied resources are available for learning more about land conservation and easements, including Sanbornton's own Conservation Commission. sanborntonnh.org/conservation-commission

The Sanbornton Commission also works closely with Lakes Region Conservation Trust. They manage a targeted Sanbornton Land Conservation Fund, initially funded by generous residents. lrct.org/support/support-a-land-project (note "Sanbornton" when donating)

The Society for Protection of New Hampshire Forests is a long-standing agency dedicated to conserving our state's natural resources. forestsociety.org

The NH Land Trust Coalition has produced an excellent and detailed resource for landowners considering conserving their land; "Conserving Your Land - Options for New Hampshire Landowners." This e-book can be downloaded for free from their website. nhlrc.org

The FAQs on this page were adapted from the last two resources above.

I'm interested; how do I learn more?

Reach out to Sanbornton's Conservation Commission by emailing conservation@sanborntonnh.org and we will help guide you to additional resources.