Town of Dunbarton, NH

Green Infrastructure Conservation Priority Plan

Sowle Tree Farm on Stark Highway North

Dunbarton Conservation Commission

July 2010

With assistance from the
Central New Hampshire Regional Planning Commission

Town of Dunbarton, NH

Green Infrastructure Conservation Priority Plan

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- Mel Gendron
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- Darlene Jarvis, Secretary
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- Matt Lavey
- Brett St. Clair, Vice Chair
- Stan Sowle
- Jim Stone
- Margaret Watkins

The following Central NH Regional Planning Commission staff contributed to the development of the **Green Infrastructure Conservation Priority Plan**:

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Additional participants in the development of the **Green Infrastructure Conservation Priority Plan** included:

- Rachel Goldstein, Citizen
- Mike Guiney, Planning Board
- Fred Mullen, Citizen
- Mike Poirier, Planning Board
- Ken Swayze, Planning Board

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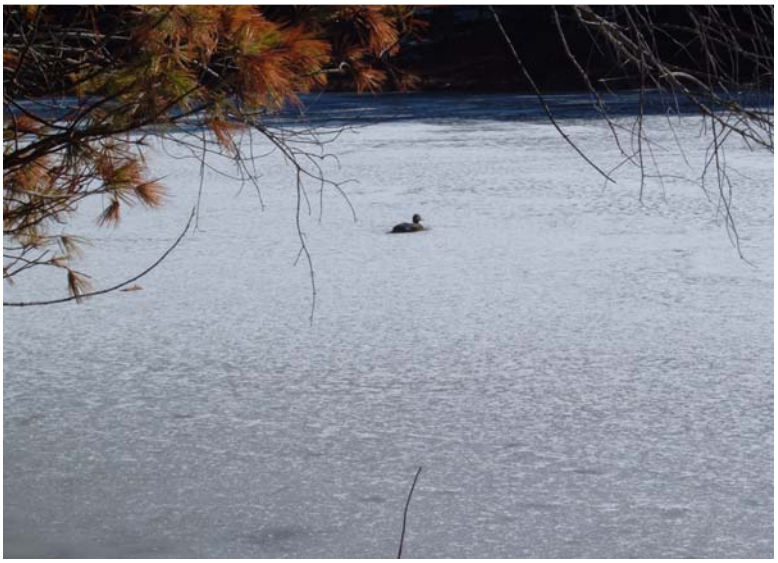
1. Introduction

Dunbarton is fortunate to have many undisturbed natural areas, significant wildlife habitat, and large forest blocks unfragmented by houses and roads. Although centrally located between Manchester and Concord, the Town has remained very rural, with a population of only 2,586 according to the NH Office of Energy and Planning, while neighboring towns all have more than 5,000 residents. Dunbarton is a community 20,046 total acres (19,734 land acres) in size according to NH GRANIT. These factors place Dunbarton in an advantageous position to plan for conservation and development as growth pressures increase. With the widening of I-93 between Salem and Manchester, development is expected to spread north along the Interstate corridor. Dunbarton has the opportunity now to identify conservation goals and priorities in order to best protect its valuable natural resources.

The Dunbarton **Green Infrastructure Conservation Priority Plan** was developed as a tool for future open space management planning. When the Town of Dunbarton moves forward to acquire land, make plans for existing open space within the Town, or review parcels for future development, this **Plan** will help determine priorities for conservation. It also serves as a way to ensure that the open space within the Town will be maintained so that it protects the high quality of life that Dunbarton residents presently enjoy.

Dunbarton residents highly value the Town's rural character and abundant open space. The 2004 Master Plan community survey indicated 85% of respondents believe that open space in Dunbarton is important or very important. Eighty-three percent (83%) of survey respondents support the acquisition of land by the Town for conservation and low impact recreational use. Further survey responses are available in **3.2 Master Plan Community Survey.** With such a high level of support from residents for conservation, the need for an open space plan is evident.

Figure 1. Unnamed Pond, Kimball Pond Conservation Area
Photo courtesy of Larry Cook



A **Plan** has been prepared by the Town of Dunbarton's Conservation Commission with funding and technical assistance provided through the I-93 Community Technical Assistance Program (CTAP) and the Central New Hampshire Regional Planning Commission (CNHRPC). The **Plan** should be considered for acceptance by the Planning Board and Board of Selectmen as the Town of Dunbarton's official Open Space Plan. This **Plan** can be adopted as a stand-alone document or as part of the Town's Master Plan.

A **Green Infrastructure Conservation Priority Plan** contains policies and actions that will assist the Town with future development, while also encouraging Town leaders to promote open space protection. The **Plan** is also a snapshot of the environmental features in the community, including water, soil, habitat, forests, and a number of other elements. When these elements are layered over each other, the areas with the highest conservation value become apparent. This interconnected network is called the **Green Infrastructure**. It is ***a network of the most valuable natural resources within the community, which, if protected from development, should ensure that the services provided by nature to the Town and all of its inhabitants (both human and non-human) will continue indefinitely for future generations***. The **Plan** helps identify and prioritize the Town's open space and presents options for protecting these key areas in accordance with Master Plan goals set by the community.

Dunbarton Town officials, along with the Planning Board and Conservation Commission and other boards and committees, should look to this **Green Infrastructure Conservation Priority Plan** to guide future open space planning and preservation actions of the Town, particularly as various modes of protection (voluntary, educational, regulatory or land acquisition) are implemented.

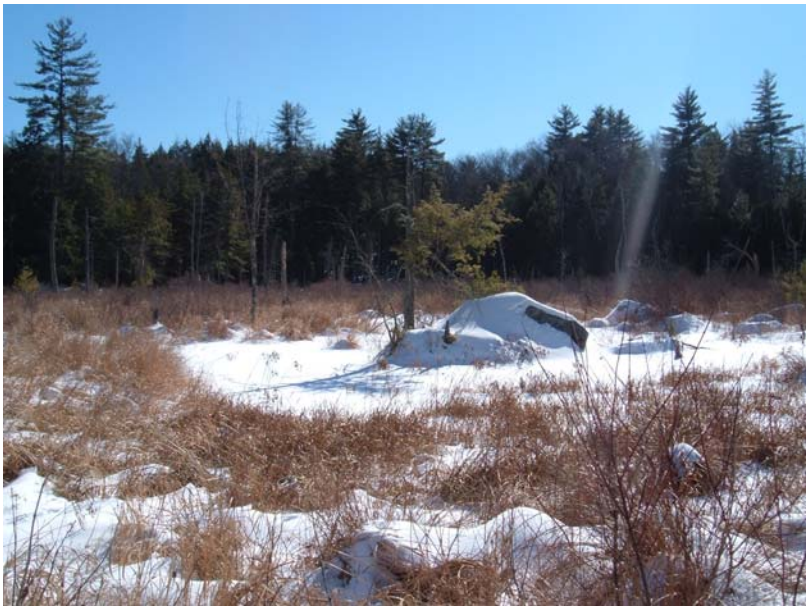
In the development of this **Plan**, the intent of the Conservation Commission was to identify and develop a prioritized map of agricultural, open, and undeveloped land that if protected from residential, commercial, and industrial growth would preserve the Town's natural resources and rural quality of life. By implementing this **Plan**, the Town of Dunbarton will have a guide for protecting the open space and natural resources that the Town highly values.

1.1 Background

This **Green Infrastructure Conservation Priority Plan** can be viewed as a guide for the community for the preservation of open lands. Open space planning in New Hampshire is an ongoing activity conducted mainly through the work of the Conservation Commissions, Planning Boards, and nonprofit land trusts. In preparing this **Plan**, the Conservation Commission met on May 12, May 25, June 9, and July 14, 2010. The first effort of the Conservation Commission was to identify the natural resources and important natural features of the Town's landscape and to assign relative values to these various resources through the Delphi Process as explained further in ***2. Plan Development***. Mapping these resources throughout the community provides a delineation of the Town's natural resource network or "green infrastructure". The Conservation Commission has suggested strategies and recommendations to guide Dunbarton's future open space protection efforts in response to key areas identified from the Green Infrastructure,

This **Plan** is organized into the following sections including ***1. Introduction***, ***2. Plan Development***, ***3. Planning for the Green Infrastructure***, ***4. Funding Strategies***, and ***5. Recommendations and Implementation Methods***. A series of maps showing the Town's natural resources and high-value co-occurrence areas is highlighted in ***6. Maps of the Green Infrastructure Conservation Priority Plan***. The final map, **Map 8. Green Infrastructure with Priority Areas,** displays the prioritized Green Infrastructure delineated as a result of the planning process. The ***Appendix*** concludes the Plan with discussions of potential state and federal funding programs and helpful publications.

Figure 2. Hill Subdivision Open Space
Photo courtesy of Larry Cook



2. Plan Development

2.1 - Step 1: Identify High Value Natural Resources

The first step in the development of this **Plan** was the identification of the most important natural resources within the Town to conserve. A series of Geographic Information Systems (GIS) maps of various natural resource data, including aquifers, public water supply wellhead protection areas, floodplains, prime agricultural soils, important forest soils, wildlife habitats, stream corridors, steep slopes, scenic resources, and unfragmented blocks over 50 acres in size, were developed. **Map 2. Wetlands Conservation District with Flood Storage Areas**, **Map 3. Top Ranked Habitat Wildlife Action Plan 2010**, and **Map 4. Unfragmented Blocks** display several of these resource themes.

The Conservation Commission and a small number of participants from the public reviewed all of the resource maps and selected which resource types to consider. These natural resources and features are grouped into the five broad categories as shown in yellow highlight in **Table 1. Resource Values and Weighting Scheme**. Scenic Resources received a score of zero because no scenic resource inventory exists and there was no time to prepare one during the **Plan** process.

Table 1. Resource Values and Weighting Scheme

Delphi Process Natural Resource Scoring Distribution	
Number of Participants:	12
Soil Conditions	
Important Forest Soil Group I	6.8
Prime Agricultural Soils	6.8
State Agricultural Soils	4.8
Local Agricultural Soils	4.4
Soil Condition Total Score	22.8
Open Space Continuity	
Unfragmented Areas > 500 acres	7.8
Unfragmented Areas > 100 acres	6.3
Unfragmented Areas > 50 acres	3.5
Open Space Continuity Total Score	17.6
Wildlife Habitat	
NH WAP Tier 1 Habitat	10.2
NH WAP Tier 2 Habitat	7.3
NH WAP Supporting Habitat	4.3
Wildlife Habitat Total Score	21.8
Drinking Water Resources	
Aquifer Transmissivity > 1,000 ft2/day	6.5
Aquifer Transmissivity 0 - 1,000 ft2/day	4.0
Public Water Supply Protective Sanitary Radius	3.4
Wellhead Protection Area	5.5
Drinking Water Total Score	19.4
Water Quality	
Named streams, associated wetlands & 250' Resource Area	7.6
Unnamed streams, associated wetlands & 100' Resource Area	5.4
Floodway	2.4
Floodplain area - 1% Annual Flood Risk (100-Yr)	0.9
Floodplain area - 0.2% Annual Flood Risk (500-Yr)	0.5
Water Quality Total Score	16.8
Slopes and Scenic Resources	
Slopes > 25%	1.6
Scenic Resources	0.0
Slopes and Scenic Total Score	1.6
	100.0

2.2 - Step 2: Weighted Co-Occurrence Exercise

The second step was to assign relative weights to the various natural resources to establish their importance for protection. Weights were assigned through a "Delphi process[1]" during which each participant suggested his/her preferred weighting scheme by distributing 100 points among the categories. The members then compared each of their individual results to the group average, discussed differences, and reached consensus on how to divide the points within each category. **Table 1** shows the relative weight placed on each of the resources, called the natural resource score. Resource values were calculated across the entire Town based upon the weighting scheme shown in **Table 1**. **Map 5. Natural Resource Co-Occurrence Analysis** is a weighted co-occurrence map that displays where multiple resources occur in the same area and how the assigned scores add up. **Map 6. Water Quality Resources Co-Occurrence Analysis** and **Map 7. Soils Resources Co-Occurrence Analysis** display subsets of the co-occurrence analysis, water quality and soil resources. These maps provide the basis for all subsequent work by highlighting the highest value natural resource areas and therefore those areas of Town most important to protect.

2.3 - Step 3: Defining the Green Infrastructure

The third step was to define a "green infrastructure." Using the co-occurrence maps and base natural resource maps, Conservation Commission members collectively drew out open space corridors that they felt were important for the Town to concentrate on protecting. The group then connected these corridors to create one open space network.

> ***The Green Infrastructure is an area that, if protected from disturbance, should ensure that the services provided by nature to the Town's residents will continue indefinitely, even if the rest of the Town were to be developed.***

These services include:

- Maintaining the quality of ground and surface water.
- Maintaining enough forest and agricultural land that it can remain productive or placed into production if not currently managed as such.
- Protecting forests, wetlands, and stream corridors to minimize flood potential.
- Improving air quality.

[1] *The Delphi process is a method for structuring a group communication process so that the process is of individuals, as a whole, to deal with a complex problem. One approach is to have a monitor team design a questionnaire to send to a larger respondent group. The questionnaires are returned and the monitor team summarizes the results and, based upon the results, develops a new questionnaire for the respondent group. The respondent group is given at least one opportunity to reevaluate its original answers based upon examination of the group response. (Linstone and Murray, ed.: The Delphi Method: Techniques and Applications, 2002)*

- Providing sufficient habitat for plant and animal species now in Dunbarton to remain in Dunbarton, even in the face of a significant disturbance such as fire, flood, or insect infestation.
- Providing connected open space for all Dunbarton residents to enjoy at a reasonable distance from their homes.
- Creating a pleasant and scenic environment in which to live.
- Creating interconnected green spaces that allow for the movement of wildlife and to allow for trails connecting the various parts of Town.

The Conservation Commission followed these general guidelines to define the Green Infrastructure as displayed on **Map 8. Green Infrastructure with Priority Areas**:

- Include areas of exceptionally high resource value for a particular category.
- Include areas where multiple resource values occur in the same place.
- Give added consideration to lands near existing conservation lands.
- Give added consideration to stream corridors and associated wetlands, which act as natural corridors and rich habitat for wildlife.

The Green Infrastructure identified in Dunbarton includes approximately 12,995 acres or 64.8% of the Town's total area. Other communities in the CTAP region have aimed for between 25 and 50% when delineating their Green Infrastructures. Dunbarton, however, is unique among CTAP communities in how rural and undeveloped it remains. Based on the amount of high value resources present and strong public support for conservation articulated in Dunbarton's Master Plan process, the Conservation Commission felt that it was important to include a much more significant area in the Green Infrastructure.

Figure 3. Winslow Town Forest
Photo courtesy of Larry Cook

It is extremely important to note that landowners whose property falls within the Green Infrastructure are free to dispose of their land as they see fit, consistent with applicable laws and regulations. Inclusion of land within the Green Infrastructure is NOT an indication that the Town of Dunbarton has any legal interest in the land or has any intention of taking the land for a public purpose. Rather, the Green Infrastructure identifies significant parcels with relatively high conservation values which would be considered a conservation priority for the Town if the parcels were to become available.

2.4 - Step 4: Prioritization

After the Conservation Commission delineated the Green Infrastructure by hand on a clear overlay map the area was digitized in GIS and overlain on a base map with existing conservation lands. The Conservation Commission then discussed how to prioritize the Green Infrastructure. Together, the group decided that the two most crucial areas to target for protection are in the northeast corner of Town near Bela Brook and in the southeast corner of Town near Purgatory Pond. These areas received a ***Level 1*** priority. In the case of Bela Brook, additional protection would support water quality and wetlands protection goals and could potentially link together several existing conserved blocks of land to form a significant open space corridor. The area along Purgatory Brook and around Purgatory Pond is not presently under conservation. Prioritizing it for protection would also dovetail with the community's wetlands protection and open space acquisition goals in an area of Town currently lacking publicly accessible open space. The ***Level 1*** priority areas include approximately 1,265 acres, which is 6.3% of the entire Town.

A ***Level 2*** priority was assigned to four areas in Town: a block of land west of NH 13 between the US Army Corps inundation area and the Natalie and Will Brown Forest; an area between the Kimball Pond Tract and Long Pond Lot and stretching east to Powell Lane; an area along Black Brook to the southeast of the Kimball Pond Tract; and a block in the southwest corner of Town along Gorham Brook. These ***Level 2*** areas were prioritized especially for their importance in creating connective corridors for wildlife movement and riparian habitat. ***Level 2*** priority areas include approximately 1,092 acres, which is 5.4% of the Town.

The remainder of the Green Infrastructure, or about 10,638 acres (53.1%), received a ***Level 3*** priority. This area captures most of the Town's existing conservation lands (approximately 4,900 acres) and would complete the intended interconnected open space network if conserved. ***Level 3*** priority portions of the Green Infrastructure were chosen for the potential protection of unfragmented forest blocks, stream and wetland resources, important wildlife habitat, and valuable agricultural and forest soils. **Map 8. Green Infrastructure with Priority Areas** displays the prioritization of the Green Infrastructure defined by the Conservation Commission.

3. Planning for the Green Infrastructure

3.1 Introduction

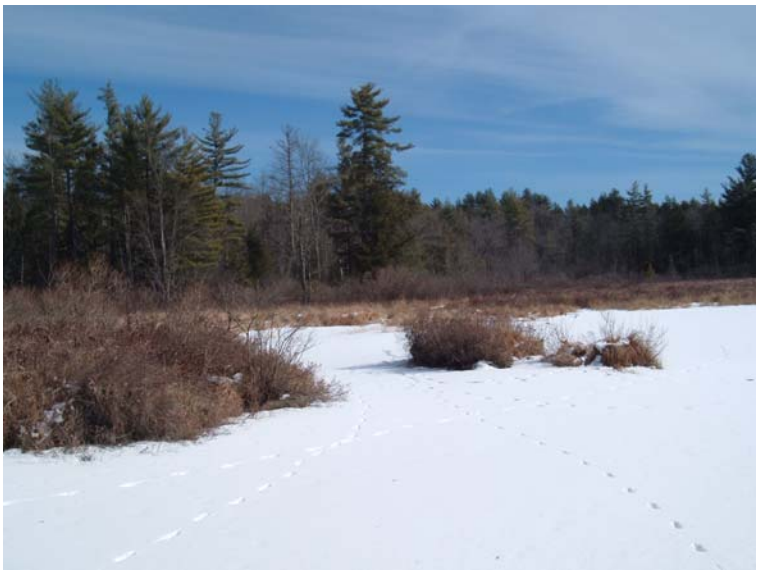
Dunbarton is a conservation-minded community with extensive experience in locating funding in order to protect important resources. The availability of land will diminish over time, and with it, those areas and resources which the community treasures. Continuing to use a variety of funding mechanisms and protection strategies will ensure that these areas will be afforded the best opportunity for permanent preservation.

3.2 Master Plan Community Survey

In 2004, the new Master Plan for the community was produced. In order to gauge public opinion of various issues, a community survey was distributed which asked specific questions about different topic areas. Out of 1,116 surveys distributed, 490 households responded, yielding a remarkable response rate of 44%. Respondents felt that preservation of undeveloped open space was either very important (68%) or important (17%). The acquisition of land by the Town for conservation purposes was supported (83%). Respondents (60%) felt more land should be permanently conserved.

Respondents could choose more than one answer to some conservation questions. Acquisitions should be funded through donations (84%), grants (81%), and the Land Use Change Tax (59%). The most important conservation objectives were natural habitat (56%), forests (46%), wetlands (30%), and fields/agriculture (28%).

Figure 4. Bela Brook Conservation Area
Photo courtesy of Larry Cook



The Master Plan's survey responses to conservation questions clearly indicated a desire for more land to be protected. As these positive messages are representative of the entire community, the Conservation Commission has been working to protect key resources in Town. **Map 8. Green Infrastructure with Priority Areas** illustrates these areas and recommendations have been developed to assist the Conservation Commission with its tasks.

3.3 Existing and Future Development

The 2000 Census counted 858 dwelling units and 2,226 people living in the 30.1 square mile land area of Dunbarton. As per 2008 Office of Energy and Planning estimates, Dunbarton has 1,044 housing units and a population of 2,586. This is a growth of 16.2% in population and 21.7% in housing since the 2000 Census was conducted. These figures represent a current population density of 86 people and 35 housing units per square mile, with 2.5 people per household.

Population projections from the NH Office of Energy and Planning for Dunbarton predict that 3,140 people will live in town by 2030. This is a 41% increase in population from the 2000 Census. A build-out analysis was completed in 2010 that yielded 1,979 potential additional dwelling units at the full build-out of Dunbarton, given the existing zoning and land use regulations. Of the 1,979 units, approximately 900 of the new dwelling units plus eight (8) additional commercial units could potentially be located within the Green Infrastructure area. This would total 3,023 dwelling units in the 30.1 square mile area of Town, or 100 units per square mile. The projected population density would be 104 people per square mile in 2030 using these figures. These projections would result in 1.0 persons per household, a significant decline from present-day estimates.

Future development will certainly occur within the Green Infrastructure area. The purpose of identifying priority conservation areas is not to prevent all development throughout the entire network, but rather to target the Green Infrastructure for conservation when opportunities arise, and to keep it in mind when making land use planning decisions. In this way, the impacts of development to the environment may be minimized. For example, clustering houses in a subdivision and setting aside a contiguous open space area rather than dividing the tract into equal five-acre lots can minimize the fragmentation of forest land.

Landowner Concerns

My property looks like it falls within the Green Infrastructure. How will I be affected?

Property owners are free to dispose of their land as they wish, in accordance with applicable laws and regulations. This Plan does not apply additional regulations. In the future, zoning ordinances passed at Town Meeting could affect properties in the Green Infrastructure.

Is the Town going to buy or take my land?

No. You may be provided with informational materials on natural resource protection and conservation, best management practices, or options for perpetual conservation through easement donation or sale. The Town has no legal interest or intention to take your land for a public purpose simply because it lies within the Green Infrastructure.

I am interested in donating or selling my property or a conservation easement. How do I start the process?

The Conservation Commission will meet with you to discuss options. Town acquisition of land or property interests for conservation purposes is contingent upon conservation priorities, funding availability, owner cooperation, and voter support at Town Meeting.

3.4 Green Infrastructure Protection

The Green Infrastructure identified by the Conservation Commission includes land already under various forms of conservation. Approximately 5,285 acres, or 40% of the Green Infrastructure, are currently protected from development through public ownership or public or private easement. In order to ensure that additional high priority resource areas (particularly ***Level 1*** priority areas) are protected from development, the Town should evaluate funding options and opportunities and continue to purchase key properties as the occasions present themselves. With available Conservation Funds from Land Use Change Tax (LUCT) penalties and the fundraising skills that the Conservation Commission has already demonstrated, protecting some of these important resources should be possible.

Purchasing land and easements will not be the sole protection strategy for the entire Green Infrastructure, however. Aside from the prohibitive costs involved, it is extremely unlikely that all property owners within the Green Infrastructure would be inclined to sell. Other protection efforts include landowner education, encouragement of the current use program, land use planning, and certain regulatory approaches as discussed in **5.3.1** ***Regulatory Protection Strategies*** which will help the Town to achieve conservation goals. Protection strategies are addressed in detail in ***5. Recommendations and Implementation Methods.***

4. Funding Strategies

4.1 Available Funding

Fifty percent (50%) of the Land Use Change Tax (LUCT) is allocated to the Dunbarton Conservation Fund. The LUCT is a state-mandated tax assessed when a property owner removes land enrolled in current use from the program for uses other than open space, agriculture, or forestry. The owner pays 10% of the fair market value of the land at the time it is removed from current use. That income is reserved for the municipality where the land is located. Many communities choose to allocate a certain percentage of that penalty money to fund open space conservation. The Dunbarton Conservation Fund was established in 1993 for land conservation projects only.

As shown in **Table 2**, the amount of LUCT allocated to the Conservation Fund over the last six years has declined from a high of $52,266 in 2004 to a low of $7,000 in 2008. Over the six year term, $150,852 had been collected. In 2006, these funds were used to help purchase the Bela Brook Conservation Area. As of the end of 2009, the Conservation Fund had $69,325 available to purchase conservation properties.

Table 2. Land Use Change Tax Acquired and the Conservation Fund

Year	LUCT Amount Acquired	50% Allocated to the Cons. Fund	Total Cash Available in Fund
2004	$104,532	$52,266	$151,956
2005	$76,294	$38,147	$244,265
2006	$41,647	$20,824	$319,706
2007	$33,280	$16,640	$22,255
2008	$14,000	$7,000	$67,022
2009	$31,950	$15,975	$69,325

Source: Dunbarton Town Reports

Other available funding sources at the local level may include donations, bonds, and Town Meeting appropriations. State and federal funding programs vary from cycle to cycle and should be investigated for their potential to provide additional monies into conservation projects. These potential conservation funding sources are found in the **Appendix**.

4.2 Fundraising and Public Awareness

Fundraising and creative financing are essential components of acquiring any conservation property. The Land Use Change Tax penalties in the Conservation Fund are often not enough to cover the costs and expenses associated with acquisition. Public awareness of conservation land purchases is critical to ensure everyone is kept informed of how the Town's money will be used. A significant benefit of public information is that more people might be willing to donate money for the land protection project if they are aware of the resource value of a conservation parcel.

The Dunbarton Conservation Commission has had successful fundraising efforts using a variety of techniques. For past projects, with support of state and federal funds as well as local donations, the Commission was able to raise $9 in outside funding for every $1 appropriated at Town Meeting. Past successful strategies for financing conservation projects have been private donations, grants, the Conservation Fund (LUCT), the Land and Community Heritage Investment Program (LCHIP), and the NH DRED Forest Legacy Program. These strategies correlate with the Master Plan public opinion results. The Conservation Commission will seek matching funds for conservation projects, but the potential depends upon the availability of match sources.

In order to inform residents and property owners of the Commission's intentions to try to purchase a conservation property, public awareness activities are undertaken which have included:

- Providing owners of large parcels a book on conservation and providing personal presentations
- Old Home Day booths
- Displays on polling days
- Leading monthly hikes on conservation properties
- Presentations of conceptual projects at Town Meeting
- Developing and mailing a flyer on a potential project (Bela Brook and Kimball Pond)

The Conservation Commission has found that residents respond favorably when information about the benefits of a particular project is conveyed. The fundraising goals are met because property owners feel passionate about protecting high value land in Dunbarton.

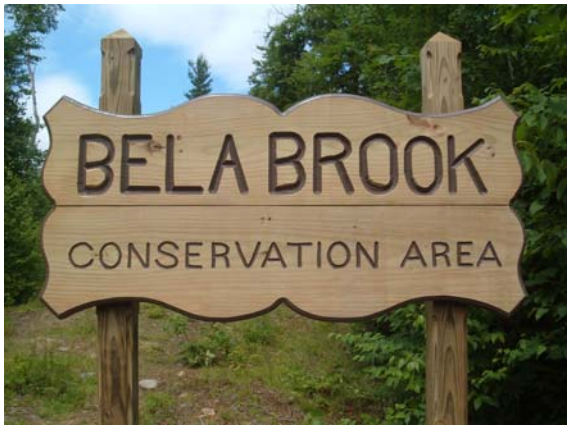
4.3 Land Acquisition Process

In the past, the Town has purchased properties with high resource value. The Conservation Commission is open to discovering other parcels for sale within the Green Infrastructure which would be important additions to the current conservation land holdings in Dunbarton. Easements themselves are not purchased unless they are granted with the outright purchase of the land. The Commission does not seek out projects that will require large financial outlays.

Although there are variations, the process by which the Conservation Commission will acquire a new conservation parcel is generally as follows:

1) A parcel that contains important resources or is within a priority area will become a potential project when it is put up for sale or it is believed that the landowner might be interested in selling
2) The landowner is contacted to determine interest in selling to the Town and at what cost. Once landowner interest and the costs of a project are clear, including acquisition costs, surveying, legal review, and other necessary due diligence work, potential funding sources are identified.
3) A funding package is put together to cover the costs.
4) When public funds are to be used for the purchase of land, an appraisal by a qualified appraiser will ensure the price does not exceed the fair market value.
5) Fundraising begins.
6) A purchase and sales agreement is signed contingent upon Town Meeting approval and accomplishing the fundraising goals.
7) A presentation is produced for Town Meeting describing the project and asking voters to appropriate money from the Conservation Fund.
8) The sale is concluded.
9) The property is identified as conservation land on maps and, if open to the public, signs are purchased. The acquisition is publicized in newsletters and the Town Report.

Figure 5. Bela Brook Conservation Area Sign



5. Recommendations and Implementation Methods

5.1 Summary of Recommendations

Recommendations have been developed to assist with protecting the Green Infrastructure of Dunbarton. Implementation strategies, both regulatory and non-regulatory, have been designed to assist with the protection of conservation areas if they are not purchased outright by the Town.

These recommendations below should be directed by the Conservation Commission as they are the group most closely associated with these activities. Town support will be necessary to ensure they come to fruition.

The **Green Infrastructure Conservation Priority Plan** recommends that:

1. The Green Infrastructure identified in this **Plan** should be adopted as the Town's goal (Conservation Commission, Planning Board, and others as needed) for open space preservation.

2. The Level 1, Level 2, and Level 3 priority areas identified should be pursued for protection when a purchase opportunity is available.

3. The Town, through the Planning Board and Town Meeting, should adopt a Cluster Subdivision Ordinance to enable protection of priority land during the subdivision process.

4. The Town, through the Conservation Commission, will work cooperatively with landowners of developed parcels within the Green Infrastructure if an opportunity or need presents itself to ensure protection of natural resources, to advise about forest management, to assist with resolving environmental problems, and to encourage current use and trail development on the properties.

5. The Town, through the Conservation Commission and Planning Board, should incorporate identified long-term conservation area projects into the annual Capital Improvement Program process.

6. The Conservation Commission should publicize the **Green Infrastructure Conservation Priority Plan** through informational meetings, booths at town events, newsletters, and email distribution.

7. The Town, through the Conservation Commission, should re-examine the recommendations and funding strategies of this **Plan** at least every five years.

5.2 Implementation

There are several approaches to protecting open space. Regulatory controls, non-regulatory protection strategies, and land acquisition present options for Dunbarton to protect its most highly valued natural resources. Each of these methods offers a different approach to Green Infrastructure conservation and should be used as appropriate.

5.2.1 Regulatory Protection Strategies

Regulatory measures are perhaps the most cost-effective means of land preservation and resource protection. If implemented according to the priority ***Level*** areas of the Town, they can be extremely effective in curbing sprawl and protecting land. One primary method of regulatory land preservation is a Cluster Development Ordinance. Other local regulatory techniques include a growth management ordinance, overlay districts, and prime wetlands designation.

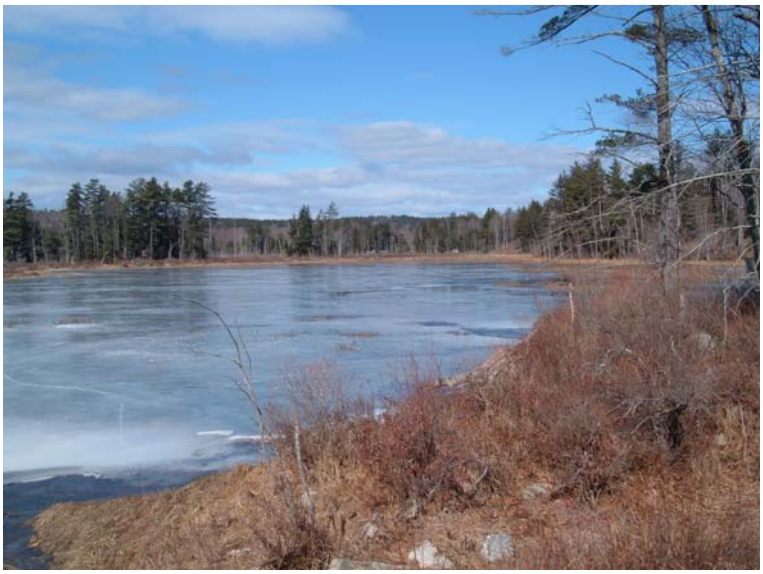
Cluster Development

A Cluster Development subdivision *requirement* has the same result as a conservation subdivision option, but the requirement regulates that qualified development *must* be in conservation subdivisions. This ordinance would lower the lot size of houses built in new subdivision developments in Dunbarton. However, it would also significantly increase the amount of conserved open space. A Cluster Subdivision ordinance should incorporate open space priorities of the Conservation Commission and **Green Infrastructure Conservation Priority Plan**.

Overlay Districts

Another zoning tool is the use of overlay districts. These special districts encompass one or more underlying zones and impose additional requirements above that required by the underlying zone. Typical overlay districts include Historic, Steep Slope, and Wetland. Dunbarton already has a Wetland Conservation District (WCD). Often, these ordinances are written with buffers to protect the surrounding area, which is the case with Dunbarton as structures and septic systems must be placed 125' from a wetland within the District. While not traditionally used in the protection of open space, appropriately placed overlay districts can also serve to protect natural habitat over significant areas.

Figure 6. Kimball Pond Conservation Area
Photo courtesy of Larry Cook



Prime Wetlands Designation

Prime wetlands can be designated and mapped to further protect wetlands with functional values that are most important to a community. To do so, representatives of a Conservation Commission or Planning Board can utilize the Method for the Comparative Evaluation of Nontidal Wetlands in NH, also known as the NH Method, a publication by the NH Department of Environmental Services (NH DES). The procedure fully documents and compares wetlands within a municipality to determine which ones are the most valuable. RSA 482-A:15 gives the power of designating the most valuable wetlands, or prime wetlands, to the Conservation Commissions. Designated prime wetlands are highly considered for their importance to the municipality when applications for wetlands permitting or dredge and fill are filed with the NH DES. These same wetlands can be further restricted from development or other use through setbacks and conditional use permits within the local zoning ordinance. Prime wetlands so designated are listed within the Zoning Ordinance. This designation serves a similar purpose to a Wetlands Overlay District, but may afford greater protection. Not only are prime wetlands subject to local zoning requirements, but when wetlands permitting applications are submitted and the project involves a prime wetland, the State must apply Administrative rules Env-wt-700.

Current Use

The current use tax law (RSA 79-A) is a widely-used tool in which property owners ease their tax burden by placing their land under current use. While this status helps them lower their property taxes on the parcel, the right to use their property in certain ways has been temporarily relinquished. New house construction, subdivision, or other significant terrain- and use-altering activities are prohibited until the property is removed from its current use status, which would then require property

What is the Conservation Fund?

A Conservation Fund is a municipal finance account to be used by the Conservation Commission for conservation projects. It is the most common way for a Conservation Commission to hold money from various income sources. A Conservation Fund may be created in municipalities that have voted to establish a Conservation Commission.

The Conservation Fund may hold money from both public and private sources. (RSA 36-A:4 and 36-A:5) The Land Use Change Tax (LUTC), of which Dunbarton receives 50%, contributes heavily to the Fund. Private donations to the Conservation Fund may be tax deductible as a charitable contribution.

Money in the Conservation Fund is non-lapsing, which means it carries over from one fiscal year to the next. (RSA 36-A:5 I) This is not the case with most municipal funds, and it provides the Conservation Commission with the opportunity to budget for anticipated expenses and to save toward important projects.

The disbursement of funds shall be authorized by a majority of the Conservation Commission. In order to utilize the funds for land purchase, the Commission shall hold a properly noticed public hearing. While the Conservation Commission is not required to get approval at Town Meeting before accessing the Fund, the Dunbarton Conservation Commission often does so, if the property negotiation schedule permits, to raise awareness and support of important community conservation projects.

SPNHF's *The NH Municipal Conservation Fund Guidebook* 2009 publication has much more information on the subject of Conservation Funds.

owners to pay a portion of the assessed value of the parcel back to the Town. This penalty not only discourages the removal of the current use status, it also creates opportunities for municipalities to use the land use change tax in ways that benefit the community.

5.2.2 Non-Regulatory Protection Strategies

There are other approaches to land protection that do not involve regulation. Landowner education can be an effective and flexible method ranging from personal consultations to writing articles in newsletters that everyone can read. Supporting strategies that enable the community to prepare for open space protection and to obtain community consensus include the Town's Master Plan and the Capital Improvement Program (CIP).

Landowner Education

By educating landowners about the benefits of open space, the economic implications and potential tax advantages, they are more likely to want to conserve their open space. Offering this information and making it readily available can be one of the most effective ways to conserve open space. Establishing a good working relationship between the landowner and the Conservation Commission is an essential step in open space protection. Much information on open space protection is readily available from such resources as the Society for Protection of New Hampshire Forests (SPNHF) and University of New Hampshire Cooperative Extension.

Master Plan

The development of a Master Plan which is sensitive to the retention of rural character, rolling fields, unfragmented woods, and clean water resources is essential to lay the groundwork for the Zoning Ordinances, Subdivision Regulations, and Capital Improvement Programs which support conservation priorities. The 2004 Master Plan contains a Natural Resources Chapter that lists objectives and recommendations. The awareness of rural character and the value of conservation are held by the community at large during the development of a Master Plan, thus garnering support for conservation priorities. The Master Plan should be updated every 7 to 10 years, which should also reinvigorate conservation sentiment in the Town during the process.

Capital Improvement Program

Clearly identifying acquisition priorities in a Capital Improvement Program (CIP) can assist the project with successful completion. The removal of funds from a capital reserve fund such as the Conservation Fund or Forestry Capital Reserve Fund over time or the tracking of existing bond payments can enable the community to view the long-term expenditure in conjunction with other Town capital projects to determine how the community will pay for the acquisition. By rallying support of the Planning Board and other community members, identifying the conservation land acquisition projects in the CIP will align priorities of all Departments and could encourage further focus on conservation efforts in Town. Dunbarton's CIP was last updated in 2009 and is updated on an annual basis.

5.2.3 Land Acquisition Types

The final method of open space protection is through the purchase or donation of land or the acquisition of development rights to that land. Depending on the needs of the landowner and sources of available funding, land and development rights can be purchased at varying costs to the Town. Property owners must be voluntarily willing to sell their land.

Conservation Easements
The Town purchases development rights, which is usually calculated to be the fair market value of the land for development purposes minus the value of the land for open space or agricultural purposes. The Town gains the responsibility of easement stewardship, which means monitoring the land to ensure that the agreements of the easement (generally a lack of development or disturbances) are being followed. Conservation easements are authorized by RSA 477:45-47.

Conveyance of Full Ownership, or "Fee-Simple"
Giving or selling full ownership of land is the simplest method of protection. Full title, ownership, and management responsibility are transferred from the landowner to the Town. Full ownership may be donated or sold.

5.2.3.a Methods of Acquisition

Different types of sales and the donation of property are how the Town acquires new conservation properties.

Outright Purchase
The Town buys the property at market value from the current landowner. There are no tax benefits or exceptions for either party, and the Town no longer receives taxes on the land. This is the most costly method of land protection but requires no special arrangements with the landowner and leaves future use of the land completely in control of the Town.

Bargain Sale
A bargain sale is an agreement of discounted sale of property to the Town. The landowner agrees to sell his/her land below market value, and the difference between fair market value and the sale price becomes a tax-deductible charitable donation. Bargain sales are also useful for the landowner in minimizing the liability of a long-term capital gains tax associated with selling a large estate. After the sale, the Town retains all rights and responsibilities over the land.

Donations
Land (fee-simple) or development rights (conservation easements) can be donated by willing landowners who will often realize tax benefits from the donated value.

6. Maps of the Green Infrastructure Conservation Priority Plan

The maps of the **Plan** illustrate the natural resources of the community and were utilized to generate **Map 8. Green Infrastructure with Priority Areas**, which will be the focus for conservation efforts. Brief descriptions of each of the eight maps are provided.

Map 1. USGS Topography with Locus Map

Displays topographic contours, roads, and water features, and situates the Town of Dunbarton in New Hampshire.

Map 2. Wetlands Conservation District with Flood Storage Areas

Displays the Town of Dunbarton's Wetlands Conservation District, a 125' buffer around selected surface waters and wetlands. Also exhibits the US Army Corps of Engineers' flood control area, or "flowage easement." FEMA floodplains are shown as well.

Map 3. Top Ranked Habitat Wildlife Action Plan 2010

The NH Fish and Game Department has identified high value wildlife habitat areas in a 3-tier scheme presented here. This map shows both the updated 2010 data and the original 2005 model. The Wildlife Action Plan is a predictive model based on soils, land cover type, assessed habitat condition, and observed occurrences of rare and endangered species. Tier 1 habitats are top ranked within the state. Tier 2 habitats are top ranked within ecological region, as established by The Nature Conservancy. Ecological region information can be found at http://extension.unh.edu/Forestry/FORNHLL/nhecoreg.jpg. Tier 3 areas are considered supporting habitats.

The 2010 update reflects three major changes from the 2005 model:

1) Modifications to Appalachian Oak Pine and Hemlock Hardwood Pine forests due to release of digital soils data for Merrimack and Belknap counties.

2) Inclusion of all potential grasslands instead of just those over 25 acres in size.

3) Incorporation of all shrublands and other small open habitats into the surrounding forest.

Map 4. Unfragmented Blocks

Displays unfragmented areas in Dunbarton greater than 50 acres in size that are unbroken by state or locally maintained roads. All maintained roads were buffered by 500 feet on each side. The remaining lands were considered unfragmented blocks.

Map 5. Natural Resources Co-Occurrence Analysis

A weighted co-occurrence map showing the distribution of highest value natural resources in Dunbarton, based on scores assigned by the Conservation Commission to various types of natural resources. Darker areas are those where several natural resource types coincide.

Map 6. Water Quality Resources Co-Occurrence Analysis

A subset of the overall weighted co-occurrence analysis, showing only water resources. These include stratified drift aquifers with high transmissivity, stream corridors and associated wetlands, flood storage areas, wellhead protection areas, and protective sanitary radii around public water supply wells. Darker areas are those where several types of water resources coincide.

Map 7. Soil Resources Co-Occurrence Analysis

A subset of the overall weighted co-occurrence analysis, showing only areas with high value agricultural soils and highly productive forest soils. Darker areas are those where important soil types coincide.

Map 8. Green Infrastructure with Priority Areas

Displays the boundaries of the Green Infrastructure area delineated by the Conservation Commission. To draw the boundaries, the Conservation Commission referred to the co-occurrence maps, a series of natural resource maps, Master Plan goals, and local knowledge of the Town. The Green Infrastructure is separated into three priority levels. ***Level 1***, the top priority area, is darkest.

Appendix

Potential Conservation Funding Sources

There are numerous highly competitive State and Federal grant programs available that can be used to promote open space protection. While grants are an important component of funding, they are extremely difficult to obtain. Much time and research are required to properly prepare a competitive grant application. The status of grant programs is subject to change, as is the amount available from the grant. However, the following include some programs that could be used by the Town to further the **Green Infrastructure Conservation Priority Plan's** goals and recommendations.

Many of the following State and Federal grant programs are available to private landowners. These programs will assist with land stewardship and water resource protection, and would be beneficial to the entire community. Please visit the websites noted for further information or ask a Conservation Commission member for assistance.

State Programs

Community Conservation Assistance Program. UNH Cooperative Extension. Assistance for project guidance and training for community projects through municipalities and non-profit conservation groups. www.extension.unh.edu/CommDev/CCAP

Community Impact and Express Grants Program. The New Hampshire Charitable Foundation. Provides funding to non-profit and public agencies in the fields of environment, arts and humanities, education, and health and social and community services. These grants have been limited to $25,000 and $5,000 respectively. www.nhcf.org

Conservation License Plate Grant Program (Moose Plate Program). NH State Conservation Committee. To promote natural resource related programs throughout NH. Conservation districts, Cooperative Extension, conservation commissions, schools, groups, and other non-profits can apply for funding. www.scc.nh.gov

Fisheries Habitat Conservation Program. NH Fish and Game Department. To conserve fisheries habitat through a watershed approach. Landowners wishing to protect/enhance fisheries habitat can apply for funding. www.fws.gov/fisheries

Forest Legacy Program. NH DRED. Provides up to 75% of the purchase price for development rights to forestlands from willing sellers. Streamside land is among program priorities. Rights are held by the state in perpetuity, while the landowner retains all other rights, including the right to harvest timber. www.fs.fed.us/spf/coop/programs/loa/flp

Land and Community Heritage Investment Program (LCHIP). This is a grant program for conserving and preserving New Hampshire's most valuable natural, cultural, and historical resources. Grant applications for the purchase of land/buildings or restoration of structures are accepted from tax-exempt organizations, municipalities, or other political subdivisions of the State. www.lchip.org

Land and Water Conservation Fund Program. NH DRED Division of Parks and Recreation. The LWCF is a federal 50/50 matching grant program targeted at enhancing New Hampshire's outdoor recreational opportunities.
www.nps.gov/ncrc/programs/lwcf

Local Water Protection Grants (Drinking Water Source Protection) NH DES Water Division. To protect public drinking water sources. Protection projects funded through this program have included delineation of wellhead protection areas, inventorying potential contamination sources, development of local protection ordinances, performing land surveys as a precursor to land acquisitions, groundwater reclassification, shoreline surveys, drinking water education and outreach activities, and controlling access to source.
www.des.nh.gov/organization/divisions/water/dwgb/dwspp

Small Grants Program for Wildlife Habitat Restoration and Enhancement. NH Fish and Game Department. The Small Grants Program helps landowners with a minimum of 25 acres restore or enhance habitat for wildlife. Funding of up to $2,000 per year (no more than $6,000 over a ten-year period) is available for the creation and/or maintenance of wildlife habitat within the property. Examples of projects that may qualify for funding include: brush clearing or mowing to maintain grasslands and shrub-lands; release of old apple trees; and maintenance of woodland openings. In exchange for the grant, landowners agree that their land will remain open for non-motorized public access activities, including hunting.
www.wildlife.state.nh.us/Wildlife/wildlife.htm

Transportation Enhancement Program. New Hampshire Department of Transportation provides funding for Environmental mitigation to address and reduce water pollution due to a highway runoff, and vehicle-caused wildlife mortality while maintaining connectivity. Cities, towns, state agencies, private industry and special interest groups may apply for Transportation Enhancement funding for their project. Federal funds will pay up to 80% of the cost of the project, with the applicant being responsible to provide matching funds.
www.nh.gov/dot/org/projectdevelopment/planning/tecmaq

Watershed Restoration Grants for Impaired Waters and High Quality Waters. NH DES Water Division. For watershed based projects to address water quality issues. Grants are given to associations, organizations, and agencies. This grant program helps to fund all aspects of watershed management including organization, building, planning and assessment.
www.des.nh.gov/organization/divisions/water/wmb/was/categories/grants

Federal Programs

Agricultural Management Assistance (AMA). U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). Agricultural Management Assistance (AMA) provides cost share assistance to agricultural producers to voluntarily address issues such as water management, water quality, and erosion control by incorporating conservation into their farming operations. Producers may construct or improve water management structures or irrigation structures; plant trees for windbreaks or improve water quality; and mitigate risk through production diversification or resource conservation practices, including soil erosion control, integrated pest management, or transition to organic farming. www.nh.nrcs.usda.gov/programs

Agricultural Water Enhancement Program (AWEP). U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). AWEP is a voluntary conservation program that provides financial and technical assistance to farmers for applying agricultural water enhancement activities that conserve ground and surface water and improve water quality on agricultural lands. www.nrcs.usda.gov/programs/awep

Conservation Reserve Program (CRP) . USDA Farm Service Agency. For converting highly erodible land to vegetative cover. Annual rental or other incentive payments for certain activities are offered. Cropland owners and operators who have owned or leased the land for at least 1 year can apply for funds. www.apfo.usda.gov/FSA

Conservation Stewardship Program (CStP). U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). CStP is a voluntary conservation program that rewards good land stewards and encourages producers to address resource concerns in a comprehensive manner by undertaking additional conservation activities and improving, maintaining and managing existing conservation activities. www.nrcs.usda.gov/PROGRAMS/new_csp/csp

Cooperative Conservation Partnership Initiative (CCPI). U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). The Cooperative Conservation Partnership Initiative (CCPI) is a voluntary conservation initiative that enables the use of certain conservation programs with resources of eligible partners to provide financial and technical assistance to owners and operators of agricultural and nonindustrial private forest lands. www.nrcs.usda.gov/programs/ccpi

Conservation Innovation Grants (CIG). U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). CIG is a voluntary program intended to stimulate the development and adoption of innovative conservation approaches and technologies while leveraging Federal investment in environmental enhancement and protection, in conjunction with agricultural production. Under CIG, Environmental Quality Incentives Program funds are used to award competitive grants to non-Federal governmental or non-governmental organizations, Tribes, or individuals. www.nrcs.usda.gov/technical/cig

Environmental Quality Incentives Program (EQIP). U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). EQIP is a voluntary program that provides assistance to farmers and ranchers who face threats to soil, water, air, and related natural resources on their land. Through EQIP, NRCS provides assistance to agricultural producers in a manner that will promote agricultural production and environmental quality as compatible goals, optimize environmental benefits, and help farmers and ranchers meet Federal, State, Tribal, and local environmental requirements. www.nrcs.usda.gov/programs/eqip

Farmland and Ranchland Protection Program (FRPP). U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). This program provides matching funds to help slow the conversion of farmland to non-agricultural uses. An entity holds the conservation easement deed, and land must contain important farmland soils, and a conservation plan. The easements are for 30 years, but priority is given to perpetual easements. The Farmland Protection Program is a voluntary program implemented by the United States Department of Agriculture (USDA) and the Natural Resources Conservation Service (NRCS), and provides funding to State or local governments with existing farmland protection programs to purchase conservation easements. To be eligible for the FPP, the land must be: part of a pending offer from a non-governmental organization, state tribe, or local farm protection program; on prime, unique, or other important farmland soil; covered by a conservation plan developed with/through the Natural Resources Conservation Service; privately owned; large enough to sustain agricultural production; accessible to markets for what the land produces and surrounded by parcels of land that can support long-term agricultural production. www.nrcs.usda.gov/programs/frpp

Healthy Forests Reserve Program (HFRP). U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). The purpose of the Healthy Forests Reserve Program (HFRP) is to assist landowners, on a voluntary basis, in restoring, enhancing and protecting forestland resources on private lands through easements, 30-year contracts and 10-year cost-share agreements. is a voluntary program established for the purpose of restoring and enhancing forest ecosystems to: 1) promote the recovery of threatened and endangered species; 2) improve biodiversity; and 3) enhance carbon sequestration. To be eligible for enrollment, land must be private land or Tribal land which will restore enhance or measureable increase the likelihood of recovery of a threatened or endangered species must improve biological diversity or increase carbon sequestration. www.nrcs.usda.gov/programs/hfrp/proginfo

Grassland Reserve Program (GRP). U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). The Grassland Reserve Program (GRP) is a voluntary program offering landowners the opportunity to protect, restore, and enhance grasslands and shrubland on their property. The Natural Resources Conservation Service and Farm Service Agency coordinate implementation of GRP. The program will conserve vulnerable grasslands from conversion to other uses and valuable grasslands for wildlife uses in New Hampshire. GRP offers producers several enrollment options: permanent easements, 30-year easements, rental agreements (10, 15, 20, or 30-year duration) and restoration agreements. For permanent easements, USDA makes a

payment based on the fair market value of the property less the grazing value. For 30-year easements, USDA pays 30 percent of what would be paid for a permanent easement. For rental agreements, USDA pays 75 percent of the grazing value in annual payments for the length of the agreement. www.nrcs.usda.gov/programs/grp

North American Wetlands Conservation Fund. The North American Wetlands Conservation Act (NAWCA) of 1989 provides matching grants to organizations and individuals who have developed partnerships to carry out wetlands conservation projects in the United States, Canada, and Mexico for the benefit of wetlands-associated migratory birds and other wildlife. There is a Standard and a Small Grants Program. Both are competitive grants programs and require that grant requests be matched by partner contributions at no less than a 1-to-1 ratio. Funds from U.S. Federal sources may contribute towards a project, but are not eligible as match. www.doi.gov/partnerships/wetlands

Partners For Fish and Wildlife. U.S. Fish and Wildlife Service. The Partners Program provides technical and financial assistance to private landowners and Tribes who are willing to work with us and other partners on a voluntary basis to help meet the habitat needs of our Federal Trust Species. The Partners Program can assist with projects in all habitat types which conserve or restore native vegetation, hydrology, and soils associated with imperiled ecosystems such as longleaf pine, bottomland hardwoods, tropical forests, native prairies, marshes, rivers and streams, or otherwise provide an important habitat requisite for a rare, declining or protected species. Locally-based field biologists work one-on-one with private landowners and other partners to plan, implement, and monitor their projects. Partners Program field staff help landowners find other sources of funding and help them through the permitting process, as necessary. www.fws.gov/partners

Scenic and Cultural Byways Program. FHWA, Administered by NH Department of Transportation. Roads designated under the New Hampshire Scenic and Cultural Byways Program may be eligible for federal grant money for purchase of conservation easements for scenic values along designated byways. Such funds may be used to ensure the long-term protection of open spaces along the byways. www.nh.gov/dot/programs/scbp and www.bywaysonline.org/grants

Wetlands Reserve Program (WRP). U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). The Wetlands Reserve Program is a voluntary program offering landowners the opportunity to protect, restore, and enhance wetlands on their property. The USDA Natural Resources Conservation Service (NRCS) provides technical and financial support to help landowners with their wetland restoration efforts. The NRCS goal is to achieve the greatest wetland functions and values, along with optimum wildlife habitat, on every acre enrolled in the program. This program offers landowners an opportunity to establish long-term conservation and wildlife practices and protection. www.nrcs.usda.gov/Programs/wrp

Wildlife Habitat Incentives Program (WHIP). U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). The Food, Conservation, and Energy Act of 2008 reauthorized WHIP as a voluntary approach to improving wildlife habitat in our Nation. The Natural Resources Conservation Service administers WHIP to provide both technical assistance and up to 75 percent cost-share assistance to establish and improve fish and wildlife habitat. WHIP cost-share agreements between NRCS and the participant generally last from one year after the last conservation practice is implemented but not more than 10 years from the date the agreement is signed.
www.nrcs.usda.gov/programs/whip

Publications

Conserving the Family Farm, UNH Cooperative Extension
www.extension.unh.edu/resources/resource/20/Conserving_the_Family_Farm

Conserving Your Land, Center for Land Conservation Assistance
www.spnhf.org/landconservation/conserve-your-land.asp

NH Municipal Conservation Fund Guidebook, SPNHF & Center for Land Conservation Assistance
www.clca.forestsociety.org/publications

Saving Special Places: Community Funding for Land Conservation, SPNHF & Center for Land Conservation Assistance
www.spnhf.org/landconservation/community-resources.asp