

Land for Maine's Future Board

Minutes of the Meeting

April 23, 2002

Pine Tree State Arboretum, Augusta

Board Members Present

Evan Richert, Chair
Roger Milliken
Roger Berle

Commissioner Spear
Linda Pagels

Carole Dyer
Warren Balgooyen

Staff Members Present

Tim Glidden
Aline Lachance

Steve Brooke
Surran Pyne, legal

R. Collin Therrien

Others Present

Denny Phillips, Belgrade Regional Conservation Alliance
Frank Miles, Maine Farmland Trust
Chris Whiteside, landowner
Representation Roger Sherman
Representative Roderick Carr
Bud Newell & Ralph Knoll, Dept of Conservation
Liz Burroughs, Forest Society of Maine
David MacDonald & Peter Ainsworth, Maine Coast Heritage Trust
Jo D. Saffair, Pownal Land Trust
Hugh Chatfield, Maine resident
Tom Rumpf, The Nature Conservancy
Jerry Bley, Creative Conservation
Mary Ellen Johnston & Stephanie Gilbert, Dept of Agriculture
Esther Lacognata
Tarn Dickerson, Coastal Mountains Land Trust

Minutes of the Meeting

A motion was made by Roger Berle and seconded by Carole Dyer to accept the March 6, 2002 Minutes of the Meeting. Vote was unanimous.

Kennebec Highlands – Hall parcel [a conservation & recreation project]

➔ Public Notice

Published in the Kennebec Journal on 4/13/02.

➔ Appraisal Committee Recommendation

The committee recommends that the accepted appraised value be \$470/acre for the timberlands and recommends LMF funding at \$19,700 (not including all other costs).

Note: Woodlands going to the state in fee and the Belgrade Regional Conservation Alliance will be purchasing a conservation easement on the berry land.

➔ Public Comments

Jerry Bley updated Board members stating that of the 21 parcels slated for the Kennebec Highlands, 18 parcels totaling over 5,000 acres have been acquired to date. The 3 remaining parcels are: Hall, Goucher & Allen.

Regarding remaining parcels: There remains a large gap between the landowner's asking price and the appraised fair market value of the Goucher property. BRCA will discontinue efforts to acquire this parcel at this time and that funds reserved for this acquisition be reallocated to other acquisitions. Jerry suggested several other inholdings which were not available at the time when the Kennebec Highland project was first proposed. With respect to the Allen property, BRCA is on a slow but positive track. The issue is access to blueberry lands, creating interference with commercial farming. BRCA is in the process of preparing an offer for Mr. Allen that will include acquisition of a conservation easement on the agricultural lands and fee acquisition on the forest lands. BRCA hopes to reach agreement with Mr. Allen in the coming months.

For the Hall parcel, the acquisition is 42 woodland acres.

Representative Roderick Carr asked about the travel distance for access. Staff indicated roughly ½ to ¾ miles from public road. There is boat access and a snowmobile trail crosses the land.

➔ Vote

A motion was made by Roger Berle and seconded by Roger Milliken to support acquisition of the Hall parcel [Kennebec Highlands]. Vote was unanimous, except for Warren Balgooyen who abstained.

Condition(s):

- ✓ Documentation of Matching Funds
- ✓ Evidence of good title
- ✓ Signed Purchase & Sale Agreement

Bradbury Pineland Corridor Project [a conservation & recreation project]

3 parcels; W. Sweetser, H. Tryon, & H. Tryon

➔ Public Notice

Published in the Kennebec Journal on 4/10/02 and the Portland Press Herald on 4/10/02.

➔ Appraisal Committee Recommendation

The committee recommends that the accepted appraised value be \$ 281,600 for 3 parcels and recommends LMF fund these 3 parcels at \$281,600 (not including all other costs).

Note: The Pownal Land Trust and DOC have documented \$751,895 in matching funds from lands already acquired as part of this project. They propose to use \$140,800 for this acquisition leaving a balance of \$611,095 in matching funds to draw from.

The Department of Conservation will acquire these lands in fee.

➔ Public Comments

Jo. D. Saffair thanked the Board for their preliminary support. These 3 parcels are the first from the Bradbury Pineland Corridor Project to come before the Board. The two H. Tryon parcels are the primary link in this corridor and the Sweetser parcel, a part of the southern loop, includes a snowmobile trail.

➔ Vote

A motion was made by Roger Milliken and seconded by Warren Balgooyen to fund acquisition of these parcels. Vote was unanimous.

Condition(s):

- ✓ Documentation of Matching Funds
- ✓ Evidence of good title
- ✓ Signed Purchase & Sale Agreements

Whaleboat Island [a conservation & recreation project]

➔ Public Notice

Published in the Kennebec Journal on 4/9/02 and the Times Record on 4/9/02.

➔ Appraisal Committee Recommendation

The committee recommends that the accepted appraised value be \$ 565,000 and recommends LMF funding at \$200,000 (not including all other costs).

Note: Maine Coast Heritage Trust will hold the fee and administer this island under a Project Agreement with the Department of Conservation.

➔ Public Comments

Before closing on this project, MCHT will be working out a Management Plan addressing public access, stewardship, and other issues, said David MacDonald [MCHT]. The Maine Coast Heritage Trust is attempting to coordinate a conservation management effort to the island which is currently subject to two separate easements. This effort will create a more comprehensive conservation management plan and guarantee appropriate public access.

Representative Carr inquired as to whether or not the public will pay a fee to access the island. Presently, we have no intention of charging a fee due to the liability issue, said David MacDonald. Representative Carr also inquired if payments in lieu of taxes would be made to the town since the Island would be coming off the tax role. MacDonald responded that there are four ways that a land trust generally deal with property taxes on preserves [*as it applies here, a generic term meaning land being protected*]:

1. Keep the property on the tax record, applying for the permanently protected open space that allows public access current use status, reducing the tax bill by about 95 percent;
2. a few land trusts pay full taxes or close to it;
3. apply for tax exemption on preserves and make a payment in lieu of taxes that is usually equivalent to the 95 percent reduced tax bill at the protected open space with public access level; or
4. apply for tax exemption and make no payment in lieu.

If a town is going to be severely impacted by the sudden or significant tax revenue loss, MCHT often works with the town to design a stepped-down payment plan to lessen the immediate impact.

➔ Vote

A motion was made by Roger Berle and seconded by Carole Dyer to fund this project. Vote was unanimous.

Note: Evan mentioned that former Board member, Alice Rand, be notified regarding the Board's vote on this project.

Condition(s):

- ✓ Documentation of Matching Funds
- ✓ Evidence of good title
- ✓ Signed project agreement

Truffant Summerton Long Reach Preserve [a conservation & recreation project]

➔ Public Notice

Published in the Kennebec Journal on 4/13/02 and the Times Record on 4/11/02.

➔ Appraisal Committee Recommendation

The committee recommends that the appraisal adequately support the purchase price of this property at \$ 148,000 and recommends LMF funding at \$ 70,728.00 (not including all other costs).

Original appraisal was not accepted by the committee.

Note: Harpswell Heritage Land Trust will hold title to the property [fee] under a Project Agreement with the Department of Conservation.

➔ Public Comments

None.

➔ Vote

A motion was made by Warren Balgooyen and seconded by Commissioner Spear to fund this project. Vote was unanimous.

Condition(s):

- ✓ Documentation of Matching Funds
- ✓ Evidence of good title
- ✓ Signed Project Agreement

Beech Hill [a farm and conservation & recreation project]

➔ Public Notice

Published in the Kennebec Journal on 4/10/02 and the Camden Herald on 4/11/02.

➔ Appraisal Committee Recommendation

The committee finds that the appraisal justified a value of \$ 1,400,000 and recommends LMF funding at \$ 400,000 [*\$100,000 farmland and \$300,000 conservation and recreation*] (not including all other costs).

Note: Maine Coast Heritage Trust has acquired 295 ± acres on Beech Hill and intends to transfer the property in fee to Coastal Mountain Land Trust while retaining a conservation easement. CMLT will be bound by the Project Agreement signed by MCHT with the Departments of Conservation and Agriculture.

➔ Public Comments

Steve Brooke, LMF staff, presented slides of the site.

Tarn Dickerson, Coastal Mountains Land Trust thanked the Board for their consideration of the project and recognized that it has been a difficult and time consuming process.

In April 2002, MCHT applied to exempt Beech Hill from Rockport's property tax rolls. The lower two lots of Beech Hill were granted tax exemption and MCHT fully expects to receive a tax exemption on the final lot as well. Representative Carr expressed concern regarding land being taken off the tax role. Tarn Dickerson explained that land trusts apply for tax exemption on preserves because land trusts do not hold the land as an asset, but rather for the public benefit. Tarn referred to studies that have indicated that preserves are a minimal tax burden on a town, as they are undeveloped, non-residential in nature, and use very few, if any, services.

Representative Carr also inquired regarding the harvesting of blueberry and any profits that might be made. According to Mr. Dickerson last year's profit roughly \$15,000 while management cost ran roughly between \$9-11,000. No real profit, at present. This organic blueberry cultivation project is an experimental project that involves considerable financial investment and risk. CMLT will be investing a considerable amount of money during the next 5-10 years.

The Department of Agriculture will continue to seek combination conservation and farmland projects provided the projects:

- **do not** involve fee acquisition
The strategic objective is to work collaboratively with local land trusts to protect farmland through the purchase of conservation easements and not fee acquisition.
- **do not** result in protected, working farmland being taken off the property tax roles
- **do** result in the landowner or local land trust partner applying for the 5% grant to develop an agricultural business plan for the protected farmland.

Hugh Chatfield wrote and read the following poem:

Beech Hill

The hill two miles west. It sits
tan green above the gray blue harbor's
face a whisker base for bushes trees
that reach and gab between themselves.
The fields that once were burned for berries
now in doubt: the sumac's growing in.
The mossy house of stone, where once
a driver brought the guests for tea,
is still on top to nudge the skies
when they grow soft. The firs beside
the house look down and grimace, squint.
Their roots must dig and reach to grip
the ledge and keep their heads and arms
at watching East to see the day get out
of bed and pull his Shetland on;
for that's the thing to wear when you
have got a gait to cross Beech Hill.

Evan suggested that the poem along with a photo of Beech Hill be framed when acquisition is complete.

➔ Vote

A motion was made by Roger Berle and seconded by Carole Dyer to fund this project. Vote was unanimous.

Condition(s):

- ✓ Documentation of Matching Funds
- ✓ Evidence of good title
- ✓ Signed Project Agreement

Pocomoonshine Lake [water access project]

➔ Public Notice

Published in the Kennebec Journal on 4/13/02, the Calais Advertiser on 4/17/02 and the Bangor Daily News on 4/12/02.

➔ Appraisal Committee Recommendation

This appraisal was unusual in that a parcel of land under consideration had abutting value to the state in excess of its highest, best use value. This sale thus may not be used as comparison in future appraisals. This parcel is adjacent to the Town of Princeton's boat ramp and would improve access to the site. There is currently no parking, nor room for turning or maneuvering trailers.

The committee recommends that the accepted value be \$ 32,000 and recommends LMF funding at \$ 21,333 (not including all other costs).

➔ Public Comments

None

➔ Vote

A motion was made by Carole Dyer and seconded by Roger Berle to fund acquisition of this project. Vote unanimous.

Condition(s):

- ✓ Documentation of Matching Funds
- ✓ Evidence of good title
- ✓ Signed Purchase & Sale Agreement

PROJECT UPDATES

■ Hancock Lands – Phase 1

Tim Glidden introduced Jerry Bley, a consultant to the Forest Society of Maine. Liz Burroughs representing the Forest Society of Maine was also present to answer any questions.

In granting partial funding at its January Board meeting, it was suggested that all concerned parties work together and propose which of the five original units be included in this initial phase of the project with an understanding that additional funding may be available in the future to complete the remaining parcels. For now, the following units are being proposed for Phase I:

- Jugtown expansion
- Rattlesnake Mountain
- Raymond Town Forests

The Sebago unit and the Owl Pond unit would be considered, at a later date, for future funding. Phase I would include less acreage than the remaining lands. It is anticipated that the Phase I acreage will be more expensive due to the fact that it includes more highly developable land.

The FSM submitted an overview of key elements of the proposed terms of conservation easement for Hancock Lands project for Board consideration. This was done so that we can proceed with drafting an easement in a timely manner realizing that further negotiations will be needed.

STAFF REPORT

■ Closings

See Project Status Report distributed by R. Collin Therrien.

■ Update on Working Forest Easement Guidelines Process

Tim Glidden reported that the working group is preparing a final draft for presentation at the June board meeting. He expects one final meeting in May of the Easement Working Group to wrap up loose ends. Copies of the final draft will be available for public review after the working group has discussed it.

Evan suggested creating an Easement Subcommittee to review large-scale easements and make recommendations before the full board votes on their respective project. Evan suggested that he and the following 3 Board members be part of this subcommittee: Warren Balgooyen, Marcia McKeague and Commissioner George Lapointe. The LMF staff would not be part of the actual negotiations. The Board itself would give final approval and not the subcommittee.

■ Timing & Structure of future FLMF Funding Rounds

Tim anticipates that a Call for Proposals will go out by July 1st.

Tim will revise the current proposal workbook. Carole Dyer and Roger Berle have volunteered to review the changes to the workbook.

■ Farmland Priorities Strategic Planning Effort

Carole Dyer and Warren Balgooyen attended the Strategic Planning Workshop at the Department of Agriculture the first week in April.

The Department will present its strategic plan for farmland protection to the Board at the June meeting.

■ Christopher Farm Project

Tim Glidden reported that much time and effort had been spent on discussing various reconfiguration of the property, causing concern that the original vision of the larger project was lost. Also, the appraisal value of the easement on the property did not meet Mr. Christopher expectation. Therefore a letter has been sent to Mr. George Christopher by Tim Glidden recommending that the project be withdraw at this time. Mr. Christopher can resubmit a new application at a future date. Department of Agriculture staff will continue to work with Mr. Christopher.

OTHER BUSINESS

■ Presumpscot River Preserve

The Board was informed of a Joint Resolution [H.P. 1733] recognizing the acquisition of a new public park in the Greater Portland area called the Presumpscot River Preserve. The resolve recognized the role the LMF Board, the Portland Land Bank Commission, Portland Trails, and the Town of Falmouth played in the acquisition of this importance parcel. This purchase will provide vital public access

and passive recreation along a pristine stretch of the Presumpscot River to the people of Maine.

Meeting Adjourned at 3:45 p.m.