

**Craftsbury Conservation Fund
Guidance Document
Adopted on: 11-19-19**

Fund Authorized by Select Board on: 2-2-16

Mission Statement for the Craftsbury Conservation Fund Adopted by Commission on: 01-29-18

This Fund Guidance Document Adopted on: 11-19-19

Authority:

This Conservation Fund established under 24 V.S.A. 4505 and approved by the Craftsbury Select Board shall be called the Craftsbury Conservation Fund and will be referred to in this document as “the Fund.” The Fund may only be used for expenditures which would ensure the proper utilization and/or protection of the natural heritage of the town as outlined, and updated from time to time, in the Craftsbury Town Plan. Section 6 of the 2016 Craftsbury Town Plan describes the “natural heritage” of the town as the town’s natural, scenic, recreational, and cultural resources. The Fund will help conserve these resources for the long term benefit of future generations.

Mission Statement:

The Craftsbury Conservation Fund is intended to provide funding in whole or in part, for conservation opportunities serving the public good. Allocation of Funds should be prioritized to target the most critical threats to the town’s natural heritage.

Introduction:

This document provides information about the principal sources of money for the fund, structure of the Fund, proper expenditures from the Fund, as well as guidelines, processes, and forms for accomplishing successful land protection acquisitions that meet the Fund mission.

Conservation Fund Basics:

The Fund should not be confused with Conservation Commission operating expenses. Likewise the Fund should not be confused with other town funds that may be held for conservation purposes such as the Forest Committee funds, conservation bond moneys, and capital reserve funds, or trust funds.

Money in the Fund is non-lapsing and therefore carries over from one fiscal year to the next. This provides the Conservation Commission with the opportunity to save toward important projects, and budget for anticipated expenses related to all approved projects. The Fund, may hold money from both public and private sources. Private donations to the Fund may be tax deductible for the person making them as a charitable contribution under section 170 (c) (1) of the IRS code.

Fund Management:

The money in the Fund is managed by the town treasurer who may write checks from the Fund only upon order of the Conservation Commission for projects approved by the select board. Funds are best deposited in low-risk, liquid financial accounts, such as special savings accounts, certificate of deposit accounts, or money market accounts. Funds that are obtained through grants or gifts for defined purposes require especially careful tracking to ensure that the money is used for the intended purpose and reported in a timely and responsible way to the grant Funding source. For this reason, donations to

the Fund are sent to the Conservation Commission treasurer before being passed along to the town treasurer for deposit. This allows for internal tracking of the purposes of donations, the collection of names and addresses, and for thank you notes acknowledging the donation amount to be sent by the Commission.

If fund dollars are used for preparatory activities such as legal fees, appraisals and surveys of proposed property, it is with the understanding that such funds will be reimbursable to the Fund if the conservation agreement is not achieved. Likewise, after a project is funded, the Conservation Commission can assist with monitoring the property to ensure that any conservation easements or agreements are being maintained. Funds distributed to a project not complying with the signed conservation easement or agreement will be reimbursable to the Fund.

Funding Sources:

The Fund may accept gifts of cash and securities, bequests, or pledges designated to benefit certain projects, or certain parcels of property to be conserved that meet the objectives of the Fund Mission. The Commission Treasurer will keep very clear records of what allocations have been made to the Fund and for what, if any, specific purpose the Funds were designated. Designated Funds may be spent only for the designated purpose.

To grow the Fund, the commission may hold fundraising events, or develop longer-term fundraising methods and projects. Donation opportunities, such as accepting stipend donations from Antiques and Uniques volunteer workers, are welcome additions to the Fund. The Town of Craftsbury may also make appropriations to the Fund. Approval for such appropriations will be granted by either a majority vote of Craftsbury residents or by the select board.

Additionally, the Conservation Commission is open to partnering with other groups in order to meet broader goals. Partnerships may be a creative and valuable way to add energy, expertise, and sometimes dollars to a proposed conservation project. Accepting or providing a cash contribution to support the efforts of other conservation-minded organizations when such projects are in keeping with the goals of the Fund will stretch financial resources. Additionally the Conservation Commission may leverage the Fund for grant matching opportunities.

Fund Activities:

Accepting and disbursing liquid Fund assets, as well as accepting gifts of land, development rights or conservation easements, and actively seeking out the voluntary participation of landowners selling their land, when their land falls within priorities for conservation goals are all worthwhile Fund activities. Likewise, selling, trading, or transferring of conserved property when consistent with the conservation goals of the Commission may utilize the Fund in the most efficient manner. These activities require careful review to ensure compliance with the gifting landowner goals, and approval of the select board.

Projects can include acquiring property, or interest in property, within the town boundaries, or outside the town boundaries based on ecological and economic benefits to the town. There also may be partnering situations in which the town will NOT hold property interest. For projects where the land is outside the town boundaries, or where the town will not hold property interest, the Conservation Commission must hold a public hearing, after which the Commission must have a majority vote of Commission members to bring the project to the select board. In all cases, the select board must approve the expenditure project.

Fund Expenditures:

The purchase of land, development rights, or conservation easements, alone or in conjunction with other municipalities, state or federal agencies, private land trusts, or other organizations when such purchase is in keeping with the Fund mission, must first be approved by the select board.

The town treasurer has custody of the Fund and can release money from the Fund, for projects approved by the select board, only by request of the Conservation Commission. The Commission expends Funds to carry out the transactions relevant to the select board approved project. These include ongoing projects or to manage town conserved property held by the Fund. Generally speaking any expenditure “for the proper utilization and protection of the natural heritage” for projects previously approved by the select board, is a proper expenditure.

Disbursements from the Fund require a written request on a full sheet of paper that clearly states the amount of the expenditure, any numbers associated with the municipal account, the name and address of the recipient, the date of the meeting where the majority of the commission members authorized the expenditure, and the signature of the Conservation Commission Chair or other officer of the Commission. Relevant documents such as the bill that is being paid should be attached to the request. When the town treasurer processes the request the town treasurer will write on the request the number of the check, the date the check was mailed and any other relevant information. A copy of this document will be returned to the Conservation Commission Treasurer for tracking purposes.

Project Selection Criteria:

This set of criteria will give a useful indication if a parcel of property qualifies for protection for natural resource or conservation reasons. The values represented by these criteria are conservation values and not monetary values.

Land Protection Criteria

These criteria were developed through a series of meetings of the Conservation Fund Committee reviewing the 2016 Craftsbury Town Plan, and the 2009, 2015 and 2017 surveys conducted by the Conservation Commission, Planning Commission and the Land Protection Task Force. Broadly the criteria include preserving the town’s rural character, agricultural and forest landscapes, protection of wildlife habitat, water resources, scenic vistas, and significant cultural, archaeological or historic resources.

1. **Agricultural Land**
Emphasis will be placed on farmland in production, associated cleared land and other agricultural lands because of the importance of maintaining a rural, agricultural presence in our community.
2. **Forests**
Healthy tracts of forestland are important to the Craftsbury landscape and provide necessary ecological functions. Special attention is given to forestland that has been managed with both productivity and concerns for the natural systems as priorities.
3. **Wildlife and Plant Habitat**
Protection of land containing habitat for rare, threatened, or endangered animal or plant species and/or contains an exemplary natural community which provides significant wildlife

habitat such as deer wintering areas, mast producing stands, and habitats for fisheries and songbirds. Maintaining or establishing wildlife corridors connecting fragmented conserved or undeveloped land and land that would serve as wildlife corridors.

4. Water Resources

Contains wetlands, vernal pools, flood plains, riparian areas, streams, rivers, lakes, ponds, waterfalls, cascades, aquifer recharge areas, wellhead areas, or other lands necessary for wildlife diversity, ecological functions, and the protection of drinking water supplies.

5. Scenic Vistas

Land that provides scenic views to others or land from which scenic views are seen. Scenic views of local hillsides and mountains, across the rural landscape of lakes, river valleys and pastures is identified as highly valuable to retain.

6. Cultural, Archaeological or Historic Significance and Distinctive Features

Historical or cultural features enrich our community through a sense of continuity with the past and ongoing traditions of the present that often define the essence of our community.

7. Rural Character

Special attention should be given to preserving the rural character of Craftsbury. Protecting the view shed, open spaces, and large parcels of natural land by avoiding housing sprawl, new roadways, and development out of sync with the town's character are all worthy considerations. Fund dollars could support necessary infrastructure in growing the population through cluster development in villages and along existing roadways.

8. Recreation

Land is suitable for or has an existing trail system for enjoying nature with minimal impact to natural resources. Or property does or could provide public access to recreational resources, supports access to natural areas or has public natural resource education possibilities.

Priority Considerations:

In addition to meeting a land protection benefit there are additional considerations that may affect the town's interest in a given property and priority for acquisition.

1. The ability of the town or partnering organization to leverage additional project funds.
2. A landowner is interested in a donation to the town, bargain sale, or other scenario.
3. The project will help to meet a strategic planning/land use goal identified in the town plan.
4. The property is under immediate threat of development that is out of character for Craftsbury.

Feasibility Checklist:

A project may meet the selection criteria favoring funding and still may not be accepted if one or more of the following considerations apply:

1. The property is not large enough to be significant for its purpose.
2. The property is found to be irreparably contaminated or the cost of clean-up is too high.
3. There is reason to believe that the project would be unusually difficult to initiate, manage or enforce.

4. Adjacent properties are being, or are likely to be, developed in a manner that would significantly diminish the conservation or public values of the property in question.
5. The landowner insists on provisions that the Commission believes would seriously diminish the property's primary conservation or public values.
6. Ethical or image problems exist in association with the acceptance of the project.
7. The proposed public value is not significant enough to balance the larger development proposal, that overall is likely to have significant adverse impacts on conservation goals or resources.

Application and Selection Process:

Generally, the application process starts with a landowner or interested party approaching the Conservation Commission with his/her conservation plans. Sometimes the Commission will take the initiative and establish initial contact. After the initial contact the interested party may request or be invited to attend a Commission meeting. At this meeting the Commission conducts a preliminary interview to learn about the proposal and to explain the criteria that will be used for evaluation. If the interested party chooses to proceed, a written application is submitted to the Commission. Applications are available at the town office or on the town website.

1. When an application (attachment 1) has been received, the Commission Secretary or designee of the Conservation Commission, will send the applicant written acknowledgement of having received the application within 30 days.
2. The Commission will initiate the review of the application within the next 90 days.
3. Next steps will be identified and communicated to the applicant, which may include having the applicant attend a Commission meeting and/or conducting a site visit to walk the property to inventory resources.
4. After further review of the conservation project, members of the Commission will evaluate the proposal using the criteria rating sheet (attachment 2) to make the decision.
5. In making the decision the Commission may enlist input from town representatives such as the Historical Society, Recreation Committee, Forestry Committee, or Planning Commission.
6. A majority of Conservation Commission members must vote in favor of a project for that project to move forward.
7. No person having a direct interest in a project under review may participate in the decision.
8. After the Conservation Commission decision, the Chair of the Commission or designee will contact the applicant with a report of the decision within 7 days.
9. If the application is not approved, the Commission Chair or designee will provide the applicant with a written explanation for why the project was not determined to be a viable candidate for use of the Fund. A copy of the letter will be attached to the application and filed by the Commission Secretary for future reference.
10. If the decision is to move forward with the application, the Chair of the Conservation Commission will make a recommendation to the select board identifying which criteria the project meets and include all materials related to the application.
11. If the select board needs more information representatives of the Conservation Commission, along with the property owner if possible, will attend the next most convenient bi-monthly select board meeting to determine if the project should be adopted.
12. The Chair or designee of the Commission will convey the select board's decision in writing to the applicant. In the event the applicant would like to appeal the decision, the select board will process the appeals.

This guidance document shall become effective upon majority vote of the Craftsbury Conservation Commission and approval of the Craftsbury Select Board.

Approved by majority vote of the Craftsbury Conservation Commission on:

<u>August 26, 2019</u>	<u>(Signed Stephen J. Moffatt)</u>	<u>1-23-2020</u>
Date of C.C. meeting minutes	Chair, Craftsbury Conservation Commission	Date signed

Approved by majority vote of the Craftsbury Select Board on:

<u>November 19, 2019</u>	<u>(Signed James Jones, Bruce Urie, Susan Houston)</u>	<u>11-19-2019</u>
Date of S.B. meeting minutes	Craftsbury Select Board	Date signed

This guidance document has been adopted effective November 19, 2019 and may be amended at any time by a majority vote of the Craftsbury Conservation Commission with amendments approved by the Craftsbury Select Board.

**CRAFTSBURY CONSERVATION FUND
APPLICATION**

Money held in the Craftsbury Conservation Fund may be used for a variety of projects that support the purposes for which the Fund was established. Prior to submitting an application, please read the Fund Guidance Document to be certain your project meets the Fund Goals and Activities.

Application submission date: _____ Receipt date: (for town purposes only) _____

Applicant Contact Information:

Name: _____ Phone: _____

Street: _____ P.O. Box: _____

Town: _____ State _____ Zip _____ Email _____

Landowner Contact Information (if different and if applicable)

Name: _____ Phone: _____

Street: _____ P.O. Box: _____

Town: _____ State _____ Zip _____ Email _____

Property Location and Value Information (Please identify the property on the town tax parcel map.)

Parcel Number _____ Acres _____ Assessed Value _____ Assessment date: _____

Parcel Description: Please provide a site plan and attach relevant photographs, deed restrictions, pending permits, Current Use plan, forest management plan, etc.) for the existing property.

Significant Resources:

Structures:

Public Accesses:

Project Funding: Amount Requested from Conservation Fund: _____

Other Funding Sources/Values: _____

In-Kind Sources/Values: _____

Schedule Information: Project Completion/Closing Date desired: _____

For the Proposed project, if available, please provide any relevant information, such as draft easements, cost estimates, appraisals, Purchase and Sales Agreement, status of property title, etc.

Signature(s): _____

**CRAFTSBURY CONSERVATION FUND
APPLICATION**

Please use additional pages to answer each of the following questions separately, by number.

1. Conservation Project Description: What are you trying to do and why?
2. What is your connection to the project?
3. Which of the Fund's Criteria is this proposed project addressing? (Note: the project must address at least two of the Fund's Criteria.)
4. Outline significant natural resources and all structures on the property.
5. How does this project conform to the Natural Heritage section of the most recent Town Plan?
6. What public and/or conserved land is this property adjacent to, if any?
7. Describe any usage or sales restrictions, or limited conditions in place now or in the future.
8. What is the financial plan for the long-term management of this project/property?
9. Any other information you would like to provide that has not already been covered.

Completed application forms should be sent to:

Craftsbury Conservation Fund c/o Craftsbury Conservation Commission
Craftsbury Town Hall
P.O. Box 55
Craftsbury, VT 05826

Attachment 2
Conservation Fund Disbursement Criteria Rating Sheet

Project: _____ Date evaluated: _____ Member: _____

Circle priority P1, P2, P3, P4 and/or Feasibility considerations F1, F2, F3, F4, F5, F6, F7 if applicable.

Criteria Scoring is on a scale of 1-3 > 0 = not present, 1 = Poor, 2 = Average, 3=Excellent

FEATURE	CRITERIA	SCORE	NOTES
Agricultural Land	Emphasis will be placed on farmland in production, associated cleared land and other agricultural lands.		
Forests	Special attention is given to forest land that has been managed with both productivity and concerns for the natural systems as priorities.		
Wildlife Habitat	Contains habitat for rare, threatened, or endangered animal or plant species and/or an exemplary natural community which provides significant wildlife habitat. Established wildlife corridors, or corridors connecting fragmented conserved land.		
Water Resources	Contains wetlands, vernal pools, flood plains, riparian areas, streams, rivers, lakes, ponds, waterfalls, cascades, aquifer recharge areas, wellhead areas, etc.		
Scenic Vistas	Land that provides scenic views to others or land from which scenic views are seen.		
Historical or cultural	Cultural, Archaeological or Historic Significance and Distinctive Features		
Rural Character	Protects the view shed, open spaces, or large parcels of natural land, avoids housing sprawl, new roadways, and development out of sync with the town's character.		
Recreation	Land is suitable for or has existing trail system, does or could provide public access to recreational resources, nature, or public natural resource education possibilities.		

Conservation Fund Disbursement Criteria Rating Sheet

Priority Considerations that may apply:

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4. The property is under immediate threat of development that is out of character for Craftsbury.

Feasibility Checklist to consider:

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1. The property is not large enough to be significant for its purpose.
2. The property is found to be irreparably contaminated or the cost of clean-up is too high.
3. There is reason to believe that the project would be unusually difficult initiate, manage or enforce.
4. Adjacent properties are being, or are likely to be, developed in a manner that would significantly diminish the conservation or public values of the property in question.
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