

# Open Space Report

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Hudson, New Hampshire

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**Last Revised: January 2012**  
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## **Preamble**

The following document was created over a period of more than five years and represents the thinking during this time of the Hudson Conservation Commission and its Open Space Subcommittee. The Conservation Commission realizes that Open Space planning must adapt to the existing conditions and thus must always be flexible and dynamic and should be reviewed on a regular basis.

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## **I. Introduction**

As stated in the 1990 Hudson Conservation Plan: “The legislative authorization for the creation of municipal Conservation Commissions (CC), RSA 36-A, specifies the following Commission responsibilities: conduct an inventory of the Town’s natural resources; coordinate the activity of unofficial bodies organized for similar purposes; and maintain an index of the Town’s natural and scenic resources. In addition, the CC is allowed to recommend programs to the Town for the protection, development and sound utilization of the areas in the index; acquire and manage lands within the Town; and provide public information on conservation issues. Given these responsibilities, development of the Conservation Plan provides the initial natural resource inventory and the basis for protecting and managing the community’s natural resources.”

As Hudson residents continue to see a growing number of new developments and startling decreases in areas of open space, the need to expand upon the existing Conservation Plan and to create an Open Space plan has become evident. The Open Space Committee was established to address this task. A subcommittee of the CC, the committee was composed of four members of the CC and one citizen member. The community level is the best place for open space planning to begin. If open space planning does not occur at this level, it is unlikely that it will happen at all. Open space planning provides the Town with an opportunity to conserve open land, and at the same time provide for the community to expand, with space for homes, industrial buildings, and community facilities. Once the most valuable open spaces are identified and protected, it will be clearer to Town officials where development should occur (NYSDEC 2004).

### **Definition of Open Space**

One of the first tasks of the Open Space Subcommittee was to reach a consensus on the definition of “open space.” This term can have many different meanings and is often a source of confusion when communicating with the public. It was clear to the subcommittee there was a need to define what they wanted to preserve before steps could be taken to preserve it.

To be concise, open space can be defined as land that is set aside to perpetuate its capacity to:

- Sustain native plant and animal communities,
- Protect watershed functions,
- Provide recreation and education opportunities, and/or
- Preserve historic resources.

Land where these capacities have been degraded but have potential to be restored could also be classified as open space.

Protection is the legal action that prevents open space from being converted to uses that diminish its capacity to sustain native plant and animal communities, watershed functions, recreation and education opportunities, and/or historic resources. It is important to recognize that protection can come in many forms, including but not limited to, conservation easements and the purchase of development rights. Not all forms of protection will guarantee public access to the land for personal recreation, as the purchase of development rights by the Town allows the landowner to maintain the property as private land with restrictions on its use and development. In order for an area to be considered for open space protection it needs to meet a set of criteria outlined in section three of this plan.

### **Objectives of the Plan**

Once open space was clearly defined a list of objectives for this plan was developed to ensure that the ultimate goal of preserving open space areas could be met. These objectives were:

1. Build and maintain an inventory of Hudson land parcels that are protected as open space.
2. Build and maintain an inventory of land parcels greater than 10 acres that have potential for being protected as open space.
3. Describe available open space protection funding sources and procedures.

4. Develop methods for evaluating the natural resources and recreation values of potential open space parcels in Hudson that are proposed for acquisition or preservation.
5. Propose methods for stewardship to adequately manage Hudson's open spaces.

### **Importance of Open Space**

Open space provides many benefits to the community, whether direct or indirect, short-term or long-term. A community that protects its open spaces will see a variety of social, environmental, and economic benefits (NYSDEC 2004). An open space plan can recommend that areas be conserved for ecological purposes, to protect wetlands, to maintain intact buffers around water bodies, to provide wildlife habitat and movement corridors, and more. Open areas can be linked to each other for wildlife movement and to increase the size of habitat areas, but can also allow for the development of walking/biking trails for use by residents. Open space areas can be protected and maintained for passive recreation or used for the development of new recreational facilities, both of which can improve the social and economic lives of residents.

When most people consider open space in Hudson, they might think of the many undeveloped natural areas that are scattered throughout the town. The majority of these areas are forested and provide natural buffers between neighborhood lands and the industrial and commercially developed areas of town. These lands also provide significant wildlife habitat and migration corridors, and provide aesthetic value and passive recreational opportunities to residents of the community.

Hudson's character is also defined by the existence of the Merrimack River on the western boundary and by the large number of ponds and wetlands, including Robinson Pond, Ottarnic Pond and Musquash Pond. The community has recognized the importance of protecting these water bodies and the watersheds that surround them. These areas provide recreational and aesthetic benefits to the community. The numerous wetlands throughout Town provide significant wildlife habitat as well as filtration, flood control and groundwater recharging.

Another form of open space is the agricultural land that once dominated the Hudson landscape. Many of these lands have been replaced over the last few decades by commercial and residential developments. The few remaining parcels of agricultural land should be considered for preservation as open space, as they provide both aesthetic value and a connection to the town's rural past.

When continuing to think about open space and what it means for Hudson, private and public parks and recreational systems are also an important part of the open space in town. These areas include both public and private school grounds, as well as privately owned facilities such as golf courses and the fish and game club. Outdoor recreation is an increasingly important aspect of suburban lifestyles and it is important to not only preserve the existing recreational assets, but also to expand these assets to meet the needs of a growing population. Open space for recreation should provide opportunities for both passive recreation (e.g. walking trails), as well as active recreation (e.g. soccer and baseball fields). Public parks should include both large parks with recreational opportunities as well neighborhood "pocket" parks that can provide recreation within walking distance of residential developments.

There are other assets in the community that may not fit the conventional definition of "open space" but that may be identified as worthy of protection. These would include sites that are unique to Hudson's natural, historical or cultural character. Sites with scenic vistas, historic structures or unique ecological or geological features should be considered for protection. These landmarks represent our common heritage and can bring us together as a community to teach one another about the past and create a foundation for future generations (NYSDEC 2004).

What if we do nothing? The congestion in the Town will grow, creating needs for more Town water and sewer hookups, widened roads, more traffic lights, and reduced speed limits. Taxes will increase to provide these facilities as well as more schools, larger police and fire departments, an expanded highway department. Indeed most Town government offices will need to be increased to handle the demands of an increased population. Protecting open space will preserve the quality of life in the town, allowing Hudson to grow without losing the integrity of the Town's natural resources. Hopefully, as a result, twenty or fifty years from now the Town will retain a substantial portion of that rural character which might have attracted residents to this area in the first place. The sooner an open space plan is established and acted upon, the more secure the future of Hudson's open spaces,

including native plant and animal communities, watershed functions, areas with recreation and education potential, and/or historic resources, will be.

### Historical Perspective

The Town of Hudson has only approx. six percent (6%) of its land preserved as open space, some of which is accomplished by deed restrictions or easements. This is far below the Society for the Protection of NH Forests' (SPNHF) NH Everlasting Goal of twenty-five (25%) percent. Most of what appears to be open space consists of undeveloped parcels that offer no open space protection. Development of these properties is occurring at a rapid rate. In 2001, the Nashua Regional Planning Commission (NRPC) projected that, at the current rate, "Build-Out" of all developable lands would occur by Year 2020. Roughly two-thirds (66%) of Hudson's lands are already developed (Table 1). As the value of land rises from population pressures, the feasibility of developing lands (previously thought as too costly) will increase.

**Table 1.** Land Use Composition of the Nashua Region, represented as percentage of total acreage (table adapted from NRPC August 2001).

	Residential	Commercial	Industrial	Rec./Cons.	Institutional	Other	Vacant
Amherst	43%	2%	1%	12%	2%	5%	35%
Brookline	38%	2%	0%	9%	1%	3%	47%
Hollis	43%	1%	0%	19%	0%	0%	37%
Hudson	48%	3%	6%	5%	5%	7%	26%
Litchfield	40%	3%	0%	12%	3%	15%	28%
Lyndeborough	9%	0%	0%	2%	1%	3%	85%
Merrimack	39%	2%	5%	15%	1%	0%	38%
Milford	28%	2%	2%	7%	1%	0%	59%
Mont Vernon	43%	0%	0%	10%	1%	7%	39%
Nashua	40%	6%	6%	6%	10%	11%	21%
Pelham	50%	3%	1%	10%	1%	5%	31%
Wilton	29%	1%	2%	8%	2%	4%	55%
Region	37%	2%	2%	10%	2%	5%	42%

Source: NRPC GIS database.

According to US Census data, as represented in a population growth study prepared by the NRPC, in the fifty years from 1950 to 2010 Hudson grew from 4,183 to 24,467 residents, with an increase from 1,345 housing units to 9,212 (2010 Census). This data represents a growth in the number of housing units of 10% per year. Steady growth (6%) is projected to continue throughout Hudson for decades to follow, as Hudson is a very desirable community along the MA/NH border and has direct highway access. Despite the recent economic recession, Hudson has continued to add more housing units each year. Recently built subdivisions include Wason Estates and Alyson Landing. In 2011, construction is underway to create Hudson's largest age-restricted living community on a parcel found adjacent to town-owned Benson Park. New development will continue to increase traffic throughout Hudson and place additional burden on Town infrastructure.

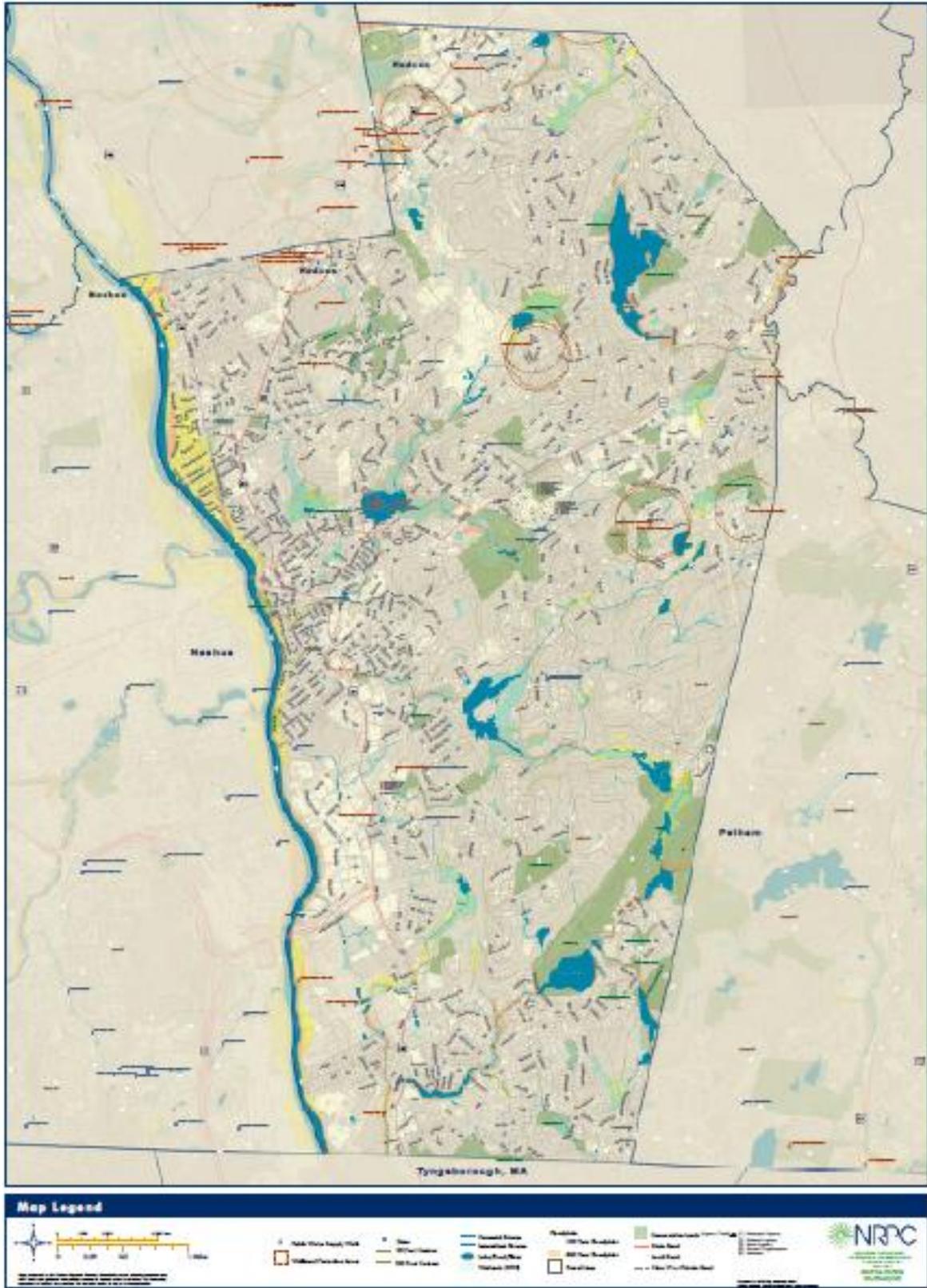
By 2020, Hudson's population is estimated to be above 26,000 based on 6% annual growth rate. This plan will help guide sustainable development, by creating a prioritized list of lands to be conserved/protected, and outlining a process to decide which lands are more suitable for development.

As of 1999, 53.2 % of Hudson's total land area existed in forest blocks greater than 10 acres, yet only 8.3 % (or 810 acres) of those blocks were protected. Also, from the period of 1992/1993 to 2020, Hudson has been predicted to see a decline of 27.2 % in forested land area, representing a loss of over 2,000 acres in less than thirty years. This plan recommends the utilization of different methods of protection to ensure more of those forested areas will remain intact forever.

Much of the contiguous forested land greater than 500 acres in Hudson is not protected and could be lost to development (Figure 1A vs. Figure 1B). Effective application of this open space plan can help prevent that from happening by extending already existing protected areas as well as protecting new areas to keep Hudson green for future generations.



**Figure 1A.** Note: Dark Green areas are contiguous forest blocks greater than 500 acres. (Map source: NRPC)



**Figure 1B.** Conservation land in Hudson as of 2010. (Map source: NRPC)

## **Organization of This Plan**

There were many tasks undertaken in the development of this plan—gathering an inventory of conservation lands and promising areas for protection, selecting criteria to be used in determining whether a candidate area should be protected, deciding how these areas should be prioritized, examining the economics of acquiring and protecting open space areas, identifying the methods that can be used for land protection, and developing plans to ensure successful stewardship of Hudson’s open spaces. This plan outlines and discusses all of these issues and concludes with a list of recommended actions provided by members of the Conservation Commission to set this plan in motion.

## **II. Open Space Inventory**

Completing an inventory of all Town or privately owned properties is a vital step in designing and implementing an Open Space Conservation Plan for the town. Knowledge of areas that are already permanently protected and which have no protection is essential information for members of the Conservation Commission, as well as Hudson residents with an interest in conservation. This report will help with the identification of valuable properties that could be protected to extend existing open space areas, creating larger protected parcels capable of sustaining a wider variety of wildlife species and providing natural greenways or corridors for wildlife movement as well as potential recreational opportunities. A map of existing conservation land in Hudson was prepared by the NRPC in 2006, a similar map should be updated periodically to reflect inventory changes (Figure 2).

### **A. Town-owned lands**

At the time of this study, the Town of Hudson / Hudson School District owned approx. 170 parcels of land. One of the first tasks of the Open Space Committee was to examine the undeveloped town-owned lands to identify those parcels that are already protected, those with potential conservation value that should be protected, and those with little or no conservation value that could be sold or traded for land with greater conservation value. Some of the town-owned properties are permanently protected through conservation easements or deed restrictions, but many are not (Appendix A). Of the 169 properties studied in this report, 23 are undeveloped parcels, each greater than 10 acres in size for a total of 1541.47 acres (Appendix A, Table 4). These larger properties include the Musquash Conservation Land, Robinson and Ottarnic Ponds, Benson Park, Alvirne High School, the Hills House and Alvirne Tree Farm, Parker Nature Preserve, Town Forest, and many other areas. Another 33 parcels are currently in use by the Town for a variety of community facilities including police and fire stations, schools, parks, Town hall, multiple pump stations, Town library, community center, and recreation center for a total of 285.04 acres (Appendix A, Table 5). The remaining 113 parcels, all smaller than 10 acres, have been considered individually by the Open Space Committee and categorized based on recommendations for future sale or protection, determined by how valuable each parcel is for open space protection. Twenty-seven parcels have been recommended for sale ranging from 0.1-4.5 acres in size for a total of 19.1 acres (Appendix A, Table 6). Another twenty-four parcels are recommended for sale to abutters, but may have limited value due to size, wetlands, or other restrictions for a total of 10.73 acres (Appendix A, Table 7). The majority of these parcels are less than 0.5 acres in size. The Open Space Committee recommends that the remaining sixty-two parcels remain as town-owned lands for conservation or recreation purposes for a total of 134.45 acres (Appendix A, Table 8). The majority of these properties contain wetlands and range in size from 0.06 acres to 9.3 acres.

Many of the existing parcels of land that have been designated for conservation currently have no permanent means of protection. The conservation of these parcels is of immeasurable value for the protection of Hudson's watersheds, farmlands, forests, wildlife habitat, passive recreation areas and trails, and scenic vistas. Open space planning will help ensure these parcels retain their integrity and are protected from future development (Town of Hudson 2003).

### **B. Privately-owned open space**

Hudson's privately-owned open space land exists in a variety of forms. Private parks or recreation areas such as golf courses or hunting clubs in Hudson constitute approximately 554 acres. The Green Meadow Golf Course (379 acres) and Hudson Fish and Game (39 acres) represent a significant portion of the privately-owned open space land in Hudson, yet they have no means of permanent protection and face a growing threat of development as land values increase. There are a number of areas protected as common open space with conservation easements, as in the Pond View (43.54 acres), Provincial Heights (19.47 acres), Country Woods (36.93 acres), and Royal Oak (21.81 acres) subdivisions. Combined with other such parcels this type of protected open space totals about 188 acres in Hudson. (However, these privately-owned lands with conservation easements are not well-documented, so there may be additional acreage that fits within this category.) In addition, the Ingersoll Tri-Town Tree Farm is a 204-acre certified tree farm that spans areas of Hudson, Londonderry, and Windham and is owned by the Society for the

Protection of NH Forests (SPNHF) with a conservation easement on the Hudson portion held by the Town.

### **C. Undeveloped Open Space**

There are a number of privately-owned properties in Hudson that currently exist as undeveloped open space. Forty (40) properties over 10 acres in size are listed in Table 2 (Section IIIB.), where the parcels are sorted into the town's 14 neighborhoods, as identified in a map produced by the Nashua Regional Planning Commission (NRPC) for planning purposes. Certain neighborhoods provide more opportunity for open space protection than others.

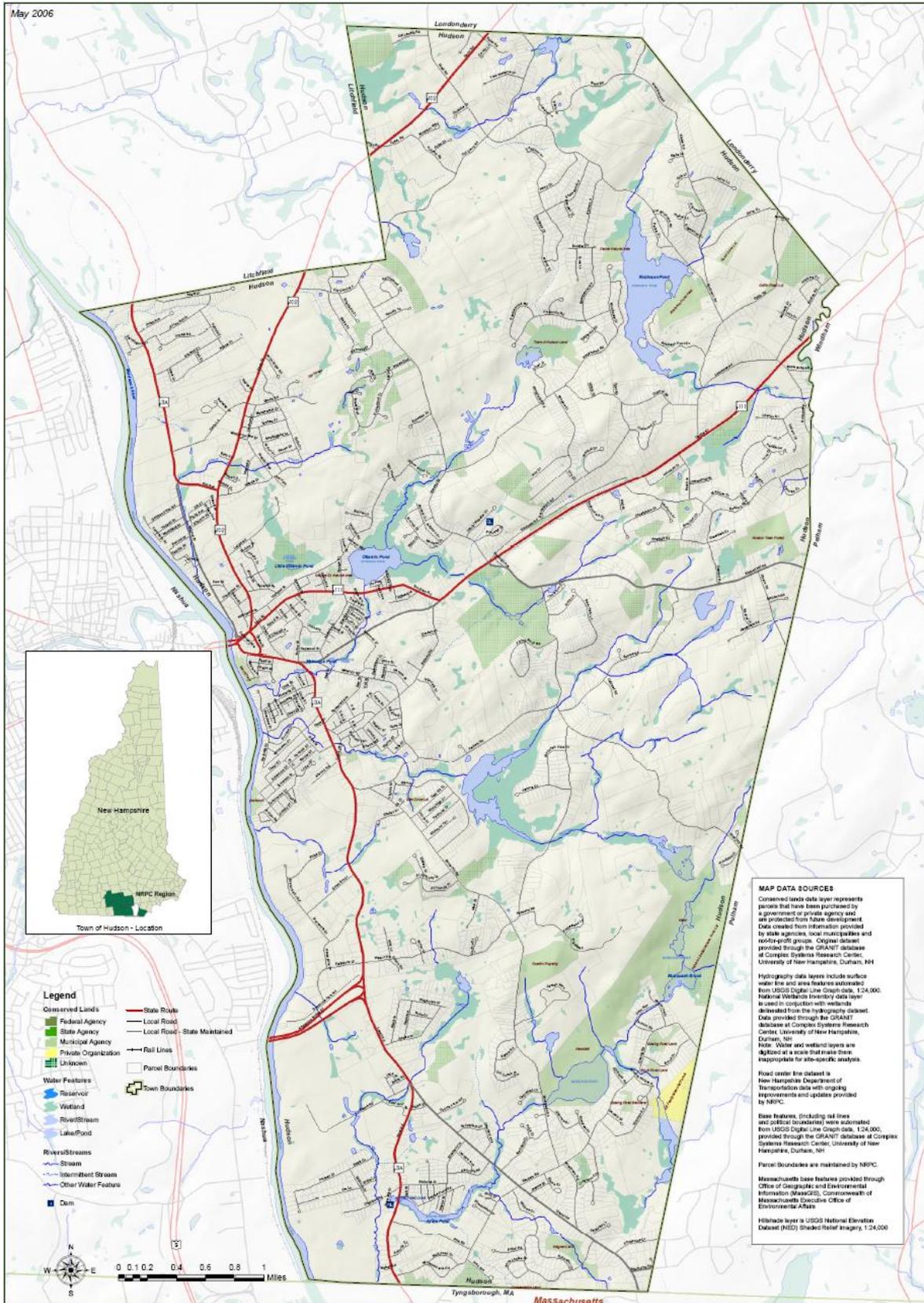


Figure 2. Map of existing conservation land in Hudson prepared by the NRPC in 2006.

### III. Open Space Candidate Areas

For the initial evaluation of candidate areas for open space conservation, members of the Open Space Subcommittee reviewed all of the known undeveloped parcels over 10 acres and developed a prioritized list. This list was developed keeping the criteria outlined below in mind. Each unprotected, undeveloped (open space) parcel was classified as high or low priority for future protection/open space conservation and/or acquisition by the town. The initial evaluation was largely based on publicly available information, such as the Master Plan, Regional Environmental Protection Plan, the Hudson Master Plan, GIS data and general knowledge of the area or particular site. The evaluation of open space parcels for protection will be an ongoing process. Whenever necessary, a site visit with the landowner may be requested to complete a more detailed assessment of the property (Site Assessment Form, Appendix B). Information gathered during the evaluation process will be used to compile a map and listing of the top conservation priorities in Hudson. The list should be reviewed and updated annually.

#### A. Goals and Criteria for Protection

First of all, to be eligible for acquisition a property should meet the following minimum criteria:

- The property is located in or partially in the Town of Hudson (if the property extends into a neighboring town, Hudson's costs will be proportional to the amount of land in Hudson).
- The property meets one or more goals identified in the Hudson Open Space Plan, Master Plan or Conservation Plan and encourages careful stewardship of land and water resources.
- The property owner is a willing seller and wants to collaborate with the Town for the purpose of protecting open space.

One of the most important functions of the Open Space Plan is to identify land protection efforts that will provide the most public benefit to the town. In order to do this, the Open Space Subcommittee developed a more detailed set of criteria and a weighting system for evaluating the public benefit and significance of individual projects that first meet the minimum criteria mentioned above. The evaluation criteria were selected based on the benefits of open space as discussed in the introduction. Each criterion was assigned a weight factor, which will be multiplied by a numerical rating to determine the weighted score. The total property value will be the sum of the weighted scores.

The weighting system was developed by a vote of the Open Space Subcommittee members following a lengthy discussion of the results of the 2004 Open Space Survey and the relative values of the evaluation criteria (Summary of Survey Responses, Appendix C). Overall, close to 90 percent of the surveyed residents replied that Hudson does not have enough open space, and 60 percent were willing to spend tax dollars on acquiring new lands. Aquifers/drinking water, ponds & streams, and quality of life were ranked of highest importance for land protection. The three most favored forms of recreation in Hudson include walking/hiking/running, bird/wildlife observation, and swimming/boating/fishing. This suggests a need and desire for protection of lands that provide linkages between conservation lands or buffers expanding already existing open space areas for recreational trail systems, connectivity of wildlife habitat, and protection of our water resources. The weighting factors will remain constant and the same factors will be used when ranking every potential property. These factors are included on the parcel assessment form (Appendix D).

Each parcel will be rated according to a set of eight criteria: water resource protection, wildlife habitat protection, open space linkages and buffers, working lands, scenic, historic, archeological or geological value, recreational value, size of the parcel, and vulnerability to development (Parcel Assessment Form, Appendix D). The criteria will be used to rate each parcel based on level of importance from 0-3, for minimal or no value, low value, moderate value, or high value.

## **Criteria for Land Protection and Levels of Importance:**

### **Water Resource Protection:**

Water is the most vital resource in any community and will become even more so as our population continues to grow into the future. Water resources represent a variety of values, including drinking water sources, recreation opportunities, wildlife habitat, and flood control. Parcels containing more of certain types of surface water resources (i.e. prime wetlands) will be assigned greater value than parcels containing no significant water resources. Additionally, parcels containing significant water resources may hold considerable value for groundwater recharge (especially in areas where residents depend on wells for water supply). Values will be assigned based on aquifer recharge area. Also, evaluators should consider the capacity for natural vegetative cover on the parcel to reduce contributions from non-point source pollution to the water. Adequate vegetative cover can slow the flow of runoff, reduce sedimentation, and begin to filter out contaminants, helping to protect water resources.

### **Water Resource Criteria:**

Aquifer Recharge:      0 = No aquifer recharge area  
                                 1 = 0-1000 sq ft recharge area  
                                 2 = 1000-2000 sq ft recharge area  
                                 3 = > 2000 sq ft recharge area

Surface Water:         0 = Contains no significant surface waters  
                                 1 = Contains vernal pools, wetlands, and/or seasonal streams  
                                 2 = Contains perennial streams and/or small ponds  
                                 3 = Contains great ponds, prime wetlands and/or rivers

### **Wildlife Habitat Protection:**

Parcels containing prime wildlife habitat will receive special consideration especially if rare, threatened, or endangered species or species of concern in NH are known to occur in or use the area. This may also include habitat areas such as vernal pools that are critical to certain species during particular life phases. Undisturbed natural habitat areas, specialized habitats, and areas with high diversity may be valued higher. Also, areas with habitat corridors for wildlife travel that provide connectivity from one open space area to another have a high value.

### **Open Space Linkages and Buffers:**

Protecting individual habitat areas is important; however, it is more important when these areas are linked to other already protected open spaces. This provides corridors for wildlife movement, as well as opportunities for recreational walking/hiking/biking trails. Another beneficial feature is when an open space parcel acts as a buffer, possibly for wetland areas. Buffers can build on and expand existing open space areas, or even wetlands that are not protected, helping preserve their integrity. In terms of open space linkages and buffers, parcels should be rated as follows:

0 = Provides no linkages or buffers  
1 = Property provides potential for future links to other protected parcels  
2 = Property abuts another protected property  
3 = Property links two or more protected properties

### **Working Lands**

Parcels may hold additional value if actively managed as agricultural land or for timber harvesting operations. These parcels should be rated as follows:

#### **Property is in active agricultural land or prime agricultural soils**

0 = Property has little or no agricultural value  
1 = Property has been farmed in the past or has some potential for agriculture  
2 = Property is in agricultural use but does not contain prime agricultural soils  
3 = Property is in current agricultural use and/or contains prime agricultural soils

#### **Property is in active forest management use**

0 = Property has little or no value for timber

- 1 = Property contains some forested land with potential for future harvest
- 2 = Property contains significant timber stands that could be harvested in the near future
- 3 = Property is an active tree farm

### **Scenic, Historic, Archeological or Geological Value**

A parcel that provides scenic views from a public roadway, access point, trail or waterbody or protects a scenic view; parcels containing unique or significant cultural, historical or archeological structures or artifacts; and/or parcels containing unique geological features might have higher conservation value and should be rated accordingly.

### **Recreational Value**

Conservation lands often hold recreational value, as is the case for many already protected areas in Hudson. Parcel characteristics contributing to higher conservation value include suitability for recreational trails, access to public waterways for fishing and swimming, potential for the creation of athletic fields or neighborhood parks, and potential for nature education. All of these characteristics would ensure that Hudson residents and visitors have the opportunity to enjoy the outdoors.

### **Size of Parcel**

In general, parcels of larger size hold higher value for conservation and open space protection.

Overall size of parcel to be protected and the associated rating:

- 0 = < 10 acres
- 1 = 10-50 acres
- 2 = 50-100 acres
- 3 = >100 acres

### **Vulnerability to Development**

Candidate areas that are the most vulnerable to development may receive special consideration for protection. The following traits will be taken into consideration when determining the value of candidate areas: acreage of developable upland, accessibility/road frontage, and imminence of the threat of development.

### **Funding Leverage**

In addition to the eight criteria outlined above, attention should be given to parcels based on funding leverage. A property will be given additional consideration based on the availability of funding leverage from the landowner or a third party. Factors to be considered include: cost to the Town for the property or easement relative to market value; parcel cost per acre of upland protected; potential for grants for land protection; and potential for sustainable income from property (e.g. farming or forestry operations).

### **Further Considerations:**

A property may score highly based on the land protection criteria and yet not be accepted if one or more of the following conditions apply:

- The property is not large enough to be significant for its purpose;
- The property is found to be irreparably contaminated or the cost of clean-up is too high;
- The property is encumbered by legal issues;
- There is reason to believe that the land/easement would be unusually difficult to manage or enforce;
- Adjacent properties are being, or are likely to be, developed in a manner that would significantly diminish the conservation or public values of the property in question;
- The landowner insists on provisions that would seriously diminish the property's primary conservation or public values or the town's ability to enforce an easement and/or manage the land;
- Ethical or image problems exist in association with the acceptance of the project; or
- The proposed open space or public value is part of a development proposal that, overall, is likely to have significant adverse impacts on conservation resources.

## B. Prioritized Candidate Areas

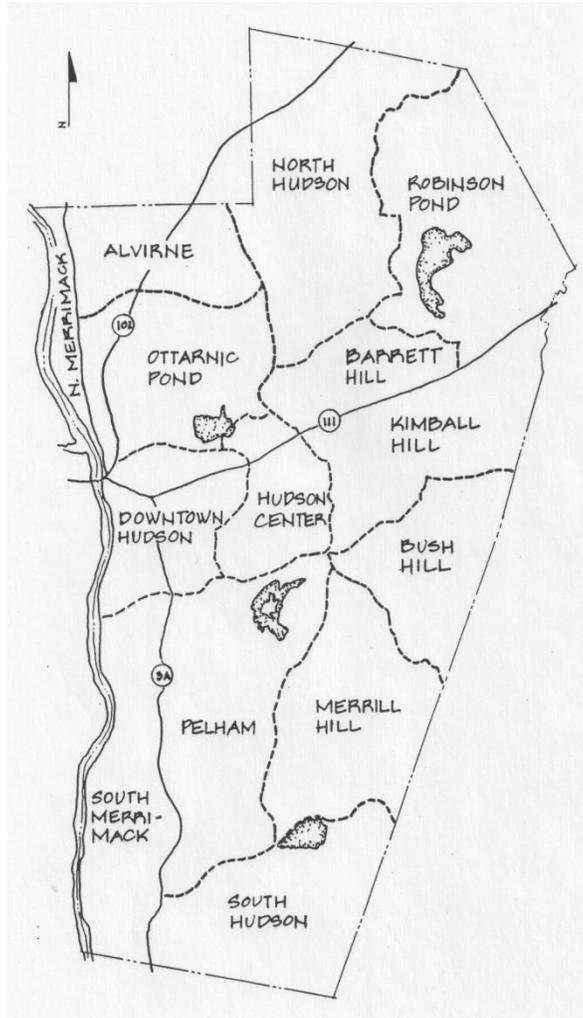
Although the process outlined above should be used to evaluate and compare the value of individual properties prior to acquisition, the Open Space Committee determined that a full evaluation was not feasible for all of the potential open space properties within Town. Instead, the committee decided to do a more limited evaluation of the conservation value of all undeveloped properties in Town over 10 acres in size, giving each property a simple rating of high or low conservation value. This analysis was based on publicly available information about the property's location relative to known natural resources within Town. The analysis is meant to be used as a simple tool to focus future land acquisition efforts. Of the forty (40) currently undeveloped properties over 10 acres, sixteen (16) have been given high priority by the Open Space Committee for open space conservation (Table 2).

**Disclaimer: These parcels represent a sample cross-section of potential open space lots with high quality and significant size. This list is not intended to be all inclusive of potential conservation land in Hudson.**

**Table 2.** Currently undeveloped areas were given a priority designation of high or low by Hudson Conservation Commission.

Neighborhood	Map/Lot No.	Comments	Priority
Merrill Hill	207-3, 213-1	Abuts/provides connectivity to Musquash Cons. Land – ponds, steep slopes, wildlife corridor	H
Barrett's Hill	151-59, 143-6	Mountain views, fields, wildlife, connectivity to Robinson Pond parcels, old farm (same owner)	H
Robinson Pond	144-2, 144-3	Abuts Robinson Pond and other Town Land	H
Pelham	229-33, 235-12	Protects Limit Brook Corridor Pond and Swamp -significant wetlands, streams, steep slopes	H
Pelham	206-1, 211-65	Protects Miles Swamp -- significant wetlands, old farm fields, steep slopes	H
South Hudson	243-32	Adjacent to both Pelham Town Forest and Hills Memorial Forest (NE Forestry Foundation), access to Richman Rd. and scenic pond	H
Bush Hill	194-6, 194-9, 195-2, 195-7, 201-12	Mostly Land locked Parcels adjacent to Proposed Residential Development and Conservation Land, wildlife corridor, ponds	H
Circumferential Highway Corridor (Varies)	169-15, 178-22, 178-26, 186-13, 186-14, 194-5, 201-5, 206-32, 212-16, 212-22, 218-1, 222-44	State owned & privately owned abutting parcels Ponds, streams, steep slopes, wildlife corridor	L
Kimball Hill	172-1	Adjacent to Town Forest - landlocked	L
Pelham	200-7	Abuts Miles Swamp -- prime wetland, adjacent to Town owned land, steep slopes and wetlands	L
Pelham	211-67	Adjacent to (downstream from) former Town Landfill, streams, wetlands, contaminated	L
South Hudson	249-2	Adjacent to 243-32 and Town conservation easement, Heron Pond, private road access	L
South Merrimack	209-1	Large isolated, undeveloped tract, along river, Commercially Zoned, p/o Friar Property, pond	L
North Hudson	102-10	Large isolated, undeveloped tract, town line, wetlands, adjacent to farm fields	L
North Merrimack	128-6	p/o Wilson Farms land, near highway corridor	L
Robinson Pond	106-44, 112-3	Boyd Rd - abuts Town property, swampy	L
Robinson Pond	113-1	Kenia Rd - Large isolated, undeveloped tract	L
Robinson Pond	112-2, 117-1	North of Robinson Rd.	L

The properties in Table 2 are divided into neighborhoods, based on the Hudson Master Park Plan - 1989 (Figure 3). The Open Space Committee evaluated priority parcels from each of the neighborhoods, in an effort to ensure that all areas of the community have access to some level of open space. The properties with highest conservation value tend to be located in the less-developed areas of town, but smaller, more isolated areas of open space are often highly valued by those living in more congested areas of town, such as the “Downtown Hudson” and “Hudson Center” neighborhoods. These areas should also be considered for potential open space protection.



**Figure 3.** Map of Hudson Neighborhoods – Master Park Plan 1989

Additionally, some areas of Town have been previously identified as conservation priorities selected to create wildlife and recreational corridors (NRPC 2003). The Musquash Brook and Gumpas Pond watersheds have been recognized as priority areas for protection due to their significant water resource and wildlife habitat value. The area contains extensive wetlands that still maintain much of their natural integrity. The already existing Nash-Hamblett (Musquash) Conservation Land provides a protection base that can be expanded upon. The Town of Pelham is also working to protect neighboring lands, providing the opportunity to create a large regional greenway. This area potentially provides refuge for species that have been identified as rare, threatened, or endangered in New Hampshire. Furthermore, this area is rich in historical value, as it is one of the earliest settled sections of Town.

Another area previously identified as a priority, includes potential additions that could enhance the social, educational, and ecological benefits of the 166 acre Benson Park (formerly Benson Wild Animal Farm), recently

opened in 2010 by the Town for use as a passive recreation and environmental education park. In 2003, the NRPC estimated approx. 100 AC of land within the Merrill Brook watershed and adjacent to Benson's had not yet been converted to residential or commercial development and could be protected to enhance benefits of the park and preserve the watershed. Also nearby is another 40 AC parcel, however, in 2010 this parcel was permitted for a new age-restricted neighborhood, and it's currently in construction. A similar development is permitted on an adjacent parcel, yet as of August 2011 construction is currently "on-hold". Remaining undeveloped parcels around the Park are under residential development pressure.

### **C. Methods for Further Evaluation**

To supplement the process for identifying candidate areas for conservation protection outlined above, there are other tools that can be applied toward this goal. For example, a Natural Resources Inventory (NRI) is a tool used to provide information about the distribution of natural resources in town. Such things as soils, rivers, ponds, public water supply, wetlands, plants, and wildlife are inventoried and listed or shown on overlay maps. Also wetlands, wildlife corridors, and large blocks of undeveloped land can be inventoried for suitability to be preserved. An NRI can help direct efforts to acquire properties for conservation or easements to protect properties. Also, the 2009 Prime Wetlands Study can be a useful tool in determining wetland areas that should be prioritized for protection.

Another useful tool for identifying priority parcels for conservation is overlay mapping. Overlay mapping involves multiple maps, each representing different resources or values, which are overlaid to reveal clusters of significant resources. This method was traditionally accomplished by entering resource information, such as soil type, wetlands, and open space continuity, on transparent sheets of acetate layered over a base map of tax parcels. However, this can be accomplished much more easily and effectively with today's computerized Geographic Information System (GIS) technology. Once layers have been created and mapped and resource clusters are apparent, those areas can be analyzed further to determine whether they are suitable for conservation protection. By incorporating a connectivity layer, the overlay mapping technique could help to identify areas valuable for sustaining wildlife populations or reveal vulnerable areas with valuable natural resources that might otherwise be overlooked. As Hudson develops a GIS system for conservation purposes, nearby communities and regional planning offices, which might already have an existing compilation of useful GIS data layers, should be consulted. Also, the NH GRANIT website, a statewide GIS database which provides access to a wealth of free GIS information, is a valuable resource.

GIS mapping can also be used as a tool for measuring the value of open space areas through a ranking process based on the overlays. The weighting value already assigned to each criterion on the parcel assessment form (Appendix D) could be adapted and entered into GIS to create maps showing the highest scoring resource areas in town, creating a tool which could be used to identify candidate areas for open space conservation (Litchfield Open Space Planning Protocol Outline). Once those resource maps have been created, they can be overlaid with a tax parcel map and the resource value of any individual parcel could be determined and presented as total resource value or resource value per acre (Litchfield Open Space Planning Protocol Outline).

Finally, this evaluation process may be supplemented with GIS analysis in the future, as map files continue to be organized and data is updated. Natural and cultural resource data layers from the NH GRANIT (statewide GIS clearinghouse) website will be a valuable resource. Using the outlined criteria a more detailed and quantitative analysis would be possible with GIS mapping tools, which would turn the numerical scores from the current evaluation system into extremely useful visual representations. For example, maps of existing conservation lands, most valuable resources, and areas that could be obtained to increase connectivity could be created and used in conservation planning. Not only could the Conservation Commission have a list of prioritized parcels, but also a map of those parcels could easily be produced and would likely be a valuable tool in gaining support for the purchase/protection of new open space areas. Refer to Section V: Implementation Tools for further discussion of the usefulness of GIS mapping.

## IV. Economics of Open Space Planning

Asking voters to approve the spending of large sums of money for open space protection can be a difficult task. Town residents need to be convinced that protecting open space can be a more cost efficient option than allowing for increased development over time. The cost of community services varies considerably based on land use, with the lowest costs most often associated with open land (Table 3). In addition, there are ways to reduce the purchasing costs outright, spread the cost over time, or receive financial assistance from state programs.

One way for the Town of Hudson to reduce the cost of open space protection is through the purchase of deeded conservation easements or development rights. This way the cost to the Town is lower than the outright purchase of the land and the property owner protects his/her land from development while maintaining ownership and limited use of the land and benefiting from a reduced tax rate. Also, the landowner is typically responsible for the maintenance of the property to meet requirements specified in the easement. When compared to the outright purchase of new conservation lands, the purchase of easements can potentially save the Town money by lowering the costs and leaving the maintenance responsibilities in the property owner's hands. This also allows the Town to continue to collect taxes on the property, although at a lower rate than the fully developed property.

Another way to reduce the immediate cost of conservation land for taxpayers is through the use of a bond, which would allow the cost to be spread over 15 or 20 years. By keeping the property undeveloped, the Town stands to save money during those years through much lower costs of community services, which would help offset the cost of purchasing the property. Savings in community services costs will continue to add up even after the bond is paid off.

Also, it is possible to receive financial support from the State through the Land and Community Heritage Investment Program (LCHIP) for conservation efforts, in this case protection of Hudson's open space. LCHIP is a program that was created by the NH General Court to "conserve and preserve this State's most important natural, cultural, and historical resources through the acquisition of lands, and cultural and historical resources, or interests therein, of local, regional, and statewide significance, in partnership with the State's municipalities and the private sector, for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the State's economy, environment, and overall quality of life." It is a grant-matching program for support of local conservation efforts (Town of Hudson 2003).

Another way to reduce costs for protecting open space is to encourage landowners to place their land in current use. The Current Use program, created in 1973 by NH RSA 79-A, authorizes current use taxation of properties to help "prevent the conversion of open space to more intensive use by the pressure of property tax values incompatible with open space usage" (RSA 79-A: 1). This program makes parcels of field land, farmland, and forest land ten acres or more, "nature preserves" or wetlands of any size, and farmland raising more than \$2,500/year eligible for their assessed value to be lowered to a prescribed level by local officials. Then, if the landowner chooses to remove the parcel from the program, they must pay a land use change tax, or penalty, of 10% of the land's fair market value. In 2005, Hudson voted to place 50% of the land use change tax into the conservation fund for the purchase of conservation land (Town of Hudson 2003).

Protecting open space not only provides recreational benefits for the community, but also reduces the need for public services. The "cost of community services" such as emergency services, police and fire, schools, administration, public works construction and maintenance, utilities, and roads, is related to the type of land use and development. Many recent studies have focused on the "cost of services" and concluded that undeveloped space brings in more money in property tax revenue than it requires in municipal services, resulting in a net economic benefit to local governments, whereas new residential development most often results in a net loss to community finances (NYSDEC 2004). This means increases in tax revenue due to new residential development might be insignificant compared to the higher cost of community services that will result. Of course, the outright purchase of conservation land eliminates any tax revenues from the property and this should be taken into consideration when considering open space purchases. Careful land use planning, such as clustered development and redevelopment of areas with existing infrastructure, protects open space areas and is economically responsible. In addition to limiting costs of community services, preserving open space can enhance the property values of nearby residences.

The American Farmland Trust - Farmland Information Center has compiled a summary of results from cost of community services studies nationwide including a variety of communities in the Northeast (Town of Penfield 2001). Basically, for every dollar paid in taxes by commercial or industrial uses, less than one dollar is paid out for services, while on the other hand, for every dollar paid in taxes by residential uses, more than one dollar is paid out for community services (Table 3). Although commercial development leads to a lower cost of community services than residential development, in more than half of the studies summarized below, the cost of community services for open land was even less than the cost associated with commercial land use.

Aside from increased costs of community services that result when open space is converted to residential development, other “costs” also exist. These include increased traffic on local roads and higher demand for recreational facilities. It is also important to consider that even where there is no public access to private or vacant open space areas, people still gain pleasure from the sight of forests, fields, and wetlands. Once an area of land has been developed, a value is lost from the community that may be difficult to measure, but is real. Ensuring a portion of the town’s land is left open and undeveloped can be a low cost approach to protecting the environment. Open space protections can allow scenic vistas and valued historic sites to remain intact for future generations and provide a variety of recreation opportunities, contributing much to the quality of life in Hudson and attracting and retaining economic investment in the town.

**Table 3.** Results of Cost of Community Services studies in the Northeastern U.S. (table modified from Town of Penfield 2001).

American Farmland Trust – Farmland Information Center Summary of Cost of Community Services Studies, Revenue-To-Expenditure Ratios in Dollars				
State/Town	Residential including farmhouses	Combined Commercial & Industrial	Farm/Forest Open Land	Source
<b>Connecticut</b>				
Bolton	1: 1.05	1: 0.23	1: 0.50	Southern New England Forest Consortium, 1995
Durham	1: 1.07	1: 0.27	1: 0.23	Southern New England Forest Consortium, 1995
Farmington	1: 1.33	1: 0.32	1: 0.31	American Farm Trust, 1986
Hebron	1: 1.06	1: 0.47	1: 0.43	Southern New England Forest Consortium, 1995
Litchfield	1: 1.11	1: 0.34	1: 0.34	Southern New England Forest Consortium, 1995
Pomfret	1: 1.06	1: 0.27	1: 0.86	Southern New England Forest Consortium, 1995
<b>Maine</b>				
Bethel	1: 1.29	1: 0.59	1: 0.06	Good, Antioch New England Graduate School, 1994
<b>Massachusetts</b>				
Agawam	1: 1.05	1: 0.44	1: 0.31	American Farmland Trust, 1992
Becket	1: 1.02	1: 0.83	1: 0.72	Southern New England Forest Consortium, 1995
Deerfield	1: 1.16	1: 0.38	1: 0.29	American Farmland Trust, 1992
Franklin	1: 1.02	1: 0.58	1: 0.40	Southern New England Forest Consortium, 1995
Gill	1: 1.15	1: 0.43	1: 0.38	American Farmland Trust, 1992
Leverett	1: 1.15	1: 0.29	1: 0.25	Southern New England Forest Consortium, 1995
Southborough	1: 1.03	1: 0.26	1: 0.45	Adams and Hanes, 1997
Westford	1: 1.15	1: 0.53	1: 0.39	Southern New England Forest Consortium, 1995
Williamstown	1: 1.11	1: 0.34	1: 0.40	Hazler et al., 1992
<b>New Hampshire</b>				
Deerfield	1: 1.15	1: 0.22	1: 0.35	Auger, 1994
Dover	1: 1.15	1: 0.63	1: 0.94	Kingsley et al., 1993
Exeter	1: 1.07	1: 0.40	1: 0.82	Niebling, 1997
Fremont	1: 1.04	1: 0.94	1: 0.36	Auger, 1994
Stratham	1: 1.15	1: 0.19	1: 0.40	Auger, 1994

## V. Implementation Tools

There are many tools available to preserve open space and protect the town's natural resources. Some of these tools are regulatory, such as zoning changes and planning regulation changes. Other tools can be used to protect particular parcels and to work with interested landowners to keep these parcels undeveloped. Public education is also an important tool in the implementation of open space protection efforts.

### A. Land Protection Techniques

#### Regulatory Tools:

Regulatory tools that are available for conservation of open space do not preserve particular parcels, but can provide a framework for conservation efforts. Changing zoning regulations could, for example, allow higher density development in some areas in exchange for open space in other areas. Adding new zoning classifications such as agricultural zones, or historic districts, or open space zoning districts could encourage preservation of open space, natural resources, and cultural and historic landmarks.

Regulations concerning wetland buffers, public water supply protection, and steep slopes should also be scrutinized to be sure the town's natural resources have adequate protection. The creation of overlay districts would add another layer of regulation on a primary zoning district. This could help to further define and regulate areas of Town most suitable for open space preservation. An Environmental Protection Overlay District could protect sensitive environmental features, such as steep slopes, wetlands, woodlands, and watercourses. Information derived from the NRI or Prime Wetlands Study can be used to create these overlay districts.

A review of zoning regulations carried out by the Conservation Commission, the Planning Board, the Zoning Board, and other interested Town officials and citizens could identify areas where zoning rules can be tightened to preserve the character of the area and ensure that any development does not disrupt the area's general character. Model ordinances that provide innovative land use control ideas are available from the state Department of Environmental Services (NHDES) and can be downloaded from their website at [http://des.nh.gov/organization/divisions/water/wmb/repp/innovative\\_land\\_use.htm](http://des.nh.gov/organization/divisions/water/wmb/repp/innovative_land_use.htm).

Another regulatory option is to require or encourage developers with projects abutting specific high priority natural resources to provide protective easements or public access to those resources. For example, developers along the Merrimack River could be asked to allot a right of way for a river walk or a trail along the water, creating a buffer. The agreement could be a permanent conservation easement or could be negotiated for a specified period of time. Public uses of the trail could be limited to pedestrian access only, and the buffer should be large enough to ensure the landowner's privacy.

Many of these regulatory changes would require approval by the voters, and therefore implementation would depend on careful study and an active education process explaining the benefits of any proposed changes.

#### Tools for Acquisition of Property or Conservation Easements:

In addition to regulatory actions, another set of tools for implementing open space planning are the various techniques used to preserve particular parcels of open space and/or undeveloped land. These methods involve cooperation between landowners interested in preserving some or all of their property, appropriate Town officials, and possibly a third party such as a conservation group or a land trust.

Once particular parcels are identified as suitable for open space protection, there are several techniques for accomplishing the task. In general, parcels can be purchased by the Town or deeded to the Town. The Town becomes the owner of the property, or the Town can negotiate a conservation easement with the landowner specifying land-use restrictions and the allowed uses retained by the landowner. In this case, the land remains the property of the landowner or of a land trust.

Conservation easements are voluntary restrictions placed on a piece of property by the landowner. These restrictions bind the current landowner and all future owners to abide by the allowed rights, such as timber harvest

or farming, and the restrictions, such as subdivision of the land. Conservation easements are defined in a legal document, which transfers the restricted rights to an organization such as a land trust or a government body.

Landowners who wish to preserve their land by conveying full ownership of the land to the Town or to a conservation group may do so in several ways:

- Conveyance of property immediately and all at once
- Conveyance of property by will
- Conveyance of property with reserved life estate
- Conveyance of undivided interest in stages
- Conveyance of physically divided parcels in stages

These different methods vary the length of time or the amount of property that is conveyed at any one time. The choice of which of these methods is most advantageous depends on the life circumstances of the landowners and their ultimate goals for the use of the land, as well as tax and other economic considerations for the Town and for the landowners.

Unless the landowner willingly donates the land or the conservation easement on the property, there will be a cost to the town. In general, the cost of development rights or a conservation easement is less than the cost of acquiring the property, because the landowners retain ownership and some restricted use of the land if they donate or sell development rights.

Landowners who donate their land or development rights to a land trust or government body may receive tax benefits. In addition, when development rights are sold, it reduces the property's development potential, and the assessed value of the property declines. A lowered property assessment value means lower property taxes for the landowner. Landowners willing to donate some portion of their property would gain these tax benefits accordingly. After a professional familiar with the laws and tax requirements for land donations appraises the property, the landowners would receive tax benefits for that portion of the assessed value that exceeds the amount paid for the property or the development rights.

Negotiations may take a considerable amount of time, as the landowner and the Town must find an agreement that meets the landowners' needs as well as the town's budget and ability to monitor the agreement to verify that the land uses remain appropriate. Lawyers who are familiar with conservation easements, the tax implications of land transfers, as well as estate planning, will be required to make sure the deals are in everyone's best interest.

## **B. Funding Sources**

Funds for preserving open space may be available from local, state, federal, and private sources. The Town has both a Conservation Capital Reserve Fund and a Conservation Fund in which to accumulate money for open space protection. The Capital Reserve Fund for the purchase of open space for conservation purposes was established under Article 30 of the March 2000 Town Warrant for the purpose of acquiring land, development rights, or conservation easements. This fund can only be expended by a vote of the town. The Conservation Fund, established by RSA 36-A:5, III, is a more general fund that can be expended by the Conservation Commission for conservation purposes, including the purchase of open space. Funds from any of the sources below can be added to the capital reserve fund as they are available.

Local Sources:

- Land Use Change Tax: In 2005, the Town voted "to place 50% of the revenues of all future payments collected from the Land Use Change Tax into the Conservation Fund." This land use change tax money will provide a relatively small but steady revenue stream for the Conservation Fund. Also in 2005, the Town voted to put the unappropriated balance of the Land Use Change Tax Fund from the prior fiscal year into the Conservation Capital Reserve Fund.
- Proceeds from Managing Town Property: If the Town has appropriate property, it could be managed to provide some funds for the Conservation Fund. For example, the Town could authorize a timber harvest from the Town Forest and possibly other town-owned properties to provide a small amount of money for the Conservation Fund.

- **Town Surplus Funds:** Some or all of the town's surplus funds from the prior year's budget could be allocated to the Conservation Fund. This would require a vote by the town.
- **Tax Lien:** Property that is taken over by the Town for non-payment of property taxes could be used for conservation purposes in one of two ways. The land could be designated as conservation land if it fits with the town's conservation plan; all land taken by the Town in this way should be reviewed by the Conservation Commission to determine its conservation value. If the property does not fit in with the town's conservation plan it could be sold to provide money for the Conservation Fund or the Town could exchange the parcel for another parcel with more significant open space values.
- **Municipal Bond:** The Town could agree to borrow money for a specific conservation project or, as some area towns have done recently, borrow money in anticipation of conservation projects in the future. Bond proposals require a two-thirds majority vote. Although the costs of the bond may require a short-term tax increase, the long-term effects of preserving open space will help keep the tax rate as low as possible because Town services will not have to be expanded.
- **Open Space Impact Fees:** The Town could request, through the Planning Board, fees from new developments that can be used to offset the impact of these developments on the community.

#### State Sources:

- **Land and Community Heritage Investment Program (LCHIP):** This state program provides a 50% matching grant, through a competitive application process, for funds to conserve natural, historic, and cultural resources. It has been funded at various levels since it was created in 2000, with heavy competition for the funds available. The town, and especially the Conservation Commission, should encourage our state representatives to fund this important program fully and to provide a permanent source of funding.
- **Water Supply Land Protection Grant Program:** This program provides money to protect land around public water supplies. It is a 3:1 matching program, 75% local and 25% state, which can be used for the purchase of conservation easements or land.
- **Wildlife Habitat Conservation Program:** Funds are available from the NH Fish and Game Department to improve, restore, and protect significant wildlife habitat. A wildlife habitat study would need to be completed to see whether any areas of Town qualify for these funds.

#### Federal Sources:

- **Federal Land and Water Conservation Fund:** This fund works in two ways. It funds projects directly if they are of national significance, or it also provides money to the states to distribute to eligible projects. This funding has been cut back in recent years, and may not be a significant source.
- **Endangered Species Act:** Money or management assistance may be available through the US Fish and Wildlife Service to help protect the habitat of endangered plant or animal species. As mentioned above, a study would need to be completed to determine whether any federally endangered plant or wildlife species eligible for protection are present in town.
- **Farmlands Protection Program:** This fund assists with the long-term preservation of exemplary farms and farmlands. Funding for this program varies from year to year, but because of the loss of so many farms in the area, Hudson may have a better chance of obtaining funds when they are available to help preserve the few remaining farms in town.
- **North American Wetlands Conservation Fund:** This fund provides grants both large (\$50,000-500,000) and small (<\$50,000) for the acquisition, enhancement, and/or restoration of wetlands and associated uplands. It requires a 1:1 non-federal match.

#### Private Sources:

- **Grants from Foundations:** A solid natural resources inventory and community or regional open space conservation plan is important in successfully procuring grants from private conservation sources. Careful research and grant-writing experience are necessary to be successful when seeking grant funds from a foundation. Help in this area could be obtained from a non-profit conservation organization for an appropriate conservation project.

- Donations from Individuals: Many people interested in preserving open space might be willing to donate money, time, and/or expertise to help the town's efforts to identify parcels and acquire the land or the development rights. These donations can be used as matching funds for other grants.
- Cooperative Ventures with Private For-Profit Organizations: Some large businesses have programs to provide assistance to the towns where they are located. Local businesses may also encourage employees to volunteer for open space projects and/or provide financial assistance.
- Cooperative Ventures with Private Conservation Organizations: Local and state private non-for-profit organizations, as well as state affiliates of national organizations, are available to provide help with development of easements, grant applications, development and implementation of long-term stewardship plans, and fundraising.

### **C. Public Education and Outreach**

One of the basic and most necessary tools for open space protection is community education. As preservation of open space often involves a cost voted on by taxpayers, Hudson's citizens must be convinced of the benefits of open space, so they are willing to spend tax dollars for conservation purposes. Open space and conservation planning should be part of all community-visioning projects, Build-Out analysis, Master Plan projects, and all economic studies of the Town. Citizens must be encouraged to think about how they would like the Town to appear in one year, five years, and in ten years. They must be convinced that steps need to be taken immediately to make that vision reality.

Keeping the community informed of any studies, projects, or inventories that are completed is important in developing a plan reflective of community values and a guide for the quantity land to be conserved and identifying the areas of Town that are of highest importance to conserve.

## **VI. Stewardship**

Stewardship is the idea that every person has a responsibility to look after and protect our natural resources for this generation and future generations. Conservation stewards work cooperatively within communities to prevent habitat loss and support its recovery to achieve long-term sustainability. Furthermore, stewards take action to maintain habitat connectivity and prevent destruction of cultural heritage and degradation of wetlands. Successful stewardship can be achieved through careful planning and management of natural resources.

Encouraging Hudson residents to get involved with stewardship activities will not only provide volunteer services and help reduce costs to the town, but will inspire a greater respect for the environment, particularly conservation lands, in the community. Residents dedicated to becoming environmental stewards can share the responsibility with the Conservation Commission (CC) and help with land restoration projects and the continued maintenance of the town's conserved lands, especially as the Town acquires more conservation lands. Hudson has been very successful in recruiting volunteers to help with conservation projects in the past. For example, the Hudson Junior Woman's Club, Alvirne High School and Vocational-Technical Forestry Program, Boy/Girl Scouts, and the general community all joined together to help build trails on the Nash-Hamblett property (Musquash Conservation Area). Many volunteers have also been active in restoring the former Benson's property and turning it into an invaluable community resource (Benson Park).

The CC has considered establishing a formal adoption program to encourage community groups to get involved with maintenance of conservation properties and recreational trails. An adoption program like this might work best if, once a particular property is identified as in need of stewardship, community groups could each take responsibility for clean-ups and maintenance activities for one month out of the year, with guidance from the CC. As volunteer stewardship increases, there will be less pressure on the CC and Town Planning, Engineering, and Highway departments.

Hudson's General Conservation Property Stewardship Plan (Appendix E) serves as a template that can be modified or supplemented for any property. At the end of that document is a form for the baseline documentation of a property with a conservation easement. This form should be completed soon after an easement is placed, in

order to document the natural resources and condition of the land at that time. The baseline documentation will serve as a valuable reference, allowing for future comparison to ensure the conditions of the easement are honored when stewards inspect the property. In addition to grounds maintenance of conservation lands, volunteer stewards could assist with annual assessments of conservation lands to detect any violations of easement agreements. Routine inspections of easement properties completed by trained volunteer stewards would help spot violations that might otherwise be overlooked. The volunteers might even be encouraged to form interest groups focused on the protection of certain resources, such as prime wetland areas or local watersheds.

Community groups and local charitable organizations and businesses can also provide significant funding for local open space conservation projects. Private sector donations can play an important role in open space planning. Open space planning groups can often obtain a variety of materials and/or services from companies to be used in conservation projects. For example, a local lumber store might donate wood for a footbridge or a sign company might donate trailhead signs (NYSDEC 2004).

## **VII. Recommendations**

The Hudson Open Space Committee recommends that the Conservation Commission take the following actions to implement long term open space preservation in the town:

- Generate a more complete GIS-based ranking of priority properties using the Community Technical Assistance Program (CTAP) Open Space Planning Protocol. This evaluation would provide a more objective ranking of the priority properties, using a process similar to that used in Londonderry, Windham and Litchfield.
- Form an Open Space Acquisition Subcommittee to work cooperatively with landowners to preserve and protect the priority open space parcels. Ideally, this would be a committee of 2-3 people with good negotiation skills and knowledge of both conservation values and alternatives for land protection.
- Form a Stewardship/Trails Subcommittee to protect and enhance the value of existing conservation properties. The subcommittee could recruit and work with a larger group of community volunteers to perform regular inspections of these properties, make recommendations to the Conservation Commission for maintenance and improvements to the properties, and work with community volunteers to implement these improvements.
- Conduct a Natural Resources Inventory of the town, targeting the least-developed areas and the parcels that have been identified as priorities for open space protection. This study would provide more detailed information about the unique natural resources within these parcels, which could be used to target limited funding sources to the highest priority parcels. The information could also be valuable in obtaining grants for open space purchases.
- Review and revise the Hudson Zoning Ordinance to encourage open space protection. Consider innovative land use planning techniques such as multi-density zoning and environmental characteristics zoning. Incorporate data from the Prime Wetlands Study and/or Natural Resources Inventory.
- Develop a long term financing plan to fund open space protection within the town. This plan should include currently existing funds (i.e. Conservation Fund, Capital Reserve Fund), annual continuing funding sources (i.e. Land Use Change Tax Fund), and potential future funding sources (i.e. open space impact fees, open space bonds, and grants). Funding for land acquisition should be included in the Capital Improvement Plan and the annual municipal budget process.

## **VIII. Literature Cited and References**

### **Literature Cited:**

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2. Nashua Regional Planning Commission (NRPC). August 2001. Fifty Years of Growth: Analysis of the Impacts on the Nashua Region.
3. NRPC. Regional Environmental Protection Program. 2003 Update.
4. NY Department of Environmental Conservation and NY Department of State- Division of Local Government. 2004. Local Open Space Planning Guide.
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7. Town of Hudson, The Hudson Master Park Plan, A Plan for the Year 2000, May 1989.

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1. Brian Hart and Dorothy Tripp Taylor. Saving special places: Community funding for land conservation. Society for the Protection of NH Forests. 2002.
2. Brenda Lind. Conserving Your Land: Options for New Hampshire Landowners. Center for Land Conservation Assistance. 2004.
3. Dorothy Tripp Taylor, Open Space for New Hampshire: A Toolbook of Techniques for the New Millennium. New Hampshire Wildlife Federation. 2000.

## APPENDIX A

### Town-owned Lands

**Table 4.** Undeveloped town-owned land greater than ten acres in size with protection level indicated.

Map/ Lot #	Street Address	Acres	Wetlands	Comments	Protection level
134-048	Robinson Pond	220	Robinson Pond		State (Great Pond)
219-003	67 Trigate Rd	203.5	3 small streams, small pond	Nash (Musquash) Conservation Land	Permanently Protected (PP)
236-019	74 Musquash Rd	189	Musquash Pond	Hamblett (Musquash) Conservation Land	PP
185-040	27 Kimball Hill Rd	166	Yes	Benson Park	PP
130-015	211 Derry Rd	150	Yes + 2 small streams	Hills House/Alvirne Tree Farm	
205-102	65 Pelham Rd	139.8	Extensive + Hills Meadow Pond	Hills Meadow	Not protected (NP)
175-165	Ottarnic Pond (Ferry St -End of Pond View Dr)	38.46	Ottarnic Pond		PP/State (Great Pond)
171-055	142 Kimball Hill Rd	55	Yes + 2 Small ponds + small stream	Hudson Town Forest	NP
226-002	51 Trigate Rd	50	Yes + small pond	Nash (Musquash) Conservation land	PP
224-004	20 Musquash Rd (to Trigate Rd)	49.97		5193-0866 Guertin Property	NP
135-004	52 Robinson Rd	45.7	On Robinson pond, Town beach	Robinson Pond Park	
125-005	41R Beechwood Rd	41.5	Yes + On Robinson Pond + small stream	Parker Preserve	PP
160-048	70 Rangers Dr	29.1			
138-089	Derry Rd to Webster St Adjacent to Alvirne HS	28.1	Yes		
125-006	Behind Robinson Rd on Robinson Pond	27.5	On Robinson Pond, extensive wetlands	Locked	
253-066	9 Schaeffer Cir	20.58	Extensive		PP
174-106	49 Ledge Rd	17	Extensive + Little Ottarnic pond	Little Ottarnic Pond Area	
247-087	Ayers Pond	14	Ayers Pond		
144-001	Robinson Rd	12.21	Robinson Pond	Part of Robinson Pond	
252-001	37 Winslow Farm Rd	12	Yes + unnamed brook		
235-007	25 Davenport Rd	11.17			
161-040	9 Industrial Dr	10.8	Yes + Small Pond		
231-040	75 Gowing Rd	10.08	Small stream		
<b>Total acres: 1541.47</b>					

**Table 5.** Town-owned properties that are currently in use.

Map/ Lot #	Street Address	Acres	Wetlands	Comments
151-054	Rangers Dr	0		Pump Station
182-218	73 Central St (cor Lowell Rd)	0.17		Fire Dept Memorial
182-095	39 Ferry St	0.171		Fire Admin
161-038	19 Industrial Dr	0.18		Pump station
176-035	239 Central St.	0.3		Cemetery
165-066	24 Federal St	0.4		Pump station
110-040	126 Old Derry Rd	0.44		Cemetery
183-084	11 Gordon St	0.5		Water Tower
204-010	4 Pelham Rd	0.8		Graveyard
242-050	90R Musquash Rd	0.8		Graveyard
182-170	2 Oakwood St	0.82		Rec. Center
182-221	Oriole St (Lions Ave)	0.89		Townroad (paper street)
205-095	33 Glen Dr	0.91	Significant, Hills Meadow Pond	Pump station, steep drop to wetlands
218-010	88 Burns Hill Rd	0.923	Small pond	Fire station
111-017	151 Robinson Rd	0.93	Yes, extensive	Boat launch
182-094	18 Library St	0.95		Hills Memorial Library
182-220	Oriole St (Lions Ave)	1		Townroad (paper street)
182-184	13 Lions Ave	1.148		Parking for Comm. Center
156-064	Webster St	1.151	Small stream	Right of way
247-002	8 Pine Rd	1.21	Yes	House built by school
182-101	12 School St	1.4		TownHall
182-110	20 Library St	1.786		Library St. Elementary School
170-044	1 Constitution Dr	4.556		Police Station
182-109	33 School St	8.05		H.O. Smith Elementary
182-175	12 Lions Ave	8.84	Yes	Lions Hall
198-151	10 Pelham Rd	16.24		Nottingham West Elementary School
211-066	82 Burns Hill Rd	16.87	Yes	Former Landfill
139-009	190 Derry Rd	18		Hills Garrison Elementary School
170-030	2, 4, 6 Constitution Dr	18.6	Yes	Highway Facility
100-002	26 West Rd	38	Yes	Former landfill
130-003	200 Derry Rd	45	Yes + 3 small streams	Alvirne
129-008	200 Derry Rd	45	Yes- small pond, several small streams	Alvirne HS
166-100	71 Derry St	49	Yes + small stream	St. Patrick's Cemetery
<b>Total acres: 285.04</b>				

**Table 6.** Town-owned properties recommended for sale by the Conservation Commission.

New Map	Street Address	Acres	Wetlands	Comments
175-011	83R Highland St	0.1		Small, landlocked
203-003	34 Atwood Ave	0.11		
203-004	36R Atwood Ave	0.17		
203-009	8 Willard St	0.17		
203-010	10 Willard St	0.17		
203-012	14 Willard St	0.17		
182-093	47 Ferry St	0.206		Cape house on lot, near library
182-092	49 Ferry St	0.206		Library house, to be sold by library
165-057	17 Federal St	0.22		
175-007	12 George St	0.261		Deed 2004-80, together w/ 171-017,011
165-064-001	19 Merrimack St	0.29		Deed 1946-13, with 165-064-001
165-128	11 Summer St	0.29	Some wetlands	
190-094	Riverview Ave (1-20)	0.344	On Merrimack River	
175-082-001	8 Cliff Ave	0.39		GIS lists owner unknown
182-092	40 Ferry St	0.43		House near library
203-006	4 Willard St	0.6		
165-064	17 Merrimack St	0.61		Deed 1946-13, with 165-064-001
203-017	32 Brenton Ave	0.75		
136-022	5 Hopkins Dr	0.94		
129-003	14 Adam Dr	1		
203-019	37 Atwood Ave	1		
111-065	24 Chagnon Ln	1	Small pond	Pond may restrict house size, location
247-075	17R Ayers Pond Rd	1	On Ayers Pond	
138-016	13 Forrest Rd	1.05		
247-051	3 Chestnut St	1.522		
203-013	5 Willard St	1.6		
118-008	40 Kienia Rd	4.5		
<b>Total acres: 19.1</b>				

**Table 7.** Town-owned properties recommended by the Conservation Commission to be sold to abutters, but might be of limited value due to size, wetlands, or other restrictions.

New Map	Street Address	Acres	Wetlands	Comments
182-073	15 Webster St	0.01		
175-046	12 Waterlily Path	0.015		
197-212	16 Atwood Ave	0.05		
198-009	14R Atwood Ave	0.057		
165-028	16 Campbello St	0.087	On Merrimack River	
175-089	11 Cliff Ave	0.1		Small corner of lot
197-203	16 Brenton Ave	0.11		
241-069	33R Dracut Rd	0.11		
197-199	8 Brenton Ave	0.17		
197-200	10 Brenton Ave	0.17		
197-209	19 Atwood Ave	0.17		
197-201	12 Brenton Ave	0.23		
246-088	Chalifoux Rd	0.262		Narrow, neighbors use for parking
184-007	8R Gordon St	0.28	Yes	
154-030	32 Sullivan Rd	0.3	Large stream	Slopes to stream
201-009	112 Bush Hill Rd	0.3		Sharp corner on road
191-051	5R D St	0.32		Frontage on E St
167-007	6R Power St	0.34		
191-157	2 Merrill St	0.35		
182-189	15 Hurley St	0.55	Small stream	
197-194	21 Brenton Ave	1		
216-015	204 Lowell Rd (& Hardy Rd)	1.3	Small brook	
202-001	Bush Hill Rd (Rear)	2		Landlocked
251-022	92 River Road	2.45		Narrow, limited frontage
<b>Total acres: 10.73</b>				

**Table 8.** Town-owned properties recommended by the Conservation Commission to be kept for conservation land or recreational areas.

Map/ Lot #	Street Address	Acres	Wetlands	Comments
175-068	Lakeside St	0.06	Borders Ottarnic Pond	Steep, on Ottarnic pond
253-081	Schaeffer Cir	0.121		Cons ROW
182-005	55 Central St	0.13	Small stream	Dumping
182-009	15R Reed St	0.206	Abuts small pond	
182-023	45R Central St	0.206		Town ROW
165-038	1 Kenyon St	0.23	Small stream	
228-040	1R Rose Dr	0.28	Extensive, small pond	
173-017	16 Tolles St	0.31	On Merrimack River	Clean up
253-079	Anna Louise Dr	0.359		Cons ROW
197-012	28 Radcliffe Dr	0.4	On Merrimack River + Second Brook	Sousa donation
253-080	Schaeffer Cir	0.443		Cons ROW
165-002	88 Webster St	0.46	Small stream	
205-059	20 Parkhurst Dr	0.47	Extensive	
205-044	15 Woodridge Dr	0.47	Significant	
205-045	13 Woodridge Dr	0.47	Significant	
241-066	52 Dracut Rd	0.5	Yes + abuts small stream	No frontage
205-060	22 Parkhurst Dr	0.52	Yes	
182-182	0R Lions Ave	0.626	182-183	Recreation, senior center
133-028	Terra Ln Ext	0.678		
116-022	8R Henry Dr	0.69		
134-016	19 Woodcrest Ave	0.69	Extensive, small stream	
145-004	415 Central St	0.7	Abuts Beaver Brook	
138-063	8 Alvirne Drive	0.7		Poorly drained soils on site
227-007	45 Sagamore Park Rd	0.7	On Merrimack River	Access to river
175-120	8 Ridge Ave	0.708		
182-183	7R Lions Ave	0.75		
167-084	14 Monroe Dr	0.75	Extensive	
198-146	20 County Rd	0.77	Second Brook	Jette Field
205-043	17 Woodridge Dr	0.97	Yes	
111-019	149 Robinson Rd	1	Yes	
204-029	65 Glen Dr	1	Yes + Small stream + Abuts small pond	Steep drop to stream
237-058	30R Richman Rd	1	Abuts NEFF land	Locked
212-017	99 Wason Rd	1.05	Small brook	
182-083	3 Derry St	1.13		Library Park
165-001	78 Webster St	1.183	2 small streams	Dumping
190-108	9 Gillis St	1.2		Abuts Merrill Park, steep
229-001	12 Rena Ave	1.2	Yes + small stream	
182-214	8 Melendy Rd	1.2		Skate Park
168-085	11R Daniel Webster DR	1.3	Extensive	
161-039	17 Industrial Dr	1.317	Small pond	Abuts larger area, clean up
197-002	8 Radcliffe Dr	1.9	On Merrimack River	Cons. Easement
212-014	113 Wason Rd	2.69		
130-005	49 Adam Dr	2.74	Yes	

235-008	288R Lowell Rd	3		
160-031	49 Rangers Dr	3.013	Yes, extensive	
198-149	20R County Rd	3.5		Jette Field
168-001	8 Greeley St	3.58	Small stream	Ball field
169-002	36 Windham Rd	3.626	Small stream	
193-023	55 Bush Hill Rd	3.943	Extensive	Deed 1872-460
223-026	55 Wason Rd	4	Small stream	Opposite Cin-Free Dr
175-017	79 Highland St	4.5		GRANIT cons land, together w/ 171-007,011
186-001	33 Bear Path Ln	4.66		Thurston's Leap
253-006	10 Schaefer Cir	5.26	Yes	Cons Easement
203-068	25 Sycamore St	5.33	On Merrimack River	LWCF - Birchcroft cons. Land
247-045	4 Chestnut St	5.384	Borders Ayers Pond	Good for park
237-013	49R Gowing Rd	5.4	Small stream	Locked
175-074	162 Ferry St	5.77	Yes + on Ottarnic Pond	Merrifield Park
204-031	66 Glen Dr	6.4	Yes, Stream	Steep drop to stream
237-047	5 Brook Dr	6.631	2 small streams	
248-076	9 Gowing Rd	8.277	Extensive	Deeded Cons Land, Country Meadow Estates
220-002	1R Woodland Dr	8.603	Abuts small pond	Deeded Cons Land, abuts Musquash/Woodland Estates
182-042	23 Maple Ave	9.3	On Merrimack River	Merrill Park
<b>Total acres: 134.45</b>				

## APPENDIX B

### Site Assessment for Town-owned Properties

### Hudson Open Space Subcommittee

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**Parcel Identification:** TownTax Map #: \_\_\_\_\_ Lot #: \_\_\_\_\_ Legal Ref: \_\_\_\_\_  
Lot size (acres): \_\_\_\_\_ Zoning: \_\_\_\_\_  
Street Address (or nearest access): \_\_\_\_\_

**Accessibility** (check one):

- Direct access to public road
- Legal right-of-way but no cleared access
- No legal access
- Other limitations (describe)

**Current Property Use** (check one and describe):

- Town/school district building
- Recreational property
- Public utility
- Undeveloped
- Other (landfill, cemetery, etc.)

**Watershed District** (check one):

- Beaver Brook
- Glover Brook
- Robinson Pond
- First Brook
- Chase Brook
- Long Pond
- Second Brook
- Musquash
- Merrimack River

**Topography/Natural Features** (check all that apply):

- Flat plain
- Extensive wetlands on site
- Rolling hills
- Forested
- Steep slopes
- Shrublands/Old Pasture
- Ledge at or near surface
- Grassland
- Some wetlands on site
- Cultivated

**Contiguous with or Close To** (check all that apply):

- Residential Development
- Industrial/Commercial Development
- Other public land (specify)
- Conservation land
- Undeveloped land

**Features Limiting Development/Resale of the Property** (check all that apply):

- Extensive wetlands
- Steep slopes
- Lack of access
- Potential contamination sources (landfills, runoff, etc.)
- Landscape alterations (power lines, clear cuts, dumping, etc.)
- Easements/deed restrictions
- Zoning restrictions (size, frontage, sight distance, etc.)

**Features Favoring Conservation of the Property** (check all that apply):

- Wildlife habitat/corridors
- Recreational potential
- Scenic vistas
  
- Historic structures
- Contiguous with other conservation lands
- Protects/buffers surface waters or aquifers

**Other notable features of this property** (use reverse side if needed):

**Recommendation:**

- Preserve as conservation land/open space
- Preserve for other Town uses (state potential use)
- Obtain additional information (state type of information needed)
- Sell for potential development
- Other (describe)

**Assessment Completed by:**

\_\_\_\_\_

**Date:** \_\_\_\_\_

## APPENDIX C

### Summary of 2004 Open Space Survey responses

#### Summary Statistics from Hudson Open Space Survey distributed in 2004

Response	Percent
Those that think we do not have enough open space	89.4%
Those that think we have enough open space	5.5%
Those that don't know or are unsure	5.6%
Those who are willing to spend tax dollars to acquire open space	60.4%
Those who are not willing to spend tax dollars	18.3%
Those that don't know or are unsure	19.3%
Those who are willing to Finance Open Space with a bond issue	60.7%
Those who are not	10.0%
Those that don't know or are unsure	23.2%

#### Areas Thought Most Important for Protection (total responses)

Musquash	Benson Park	Ponds, Rivers, Brooks	Nadeau Farm	Any or all	Other areas
83	79	52	38	25	32

#### Land type/uses viewed as the most important to protect (by percent of total responses)

Importance	Aquifers / Drinking water	Ponds and Streams	Quality of Life	Forests and Farmlands	Plants and Wildlife	Save Tax Dollars	Natural Land-scapes	Rural Heritage	Rec. Trails	Rec. Lands (sports)
<b>Very</b>	91.3	90	87.3	84.7	82.6	75.5	70.4	66.2	61.7	57
<b>Somewhat</b>	6.3	7.7	9	10.8	13.2	16.6	20.6	24.5	23.7	30.9
<b>Not</b>	0.5	0.5	0.8	1.8	1.3	3.4	3.7	5	6.9	8.2
<b>Unsure</b>	0	0	1.1	0	0.3	1.1	0.5	0.5	1.3	1.3

#### Favorite Forms of Recreation

Walking, Hiking, Running	Bird/ Wildlife observation	Fishing, Boating, Swimming	Biking	Picnics	Organized sports	Nature photos, painting	Cross-country skiing	Hunting
82.1	49.9	49.3	47.2	40.9	36.9	25.3	19.3	11.3

#### Years of Residency in Hudson

20 or More	10 to 19	5 to 9	Less than 5
36.7	26.4	15.3	17.7

## APPENDIX D

### Parcel Assessment Form for Candidate Areas

Parcel ID (tax map, lot, parcel) \_\_\_\_\_ Owner(s): \_\_\_\_\_

**Instructions:**

Step 1: Rate the property against each criterion according to the following levels of importance:

0 = minimal or no value; 1 = low value; 2 = moderate value; 3 = high value

Step 2: Multiply the parcel rating by the weight factor for that criterion to get the weighted score

Step 3: Add all of the weighted scores and compute the total for the property

Criterion	Weight Factor	Parcel Rating	Weighted Score
<b>Water Resource Protection</b> <ul style="list-style-type: none"> <li>- Contains community or non-community wellhead protection areas or aquifer recharge areas</li> <li>- Contains rivers, riparian corridors, streams, ponds, vernal pools, wetlands or other surface water bodies</li> </ul>	10		
<b>Wildlife Habitat Protection</b> <ul style="list-style-type: none"> <li>- Rare, threatened or endangered species or species of special concern in NH</li> <li>- Specialized habitats, natural communities or diverse habitats</li> <li>- Wildlife travel corridor</li> <li>- Habitat critical to species during particular phases of their lives</li> </ul>	9		
<b>Open Space Linkages/Buffers</b> <ul style="list-style-type: none"> <li>- Buffers, expands, links or adds other conservation value (e.g. wildlife corridors, recreational trail linkages) to existing protected properties</li> </ul>	10		
<b>Working Lands</b> <ul style="list-style-type: none"> <li>- Property is in active agricultural land or prime agricultural soils</li> <li>- Property is in active forest management use</li> </ul>	8		
<b>Scenic, Historic, Archeological or Geological Value</b> <ul style="list-style-type: none"> <li>- Provides scenic views from a public roadway, access point, trail or waterbody or protects a scenic view</li> <li>- Contains unique or significant cultural, historical or archeological structures or artifacts</li> <li>- Contains unique geological features</li> </ul>	4		
<b>Recreational Value</b> <ul style="list-style-type: none"> <li>- Is suitable for recreational trails for walking/hiking and enjoying nature</li> <li>- Provides access to public waterways for fishing and swimming</li> <li>- Is suitable for the creation of athletic fields</li> <li>- Is suitable for neighborhood park</li> <li>- Has potential for nature education</li> </ul>	5		

### Parcel Assessment Form for Candidate Areas (con't)

Criterion	Weight Factor	Parcel Rating	Weighted Score
<b>Size of Parcel</b> – Overall size of parcel to be protected (> 100 acres =3; >50 acres = 2; >20 acres = 1)	5		
<b>Vulnerability to Development</b> – Acreage of developable upland – Accessibility/road frontage – Imminence of the threat of development	5		
<b>Funding Leverage</b> – Parcel cost relative to market value – Parcel cost per acre of upland protected – Potential for grants for land protection – Potential for sustainable income from the property	10		
<b>TOTAL POINTS</b>			

Evaluated by: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed/Accepted by Open Space Committee: \_\_\_\_\_

Reviewed/Accepted by Conservation Commission: \_\_\_\_\_

## APPENDIX E

### Hudson General Conservation Land Stewardship Plan

#### TOWN OF HUDSON

#### CONSERVATION PROPERTY STEWARDSHIP PLAN

##### General Plan

##### Purpose

The following general stewardship plan for the Town of Hudson is based on the Land Trust Alliance Standards and Practices, which the Town of Hudson has adopted. This plan shall be included in the contractual definition of the conservation property. The plan defines the methods and means that Hudson will use for long-term preservation and protection of the natural, cultural, and historical resources of these properties. The vehicle for the perpetual protection of this property may be either a conservation easement or a deed for purchased property. This stewardship plan covers actions to manage the resource assets in accordance with all legal obligations. It provides for:

- A baseline Documentation Report.
  - Identification of Stewardship responsibilities.
  - Interface definitions for any government or private organizations that have an interest in the easement or property deed.
  - Establishment of permitted rights for the property, and the posting of the same.
- 
- A monitoring program to ensure that the owner performs regular maintenance and upkeep.
  - Enforcement policies and procedures.
  - Educating or informing those that might negatively impact upon the resource asset about the need for and/or legal obligation to protect and preserve it;
  - Securing sufficient levels of financial resources to carry out all such necessary actions.
  - A contingency plan in the event that the Town can no longer perform the stewardship.
  - A procedure for amending the plan that assures all affected parties are included in the approval.
  - Documentation of the important conservation values, and the percentage of the full value of the property represented by the easement in order to defend the town's rights in the event of a condemnation action.
  - Recognition of a need to preserve public rights in the event of a court ordered extinguishment of the whole or part of the easement agreement, and to involve any partners in the easement.

Hudson is legally and morally committed to the perpetual stewardship of these easements; will regularly monitor them, maintain contact with the easement property owners, and enforce easement terms if they are violated. This plan includes contingency provisions in the event Hudson can no longer fulfill its stewardship obligations. In the event this plan is amended, or additional management information, including the forest management plan, is generated by or provided to the town, a copy will also be provided to any partners involved in the easement or successor agency. The availability of tracts of this

size in southeastern New Hampshire is rapidly declining due to development. The perpetual stewardship of these lands may be held separately by the Towns of Hudson and other towns or agencies. There must be a coordinated and cooperative effort among the participating organizations to achieve the greatest benefit.

#### Baseline Documentation Report

As a minimum the report shall include a baseline map signed by the land owner and included in the closing; a description of the important conservation values, and the relevant conditions of the properties necessary to monitor and enforce the easement. In the event that seasonal conditions prevent a complete disclosure a full baseline documentation, a schedule for finalizing the full report and acknowledgement of interim data are signed by the landowner.

#### Stewardship Funding

Monitoring of conservation easements in the Town of Hudson is the responsibility of the Community Development Department with the assistance of the Conservation Commission. The function of conservation easement monitoring is integral with other functions of the Community Development Department such as code enforcement. As such, the cost of easement stewardship is already contained in the annual Town operating budget. Any funds provided by other agencies would be used to reimburse the Town for the services involved in easement stewardship. This resource will not, however, be considered available until the Town receives it.

Of particular note is the potential cost of legal activities associated with maintaining the conservation easement. This cost is likely to be sporadic, but significant, and unpredictable. The Town of Hudson retains a Town Attorney and maintains a line item in its annual operating budget to address general legal contingencies for the town.

If deemed necessary, the funds derived from the operating budget of the Town could be supplemented by funds from the Hudson Conservation Fund. The expenditure of these funds is subject to the approval of the Conservation Commission.

#### Easement Monitoring

The Community Development Department, assisted by the Conservation Commission, has overall responsibility for the monitoring and enforcement of town-held conservation easements, as well as for the management of town-owned conservation lands. The monitoring task is specifically assigned to the code enforcement officer. The role of the Hudson Conservation Commission is primarily to provide support to the code enforcement officer through informal monitoring of activity on conservation easements and conservation land within the town.

Presently, the Hudson Community Development Department and the Conservation Commission conduct ongoing easement monitoring. Easement monitoring is a three-step process involving the establishment of the baseline status of the property, regular inspections to ensure compliance with the easement, and legal enforcement of the easement in the event of violations.

It will be the duty of the Hudson Conservation Commission to conduct the baseline survey of the Hudson portion of the property. This survey will generate a case file that documents the condition of all resource assets on the restricted land at the time of acquisition, or as close to that time as is possible. The baseline documentation (Attachment 1) will provide a list of resource asset features to be used in subsequent monitoring. This easement case file will be permanently filed in the Community Development Department.

Formal monitoring of the property will be conducted at least annually or as required by the agreement, after acquisition of the conservation easement or property deed. The landowner will be notified of the time and date of the monitoring visit. The code enforcement officer will conduct the inspection of the property. Following the inspection, a monitoring report shall be generated providing information on the status of the property with regard to the conservation easement and noting any potential violations or changes adversely affecting the easement. As a minimum, this report shall include all information contained in the 2002 LCIP Protected Lands Annual Monitoring Inspection Report (Attachment 2). In addition, any actions taken as a result of the monitoring report, regarding interpretation and/or enforcement, will be documented and appended to the report, so that the next monitoring visit will consider the actions/interpretations resulting from the previous report.

The easement shall provide for public access to and across the Property, for wildlife observation, hiking, cross-country skiing and similar transitory, low-impact, non-commercial recreational activities, but not for camping. The owners may enforce restrictions against higher impact uses, but, as part of the monitoring program, the code enforcement officer will ensure that the property is posted against uses not authorized under the easement. At the same time, the Town will work with the owners to control access times and entry points to ensure that public access does not have a detrimental impact on the natural resources of the property.

The monitoring report, along with any supporting documents deemed necessary by the monitor(s), will be filed within the easement case file. A copy of the report shall be provided to the Hudson Conservation Commission for review, comment, and further action as deemed necessary including repeating the monitoring inspection. A copy will also be provided to any partners in the easement.

#### Landowner Contact

The Assessor will annotate each property record on which the Town of Hudson holds a conservation easement with a flag to notify the Community Development Department whenever a change of ownership occurs. The Community Development Office will then notify the Conservation Commission at its next meeting of the change of ownership. The code enforcement officer will establish contact with the new owner to personally deliver the easement copy, discuss its contents and answer any questions the owner may have. The code enforcement officer will ensure the new owner understands each of the restrictions and permitted uses, is aware of the monitoring schedule and procedure and is invited to accompany the monitor during monitoring visits. The goal is to ensure the owner develops an attitude of co-stewardship with the Town of Hudson and has a personal point of contact whenever questions or issues arise.

In the event the landowner is unable or unwilling to accompany any monitoring visits, the monitor will arrange a separate meeting with the landowner to discuss the results of the monitoring visit and to give the landowner the opportunity to raise questions or issues. Results of the meeting will be recorded on the monitoring report (Attachment 2), a copy of which will be provided to any partners in the easement or their successor agencies.

If a monitoring visit discloses that property monumentation or blazing has deteriorated so as to compromise accurate monitoring, the monitor will encourage the owner to have the situation corrected. If the owner is financially unable or unwilling to correct the situation the Hudson Conservation Commission will consider remedies on a case-by-case basis, considering the nature of abutting properties, streams and roads; the degree of deterioration and the cost of remedial action.

#### Enforcement of Easements

In the event of an apparent violation of the conservation easement, the Community Development Director can initiate appropriate action to remove the violation. These actions will be analogous to the actions

taken in any issue of code compliance. Initial action will be taken to formally inform the landowner of the apparent violation and the requested action needed to eliminate the easement violation. In addition, the Community Development Director will notify the Conservation Commission and any partners. If, following a reasonable period, the owner makes insufficient progress in correcting the violation, the Community Development Director will, following discussions with the Executory Interest Holder, the Town Manager and Town Attorney, initiate and carry out procedures to seek legal remedies to the violation.

#### Contingency Plans/Back-ups

The Community Development Department and the Hudson Conservation Commission are required to submit annual reports to the Town. A member of the Board of Selectmen sits on the Conservation Commission to provide liaison between the two Boards and the Community Development Department routinely provides input on its activities to the Board of Selectmen. Failure of the responsible parties to discharge their stewardship duties should be detected by the Town Manager, the Board of Selectmen and/or the citizens of Hudson and promptly remedied.

The Town of Hudson shall grant an Executory interest in the easement to the State of New Hampshire and will be subject to its terms. In the event the Town foresees that it can no longer fulfill its stewardship obligation, it will consult with appropriate state officials to determine whether a transfer of the easement to the State or another land trust should be initiated.

In the event the Town fails to fulfill its stewardship obligation, the State shall assume control of the easement, acting through LCHIP or its assigns.

**Baseline Documentation for Conservation Easement**

**Owner Name/Address:**

**Property Location:**

Road:

Tax Map:

**Land Types:** # acres:

\_\_\_% Forestland

\_\_\_% Farmland

\_\_\_% Wetland

\_\_\_% Buildings & Ground

\_\_\_% Other

**Easement Restrictions:**

**Easement Permitted Uses:**

**Key Natural Features:**

**Key Historic and Cultural Features:**



# Appendix F

## Potential Open Space Acquisition Map

Hudson Conservation Commission  
Open Space Report 2012

**Legend**

- Existing Open Space
- High Priority Lots
- Lower Priority Lots

