

Sharon Conservation Commission  
November 14, 2024  
Minutes

On Thursday November 14, 2024, a regular meeting of the Sharon Conservation Commission was held at the Sharon Meeting House on Route 123 in Sharon, New Hampshire at 6:30 p.m. In attendance were Anne Booth, Belinda Backstrom, Anne Fischer and Beth Fernald.

Also in attendance were Robert Hauser, Gina Goff, Michael Williamson, Ken Callahan, Megan Cahill, Jim Martens, Jud Crawford, Richard Nichols and Paul Doscher

**Financial**

Fund balances ending 10/31/2024.

Town Forest Fund	Interest: \$ 71.53	Balance: \$ 84,945.20*
Conservation Fund	Interest: \$117.29	Balance: \$139,286.13

\*Reflects \$10,030.00 paid to Moosewood Ecological, LLC for T F Inventory

**Pond Dredging** (51 NH Route 123 – Map 5, Lot 18)

Jud Crawford and Richard Nichols were in attendance to ask about local permitting requirements for dredging an existing pond. They had provided the Cons Com with a letter from their consultant, Meridian Land Services, Inc., which states: Pursuant to RSA 482-A:3 IV (b) “man-made ponds that were legally constructed...may be modified as necessary to preserve their usefulness without a permit...” As the pond was constructed prior to 1967 and has been used for a variety of activities, it does not meet any of the abandonment criteria and the footprint of the pond will not be changed. Meridian said “it is the opinion of this office that you are statutorily exempt from State and Federal permitting. As Sharon follows State and Federal permitting requirements, the ConsCom informed the Nichols’ family that there would be no further requirements.

Jud and Richard said the dredged material will remain on the property and that when the water is removed, it will be drained into the nearby area. The work is expected to be done in December, unless the ground (and water) freezes. In that case it will be done next fall.

Cons Com members will visit the property when the work is being done as well as when it is complete. The Nichols’ family will inform the Cons Com as to the start date.

**Conservation Easements**

The Cons Com welcomed Paul Doscher, Conservation Advisor and long-time (now retired) VP for Land Conservation at the Forest Society to meet with us regarding current Sharon conservation easement issues.

Paul informed the Cons Com that the tax credits can be significant for donations of conservation easements and that they have now been extended to fifteen years, making

them more applicable to many income levels. However, he stated that the primary purpose of donating an easement is conservation. He said the best place to find details is the Land Trust Coalition, which he recommended the Sharon ConsCom have on hand. He said “don’t negotiate on your own.” Instead, he recommends that the ConsCom work with a land trust such as the Forest Society, Nature Conservancy, NEFF, or Monadnock Conservancy. He also recommended asking someone from the Monadnock Conservancy or other group to speak to us about how to reach out to land owners, and that once we reach out, “prepare to wait.”

Paul also pointed out the neighbor effect—when one neighbor puts land into conservancy and talks about the benefits--it can trigger others. Some also launch a challenge, whereby a neighbor will agree to donate an easement if owners of contiguous properties do the same.

When discussing the challenge of residents who feel that a CE ties up their land for future generations, he said that a CE allows the landowner to still do all kinds of things on the land, plus it offers a tax benefit.

Current use: He noted that a CE automatically qualifies the land for current use, even if the acreage falls below the regular minimum needed for current use.

Cost: He acknowledged that the cost can be significant, and often requires beginning with a survey and sometimes an appraisal. He suggested that the ConsCom be ready to help with some of the costs, and Anne Booth noted that we have done that with CEs in the past.

Independent advisor: For landowners who are interested but who need guidance, Paul recommends an independent advisor, and he has names he can share. He suggested that the Cons Com cover the cost of the advisor. One thing an advisor can help with is understanding the financial consequences of selling the land (capital gains taxes) versus a CE (tax credit).

Presentation: Paul recommended that the Cons Com put together a presentation that includes stories, and he said we should make it available in several ways including in a live presentation, on the Sharon website and also to be shared in other ways, such as on Youtube.

Town Forest: Anne Fischer brought up the fact that the Sharon Cons Com has discussed the level of protection the town has on the Town Forest, although the group has not yet voted on whether to move forward on pursuing a CE. Beth Fernald indicated that the deed comes with tight restrictions, but Paul cautioned that deed restrictions are not perpetual and are enforceable only by the owner. A CE, on the other hand, is a perpetual easement, enforceable by the holder of the easement. They are considered charitable trust that is overlaid by the CE. Courts in NH have not agreed that anyone who benefits from the land can object to changes. To amend or change a CE, it would have to go to the attorney general, because of the definition that CEs are charitable

trusts. Asked what happens if the holder of the CE goes out of business, Paul said the Division of Charitable Trusts will find a new home if the holder goes out of business or isn't keeping up with oversight.

Anne Booth had previously contacted Anne McBride of the Monadnock Conservancy who the Cons Com will invite to an upcoming meeting to discuss a CE on the Town Forest. Anne Fischer noted that grants are available for this work.

### **San-Ken property on Swamp Road ( Map 7 Lot-21 – 92 acres)**

Guest Jim Martens asked Paul for his advice on buying and protecting the San-Ken property on Swamp Rd. and Anne Booth noted that the Forest Society is aware that it has been purchased and is interested. Paul told the story of Monson, where a land trust asked "what's it going to take to buy this from you," and the Trust was able to buy it at the appraised value. Paul suggested that we partner with a land trust and approach San-Ken. He noted that that land is across the road from the David Wilson land, which has a "forever wild" designation. Anne Booth noted that we have had discussions with SPNF on purchasing the land and SPNF has gotten nowhere when they have tried contacting the owner. The Cons Com will continue to pursue.

### **New members**

Anne F. has spoken with two residents about becoming alternates.

**Next regular meeting will be held at the Sharon Meeting House  
Route 123 Sharon, New Hampshire at 6:30 p.m. on Tuesday Dec. 17, 2024.**