

## **OPEN SPACE Q&A (from Spring '07 Newsletter)**

### **How does the EHLT get land?**

Most of the EHLT's property has been donated for conservation, often in conjunction with development. EHLT has also partnered with other organizations to purchase important pieces of open space. Land may be acquired by bargain sale or the purchase of development rights. Donations, endowments and fundraising efforts fund the EHLT's land acquisition fund.

### **What's the difference between a preserve and easement?**

The EHLT owns its preserve properties outright, and maintains them for wildlife and passive recreation. A conservation easement, on the other hand, is a legal document attached to the deed by a landowner, to permanently protect it from development. The easement can designate all or part of a property, and is individually designed to accommodate the landowner's needs and desires in terms of future use and accessibility. The land still belongs to the landowner, who still has the rights and responsibilities of ownership.

### **Who can use Land Trust preserves?**

Preserves are open to the public for passive recreation, such as hiking and wildlife observation. Properties with easements are usually NOT open to the public, as they are still owned privately.

### **My land is in the Open Space program. Is it protected?**

The town's Open Space designation provides property tax benefits to the landowner who keeps his land open for ten years or more, but this designation does not protect it from development pressures. If the landowner sells his land before the ten years is over, he would be subject to penalties. In addition, the designation expires when a property changes hands, so the new landowner could pay a much higher tax rate.

### **My land is my retirement "nest egg." How can I protect it, and still take care of my future needs?**

For many people land is their biggest asset. They might not want to see it developed, but may be unaware of alternatives. It is worth noting that state and federal income tax benefits that are currently available for the sale of conservation land or development rights make this option advantageous to many more people of moderate means. For the tax year 2007, the potential benefit of these deductions is even more advantageous for landowners. Additionally, qualifying farmers and owners of forest lands can deduct up to 100% of their taxable income.