



Fall 2009

The Wells Land Bank

Wells, Maine

Home Rules, Home Tools: Locally Led Conservation Achievements

The Town of Wells, located along the coast in Southern Maine, has a long tradition of setting aside funds for land acquisition. During most years since 1985 the town has added funds to a special account – the Wells Land Bank – to acquire ecologically valuable undeveloped parcels of land. The story behind why the Wells Conservation Commission chose this approach, and how its land acquisition continued to evolve, may help give other town insight into how an acquisition program might work for them, too.

History

During the late 1970s and early 1980s, an unprecedented building boom transformed the town's coastal areas. Farms and homesteads along Route One were replaced by summer condominium complexes, favorite views were blocked by buildings, and areas used for hunting and fishing by generations of Wells residents went under pavement. Residents were starting to realize that the natural resources that tourists flocked to town to enjoy, and the economic activity they create, could actually be lost.

The Wells Conservation Commission re-formed in 1982 to try to manage this transformation of the town.

At first the Commission spent its time on the site review committee (now the Planning Board) only to find that all its time and effort came to naught. Says Owen Grumbling, long time chair of the Conservation Commission, 'The fund came about because the Conservation Commission repeatedly tried to intervene in the regulatory process, and without exception, was completely ignored.'



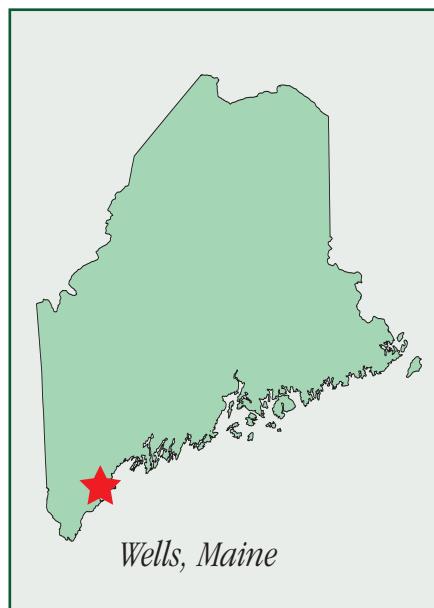
People kept saying, if you're going to regulate the land and devalue it, why not just buy it?

So the Town decided it would do exactly that: it would preserve the town's rural character by acquiring land and easements.

The Commission had a ready champion on the Select Board at the time, Tom Oliver, who was also thinking about this new approach to balancing growth with conservation. His support made establishing the fund much easier. There was an additional factor driving the issue, as well: some town residents wanted to give their land to the town, for conservation. Maurice Fenderson made the first land gift in (1983), and gifts and bargain sales of land have been a hallmark of the acquisition program ever since.

The fund was formally established as a capital reserve account, which allowed for the balance to carry forward from year to year. (Wells has a long history of preferring pay-as-you-go approaches to incurring debt through bonding.) The town deposited the first \$1,000 into the account in 1985. Ever since, says

Grumbling, 'there were a few years where times were tough and it never made it onto the Warrant. But every year it came up at town meeting, it passed unanimously, or nearly so.' The amount currently added annually is \$70,000. The fund is now part of the Capital Improvement Program budget.



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Focus Areas

Soon after the fund was established the Commission realized it needed guidance on what land the town should acquire first. What areas would be the priorities for acquisition funds?

After long study of the State's Cumulative Impacts Study in 1992 the Commission, aided by the consulting firm Woodlot Alternatives, created the land ranking system for town land. The system describes nine major ecological and social values and twenty-three subcategories, with a Ranking Worksheet that helps rank and prioritize parcels. This led the town to focus on three priority areas: a large wetland complex that is the headwaters of the Merriland River, now known as Fenderson Wildlife Commons; a peat bog and its surrounding forested wetland, known as The Great Haith; and the southern portion of town which includes a portion of a vernal pool-rich region known as the Tatnic Hills. The town considers itself the lead agency in protecting the Commons and Haith, and plays a support role, (with the Great Works Regional Land Trust and the Mt. Agamenticus to the Sea Conservation Initiative in the lead) in the Tatnic Hills.

Protection and Management

In 2000 the Commission sought formal political and legal protection of the lands it has been acquiring. Before then, any lands acquired could be disposed of or developed however a new Select Board saw fit. The Conservation Commission took the lead in providing additional protection to these lands. Working with the Selectmen and town attorney to draft an ordinance, the town developed and passed Chapter 66 of the Town Code titled, 'Designation of Town Property.' Among other things, it allows for the Commission to nominate parcels for designation as Town Conservation Lands. Once designated as such at town meeting, only another town meeting vote can remove the lands from conservation use – hopefully, an unlikely event.

One particular designation, 'Wildlife Commons', allows for uses such as nonmotorized recreation, hunting, fishing, and wildlife preservation. The town has declared one Wildlife Commons thus far, the Fenderson Wildlife Commons, on and around the site of the initial land donation by Maurice Fenderson.

Management of Conservation Lands

As town landholdings grew so did its land management responsibilities. The town hired a consultant to develop management plans and develop base data for the Haith and Fenderson Commons. It also works extensively with local Scout troops and Eagle Scouts to develop informational signs, maintain trails, and perform other on-the-ground management.

Other Developments

In 2004 the town received a \$75,000 grant from the Land for Maine Future Program to acquire conservation lands abutting town property. It also contributed \$20,000 to the Great Works Regional Land trust to acquire a tract of land in the Tatnic Hills (which was eventually transferred to the Maine Department of Inland Fisheries and Wildlife for management.). GWRIT also helped the town when it took an option on land that the Town wished to purchase, but could not without town approval. GWRIT later assigned the option to the Town after approvals had been received.

In 2006 the Commission embarked on a private capital campaign to augment the land bank when a local developer, Howard Hall, promised a dollar for dollar match for private funds raised by the end of the year. In a short time the Commission raised more than \$81,000 from Hall and dozens of citizens, including many small donations.

The Future

The town hopes to grow its protected areas at Fenderson Commons and the Haith from approx. 700 acres to more than 1,000 acres each. The town is considering expanding its acquisition program to include river and wildlife corridors.

LESSONS LEARNED

- Do an open space plan or define focus areas to provide clarity and focus;
- Partnerships with land trusts are mutually beneficial and can create more deals faster;
- Towns can raise private dollars for conservation, and land donations can be successfully solicited by a town;
- Think ahead and put flexibility in town warrant language so that multiple votes are not needed to acquire a parcel;
- Even a modestly funded land bank can build up over time to be a significant source of funds for conservation in the town; and having such funds ready as match attracts other public and private dollars.

For more information, please visit:

<http://www.wellscc.org/>

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