

**Middlesex Conservation Fund**  
**Guidance Document and Application**  
**Fund Authority Passed March 2, 2004**  
**Fund Guidance Document Adopted October 12, 2004**

Thank you for your interest in the Middlesex Conservation Fund. Included in this packet, you will find a Guidance Document and an Application for requesting funds from the Middlesex Conservation Fund. The Guidance Document contains helpful information for filling out the Application.

The Middlesex Conservation Commission meets the first Thursday of every month at 7:00 p.m. in the town offices on Church Street. If the Conservation Commission finds your application to be a viable project candidate, it must then be approved by the Middlesex Select Board that meets bi-monthly. The Conservation Commission will submit a written recommendation to the Select Board along with your application materials requesting their review and approval. If the Conservation Commission decides your application is not a viable project candidate, you will receive a letter explaining why.

Questions about the application form should be directed to **Dave Shepard**, Chair of the Conservation Commission, at (802) 229-1744 or [Dave.Shepard@state.vt.us](mailto:Dave.Shepard@state.vt.us). Applications should be submitted to Dave Shepard at 16 McCullough Hill Road, Middlesex, VT 05602.

# Middlesex Conservation Fund Guidance Document

## I. Authority

This fund is a reserve fund established under 24 V.S.A. §2804 and shall be known as the Middlesex Conservation Fund (the Fund). Approved by the Middlesex voters on March 2, 2004 and under the control of the Middlesex Select Board, the Fund is held as a separate account and invested, as are other public funds. The Fund may only be expended for the purposes authorized by the voters of Middlesex as set out below.

## II. Purposes of the Fund

The Middlesex Town Plan (see Natural Resources, Part 3, Task B) supports the creation of a conservation fund to help conserve the town's natural, scenic, recreational and historic and cultural resources in a sustainable manner for the long-term benefit of future generations. All conservation efforts supported by this Fund will be done at the request of willing landowners. As such, the Fund will be used to serve the following purposes:

### **Natural Resources** (see Natural Resources, Part 2, Goals 1, 2 & 3)

- A. To protect and enhance the town's water quality and wildlife habitat.
- B. To minimize conversion of the town's best farm and forestland to non-agricultural and non-forestry uses.

### **Scenic Resources** (see Natural Resources, Part 2, Goals 4)

- A. To maintain the town's rural character, aesthetics, and scenic values.
- B. To preserve open space.

### **Recreational Resources** (see Natural Resources, Part 2, Goals 4)

- A. To provide increased public access to lands in town with minimal impact to natural resources.
- B. To enhance and maintain the town's existing recreational resources; especially trails and public access to them with minimal impact to natural resources.
- C. To create new recreational resources; especially trails and public access to them with minimal impact to natural resources.

### **Historic and Cultural Resources**

- A. To preserve significant archaeological and historical sites.

### **Special Activities**

Examples of such activities may include but not be limited to critical resource improvements and related expenses such as legal and consultant fees, survey and evaluation costs, and other expenses associated with the process of conservation.

### III. Fund Activities

Through the Middlesex Conservation Commission, the Town of Middlesex may use the Fund in conjunction with the following activities:

- A. Accept gifts of land, development rights or conservation easements when such gifts fall within the priorities listed in Article IV below.
- B. Accept and apply for grants and accept gifts of cash or securities to be used for the purposes of the Fund.
- C. Purchase land, development rights or conservation easements alone or in conjunction with other municipalities, state or federal agencies, private land trusts, or other organizations when such purchase is in keeping with priorities listed in Article IV below.
- D. Sell, trade or transfer conserved land when consistent with the purposes of the Fund.
- E. Make direct expenditures to manage town conserved property held by the Fund.
- F. Provide a cash contribution to support the purchase of development rights by other municipalities, state or federal agencies, private land trusts, or other organizations when such projects are in keeping with priorities listed in Article IV below.
- G. Actively seek out the voluntary participation of landowners when their land falls within priorities listed in Article IV below.

### IV. Criteria for prioritizing the use of scarce funds

The following principles are used to prioritize the use of limited funds and to provide consistent and rational criteria for making land conservation decisions. These principles allow the Conservation Commission to objectively determine the relative value of specific parcels of property under consideration. Property to be conserved must be located in or provide benefit to the Town of Middlesex and should meet at least two or more of the following criteria:

#### Natural Resources

1. The property includes **significant water resources**, which may include but not be limited to, headwaters, valuable fisheries, vernal pools, wetlands, and floodplains.
2. **Protection of the property from development** would contribute significantly to a reduction in point or non-point source pollution to ground or surface water.
3. The property includes **significant habitat**, which may include but not be limited to, rare-threatened-endangered species, rare or unique natural communities, unique geologic formations, beech or other significant mast producing stands, hemlock forests, wetlands, deer wintering areas, established wildlife corridors, Keeping Track transect areas, and corridors connecting fragmented conservation land use zoning districts.
4. The property includes **significant working land resources**, which may include but not be limited to prime or statewide significant agricultural soils or class 1 forest soils, or sugar bushes.

5. The farm or forestry property scores high on a **Land Evaluation and Site Assessment (LESA)** type scoring system and the scoring factors are appropriate to Middlesex. However, small scale and non-traditional agricultural enterprises will not be penalized under these scoring systems.
6. The property is an **existing farm or inactive farmland** that could be brought back into production or unmanaged forestland that could be brought back under management, or contains an identified wildlife habitat area or has public recreational use management resources.
7. The property is **contiguous with a working farm** and would contribute to the protection of a sufficient mass of open agricultural land or provide an important buffer to protect and maintain an agricultural base for the Town of Middlesex. .

### **Scenic Resources**

1. The property includes **significant vantage points or views**.
2. The project would preserve **critical open space** suitable for use as a town green or park.

### **Recreational Resources**

1. The property has an **existing trail(s)** that is(are) in relative close proximity to other Town trails , Class 4 roads, or public accesses. (Note: Per Article II above (Purpose of Fund – Recreational Resources) In considering this criteria when reviewing Conservation Fund applications, the Town will seek to ensure all proposed recreational uses will have minimal impact on the natural resources. Examples of recreational uses that tend to have minimal impacts on the natural resources include but are not limited to hiking, climbing, showshoeing, skiing, etc. Recreational uses that can have a tendency for more impact on the natural resources may include but not be limited to non-motorized uses such as mountain biking and horse back riding, or motorized uses such as snowmobiles and all terrain vehicles. Such uses may be allowed in locations where the impact to the natural resources is deemed minimal.
2. The property does or could provide **public access** to recreational resources that could include hunting and fishing.
3. The project would preserve **critical open space** suitable for use as a town green or park.

### **Cultural Resources**

1. The property includes **significant archaeological or historic resources**, which may include but not be limited to, native American artifacts, old foundation, old fence lines / hedgerows, historic buildings, and grave sites.

### **Other Criteria**

1. The Fund will provide an important **local matching contribution** that will be used to leverage a significant amount of state, federal or private land conservation funds for Middlesex.
2. The project will help the town to meet a **strategic planning/land use goal** identified

in the town plan or other community forum.

3. The project protects significant resources identified by the Friends of the Worcester Range.

*The Friends of the Worcester Range (FWR) is a multi-town coalition (Waterbury, Stowe, Morristown, Elmore, Worcester and Middlesex) and interested parties that serve to protect the natural resources of the Worcester Range and their supporting systems through the acquisition of lands or development rights, through the management and maintenance of the existing trail network, through the education of landowners and the public, and through active consultation with the State regarding the management of the Putnam State Forest.*

4. In the case of Special Activities, the applicant must clearly demonstrate how the Town's funding of the proposed activity is a necessary "step" in order for the proposed project to be in a position of eligibility, as is defined by Article III – Fund Activities A-G.

## **V. Funding**

Funding for the Fund may come from voluntary contributions or grants from public or private sources. The Town of Middlesex may also make appropriations to the Fund from time to time. Approval for such appropriations will be granted by either a majority vote of Middlesex residents or by the Select Board. The Fund shall also utilize monies from the sale of timber on town lands or any other income generating activity tied to conserved property to manage those lands and for other purposes consistent with the Fund. The Conservation Commission may also hold fundraising events or develop longer-term fundraising projects to support its efforts.

The Fund may accept gifts of cash and securities or pledges designated to benefit certain projects or certain parcels to be conserved that meet the objectives of this document.

## **VI. Structure and Decision Making**

Prior to undertaking any of the activities listed in Article III, the Town of Middlesex will adhere to the following steps:

- A. Conservation Commission's Conservation Fund Committee<sup>1</sup> will assist (if need be) applicant candidates with filling out the application.
- B. Conservation Fund Committee will conduct a site visit, walk the candidate property to inventory resources and meet with the landowner(s) to discuss objectives for the conservation project.
- C. The Conservation Fund Committee will send the applicant written acknowledgement of having received the application within 30 days of receiving

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<sup>1</sup> In establishing and maintaining the Conservation Fund Committee, the Conservation Commission will attempt to have a diverse representation of various interests on the Committee. Such representatives / interests may include, but not be limited to the following; Select Board, Planning Commission, Conservation Commission, Historical Society, Recreation Committee, Tree Warden, general public rep, etc.

- it.
- D. Conservation Fund Committee, along with the property owner(s), will initiate the review of the application within the next 60 days at the next most convenient monthly Conservation Commission meeting to determine whether or not the property should be recommended to the Select Board for conservation.
  - E. If no, the Conservation Commission will provide the property owner with a written explanation for why the project was not determined to be a viable candidate for use of the Fund. If yes, the Conservation Commission will make a recommendation to the Select Board, identifying which criteria the project candidate meets and including all materials related to the application.
  - F. Representatives from the Conservation Fund Committee and Commission, along with the property owner(s), will attend the next most convenient bi-monthly Select Board meeting to determine whether or not the property should be conserved.
  - G. Action must be approved by a majority of Select Board members.
  - H. The Conservation Fund Committee and Commission will convey the Select Board's decision in writing to the applicant(s).
  - I. In the event that the applicant(s) would like to appeal the decision, the Select Board will process the appeals.

## **VII. Termination of the fund.**

If a majority of the members of the Conservation Commission decide that the fund should terminate, they will recommend termination to the Select Board setting out their reasons. If a majority of the Select Board decides to terminate the fund, money in the fund shall be committed to the general fund of the town and shall be used for public purposes.

**Middlesex Conservation Fund  
Application**

**Application Submission Date:** \_\_\_\_\_  
**Application Receipt Date (for town purposes only):** \_\_\_\_\_

**Applicant Contact Information:**

**First Name:** \_\_\_\_\_  
**Last Name:** \_\_\_\_\_  
**Street:** \_\_\_\_\_  
**PO Box:** \_\_\_\_\_  
**Town:** \_\_\_\_\_  
**State:** \_\_\_\_\_  
**Zip Code:** \_\_\_\_\_  
**Phone Number:** \_\_\_\_\_  
**Fax Number:** \_\_\_\_\_  
**E-mail Address:** \_\_\_\_\_

**Landowner Contact Information  
(if different than applicant):**

**First Name:** \_\_\_\_\_  
**Last Name:** \_\_\_\_\_  
**Street:** \_\_\_\_\_  
**PO Box:** \_\_\_\_\_  
**Town:** \_\_\_\_\_  
**State:** \_\_\_\_\_  
**Zip Code:** \_\_\_\_\_  
**Phone Number:** \_\_\_\_\_  
**Fax Number:** \_\_\_\_\_  
**E-mail Address:** \_\_\_\_\_

**Property Information:**

**Location Description (please identify your property on the town tax parcel map):** \_\_\_\_\_  
\_\_\_\_\_

**Parcel Number:** \_\_\_\_\_

**Parcel Description (please also provide a site plan and attach any relevant photographs, deed restrictions, pending permits, current use plan, forest management plan, etc):** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Acres:** \_\_\_\_\_

**Significant Resources:** \_\_\_\_\_

**Structures:** \_\_\_\_\_

**Roads / Trails:** \_\_\_\_\_

**Public Access(es):** \_\_\_\_\_

**Assessed Value:** \_\_\_\_\_ **Date of Assessment:** \_\_\_\_\_

**Financial Information:**

**Amount Requested:** \_\_\_\_\_

**Lump Sum or Phased:** \_\_\_\_\_

**Other Funding Sources:** \_\_\_\_\_

**In-Kind Sources / Values:** \_\_\_\_\_

**Schedule Information:**

**Project Completion / Closing:** \_\_\_\_\_

**If available, please provide any relevant information, such as draft easements, cost estimates, appraisals, Purchase and Sales Agreement, etc.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Conservation Project Description / How are you hoping the Fund can help you? / What are you trying to do?**

**Using the Middlesex Conservation Fund Guidance Document as a reference...**

**Which of the Fund's purposes (see Article II) will be met by this proposed conservation project?**

**Which of the Fund's activities (see Article III) is this proposed conservation project asking of the town?**

**Which of the Fund's criteria (see Article IV) is this proposed project addressing? (Note, the proposed project must address at least two or more of the Fund's criteria.)**