

Appendix 19 Conservation Leases

Information on Conservation Leases Taken from Town of Casco Open Space Plan

The use of conservation leases is one strategy to explore to preserve open space in Harpswell. Large parcels of undeveloped land are undeveloped because past and current owners have assumed some level of stewardship. We can encourage landowners to continue that stewardship by rewarding their behavior. Leasing development rights would be a key way to reward landowners. It would allow the Town to enter into a lease contract with a landowner for keeping his/her land undeveloped. The amount of the contract payment could be related to the amount the land is taxed for real estate purposes and the length of the contract which would likely be at least 10-15 years or possibly more. Financial penalties could be charged if the landowner decided to end the contract prematurely. These penalties could be similar to those assessed under the Tree Growth current use tax program. Specific details of the lease agreement could be developed by the Town lawyer and the Harpswell Conservation Commission.

The contract would include a “right of first refusal” for the purchase of the property. In this way, if a property owner decided to sell his or her land, he/she would first offer the sale of the undeveloped land to the Town at or below market value. The Town, with a specified time frame, would either agree to, or decline, the purchase.

For more information on this idea, contact the Conservation Commission of the Town of Casco.