

CONNECTICUT Land Conservation Council



Enabling a Local Option for Land Conservation and Stewardship Funding

Frequently Asked Questions

As of 02.06.18

What does this bill do? The proposed legislation would allow (but NOT REQUIRE) certain towns and cities to establish a fund to acquire, preserve, and steward open space (including water resources) and farmland at the municipal level by including a conveyance fee of up to 1% paid by buyers of real property.

Why is this needed in CT? Many cities and towns need a sustainable source of funding for local conservation and stewardship efforts that would not impact the municipal mill rate or require additional bonding. This added source of funding would enable communities to fulfill match requirements for state or federal grant programs, cover the costly expenses associated with acquiring land (appraisals, surveys, environmental assessments, etc.), and better maintain the town's open space properties, water resources and farmland.

If enacted, would this legislation require all towns to establish the program? No. This legislation authorizes certain municipalities to decide, through their local public approval processes, whether or not to take advantage of this funding mechanism.

Will a conveyance fee deter homebuyers or commercial investors? Experience in other states shows the opposite. People and businesses are attracted to communities that have cleaner air and water, recreation options, local food sources, and protected natural beauty. If adopted by the municipality, the fund allows buyers to invest in their communities. The fee is an investment in maintaining the community's open spaces, water resources, and farmland, which in turn helps to sustain the community's natural assets, avoid the hidden community costs of development, and even increases local property values [Gies, Conservation: An Investment that Pays, 2009.]

Would this make housing less affordable? The fee is limited to a maximum of 1% and does not apply to the first \$150,000 of the sale price. Repaid over 20 or 30 years in a mortgage, that extra cost is minimal.

May a municipality impose less than the 1% fee? Yes. The proposed legislation indicates that the conveyance can be "up to 1%." Therefore, a municipality may adopt a lower percentage fee.

Can the money be raided for other purposes? If enacted, the legislation would require that funds raised through this program by the local community must be dedicated to land conservation and stewardship.

Would land purchased with these funds need to remain as town land? This would be up to the town, but purchases can be made in cooperation with land trusts. A local partnership like this could help the town to further stretch this funding source.

Why allow funding to be used for stewardship? Most communities and land trusts understand that there are two critical funding needs associated with open space (include water resources) and farmland protection: 1) funds for acquisition, and 2) ongoing resources for maintenance or stewardship. This legislation would allow municipalities to dedicate funding to both of these pressing needs as necessary.

If adopted, would the conveyance fee be required in perpetuity at the local level? That would be up to the community adopting the fee.

Have other states enabled similar legislation? Nearby states (MA, NY, RI, PA, WV) have allowed some municipalities to enact a buyer's conveyance fee, with the income dedicated to conserving and caring for local natural areas. These programs have proven remarkably successful, resulting in the protection of thousands of acres of open space, forests, meadows and farms. (See case studies, attached.)

For more information, please contact Connecticut Land Conservation Council Executive Director, Amy Blaymore Paterson at abpaterson@ctconservation.org or at 860-614-8537.