



STEWARDS OF THE LAND

A publication for owners of land conserved with the Vermont Land Trust

Spring 2007

Vermont Land Trust | 8 Bailey Avenue | Montpelier, Vermont 05602 | 800-639-1709 toll-free

Conservation Easement Amendments

The old adage that nothing ever stays the same has its place even in conservation, when it comes to the evolving needs of landowners and communities. Owners of conserved land face technological advances such as alternative energy, economic realities such as labor requirements, and social responsibilities including needs for affordable housing and environmental considerations.

A conservation easement is written to uphold the landowner's commitment to the land's conservation values. In most situations the easement is flexible enough to accommodate inevitable changes in the needs of landowners. Sometimes, however, such changes are significant enough to warrant an amendment to the easement. This decision is made only after a long, thoughtful process. VLT balances these changing needs with a steadfast commitment to conservation, working on amendments with approximately 2% of landowners with conservation easements each year.

To some this may sound like very little and to others even one change a year sounds like a lot. As one can imagine, amendment decisions are not made easily. VLT acts in partnership with landowners in problem solving and our staff believes that individual treatment and flexibility must be the hallmark of our stewardship work. In the case of amendments, VLT and landowners carefully consider all the circumstances and goals of the conservation easement.

Amendments are governed by



Judy and John Nolan's Farmstead Complex in Arlington

both VLT's conservation ethic and the law. Staff thoroughly explore other alternatives and consider whether denial will cause undue hardship. There must also be an enhanced or neutral effect on the conserved resources, and there should be no issues regarding private benefit. Most amendments in VLT's history have been about correcting errors, adjusting boundaries with neighbors, adding on more land, reconfiguring building complexes, or swapping rights and reconfigurations.

Judy and John Nolan recently used an amendment to rejoin their historic

Arlington farmhouse with the adjacent land that they had leased and farmed since 1992. "When we went to purchase the land, it included a small tenant house that didn't really go with the farm," Judy explains. "We approached the Land Trust to discuss an amendment where we would conserve our farmhouse while freeing up the tenant house to sell. The process did take a long time, but VLT Stewardship staff were very helpful and we're really happy with the result."

The Nolans' amendment also made their newest neighbor happy. They

continued on other side



Vermont Land Trust

CONSERVING LAND FOR THE FUTURE OF VERMONT

8 Bailey Ave
Montpelier VT 05602-2161

Non-Profit Org.
US Postage
PAID
Barre, VT
Permit No. 222

Conservation Easement Amendments

continued from page 1

sold the tenant house to a veterinarian who enjoys watching their horses graze outside his door. When amendments may impact neighbors, it works best when landowners are friendly and communicate openly with their

neighbors about the conservation decision and the amendment process. Perhaps Winston Churchill said it best: "There is nothing wrong with change if it is in the right direction."

For more information about VLT's Stewardship policies and amendment principles please visit www.vlt.org/steward.html

Our field season has started for VLT Stewardship; please expect calls from your Conservation Field Assistant and let them know when a visit would work best for you.

Celebrate 30 Years of Land Conservation with the Vermont Land Trust on JUNE 16, 2007 at Shelburne Farms

Participate in field trips, bicycle tours, farm exploration, and forest walks from 12:30PM - 2:30PM. Join VLT for a celebration with music, food and friends of conservation 3PM - 6PM.

Throughout the month of June, VLT will also be co-hosting events around the state with owners of conserved land. Events include an "alternative energy on the farm" tour, bike trips, birding excursions and forest walks.

Please visit www.vlt.org or contact VLT at 223-5234 for more information.

VLT Conservation Stewardship Crew

PENNY HANNIGAN <i>Paralegal</i>	penny@vlt.org	802/223-5234 x207
DAN KILBORN <i>Stewardship Forester</i>	dan@vlt.org	802/748-6089
SUZANNE LEITER <i>Stewardship Special Assistant</i>	suzanne@vlt.org	802/457-2369
JON RAMSAY <i>Stewardship Agricultural Manager</i>	jramsay@vlt.org	802/434-3079 x306
LESLIE RATLEY-BEACH <i>Conservation Stewardship Director</i>	leslie@vlt.org	802/223-5234 x223
PIETER VAN LOON <i>Stewardship Forester</i>	pieter@vlt.org	802/251-6008
CONSERVATION FIELD ASSISTANTS		
KERRY DOYLE , <i>Brattleboro office</i>	kerry@vlt.org	802/257-5832
DONNA FOSTER , <i>Woodstock office</i>	donna@vlt.org	802/457-2369
KRIS HAMMER , <i>Montpelier office</i>	kris@vlt.org	802/223-5234 x222
TYLER MILLER , <i>Richmond office</i>	tyler@vlt.org	802/434-3079 x307
BRUCE URIE , <i>St. Johnsbury office</i>	bruce@vlt.org	802/748-6089