



Silver Spring Township

SUBURBAN SERENITY WITH URBAN PROXIMITY

Carl R. Machamer, Chair

Nancy Konhaus Griffie, Vice Chair

Harry D. Kotzmoyer, Jr., Supervisor

David R. Lenker, II, Supervisor

Laura Brown, Supervisor

Theresa F. Eberly, Township Manager

Silver Spring Township's Land Preservation Program

Questions & Answers

Q: How do I know if I qualify for the program?

A: If you have 10 or more acres of property and you want to preserve your land, you qualify. If you own two adjacent lots that together total 10 or more acres, that would also qualify for our program. (A quick note: we may make an exception to the 10-acre minimum if your property has extraordinary conservation value, for instance, if your property abuts the Conodoguinet Creek or other significant body of water.)

Q: Doesn't land preservation typically involve farms?

A: Cumberland County has a Farmland Preservation program started in 1989 which preserves farmland exclusively. When Silver Spring Township started our program in 2014, we wanted to not only preserve farms, but woodlands, meadows and other open space.

Q: Are only private landowners eligible?

A: No. A parcel of land owned by a club or other organization could also be eligible if it has significant open space.

Q: Will the Township pay me to preserve my land?

A: Yes. The .01% increase in the Earned Income Tax approved by voters in a 2013 referendum is the Township's funding source for land preservation.

Q: How much money will I receive?

A: That varies a great deal between properties. We start by getting an appraisal done on your property. Once those results are submitted to the Township, the Board of Supervisors (BoS) with input from the Land Preservation Review Board (LPRB) makes a decision on the purchase price to offer for each property.

Q: Purchase price? What exactly is the Township purchasing?

A: Essentially, the Township is purchasing the development rights on your land. This ensures that the parcel cannot be subdivided or developed into a housing plan or warehouse. The correct terminology is purchasing a conservation easement on a parcel.

Q: If the Township purchases my development rights, does this mean that I no longer own my property?

A: No. You will remain the owner of record. The only documented change will be limitations imposed on your land.

Q: Will I be able to sell my land in the future?

A: Yes, absolutely. The conservation easement stays with the land and is not affected by a change in ownership. The property restrictions will be enforced in perpetuity (forever).



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Silver Spring Township's Land Preservation Program Questions & Answers Continued....

Q: *You've mentioned that the Township preserves land through conservation easements. What are conservation easements?*

A: Natural Lands Trust (our partner in preservation) defines a conservation easement as, "a voluntary, but legally binding agreement between a landowner and a qualified conservation organization and/or a local government agency such as a township. The easement permanently limits a property's use and binds all present and future owners of the land."

Q: *What do you mean by restrictions or limitations?*

A: Properties under conservation easement are divided into specific areas of protection. For example, the "Highest Protection Area" is the most environmentally sensitive portion of the parcel such as woodlands, streams and wetlands and this area is limited to passive recreational use.

Q: *Do these limitations mean that I will be restricted from adding on to my home or building a new garage?*

A: No. Typically, existing and/or future residential improvements and major agricultural buildings and structures are placed in a "Minimal Protection Area" where it is anticipated that landowners will make changes over time.

Q: *Who will monitor my preserved land for violations of the restrictions put in place?*

A: A Natural Lands Trust (NLT) representative will inspect preserved properties at least annually.

Q: *You mentioned an appraisal earlier. Is this appraisal like the one homeowners get before selling their home?*

A: No. This appraisal is conducted by an appraiser who has education and experience with conservation easements. The appraiser estimates your property's before easement value (or fair market value) and the after easement value (with restrictions in place) and the difference between these two values is the full value of the conservation easement (what it is worth).

Q: *Will I receive payment for the full value of the conservation easement as determined by the appraiser?*

A: As noted earlier, the decision on how much to offer for the purchase of a conservation easement on particular parcels is made by the BoS. They have the difficult task of looking at the Township's available land preservation funds and deciding how best to use them. If the BoS does offer you less than the full value of the easement, the resulting gap in value may be counted as a tax donation.



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Silver Spring Township's Land Preservation Program Questions & Answers Continued....

Q: How will placing a conservation easement on my land affect my tax liability?

A: We highly recommend that you discuss any potential tax implications with your accountant or attorney before committing to the program.

Q: Can I choose to donate my land to the program?

A: Absolutely! Donating your land will free up funds to preserve other properties in the Township. Additionally, you may be eligible for a charitable tax deduction equal to the amount of the reduction in your land's value. It is worth noting that federal law makes donations of conservation easements particularly attractive compared to other donations (another reason to talk to your financial advisor).

Q: How do I apply for the Township's Land Preservation program?

A: You can fill out an application at the Township Administration Building (8 Flowers Drive) or online at <http://www.sstwp.org/244/Land-Preservation-Review-Board>.

Q: Does filling out an application lock me into a commitment?

A: No. You can withdraw from the program at any time. However, if your property is accepted into the Land Preservation program we will sit down with you and verify your commitment to the program. We do so because once an appraisal is ordered, administrative costs begin to accrue for the Township which would still need to be paid if you withdraw from the program.

Q: How long will the preservation process take?

A: Typically, it takes 9 months to 1 year, but each property has unique challenges so it could be longer.

Please contact Frank Evelhoch, Land Preservation Review Board Chair at pc800fme@gmail.com or (717) 766-7286 if you have any additional questions.