

**Agricultural Easements on Sending Area Farms  
Town of Springfield  
Proposed Transfer of Development Rights (TDR) Program**

**Land participating as a “sending area” under the town’s proposed TDR program would have an agricultural easement placed on it to permanently limit future development of the property and protect its conservation values.**

Agricultural easements for farmland:

- are voluntary (if you don’t want to participate in the TDR program as a sending area, you don’t have to place an agricultural easement on your property)
- don’t require public access
- are permanent, legally-binding agreements. They are recorded as part of the deed to the property and all future owners of the property must abide by the terms of the agricultural easement

Under an agricultural easement, the landowner:

- continues to own the land and pay property taxes on it
- can continue to farm, hunt, cut timber, and live on the property
- can sell or bequeath the land

There are ~35 agricultural easements in Dane County, most in the Town of Dunn.

**Summary of Easement Conditions**

**Agricultural use** – agricultural easements are designed to keep the land available for farming, although they do not require that the land be farmed.

**Commercial activities** – commercial activities, other than agricultural or timber production, are prohibited. This includes agricultural support businesses, equestrian stables, mining, game farms, and similar activities. Small home-based businesses, hunting access, and similar uses that do not conflict with easement purposes are permitted.

**Conservation plan** – work land covered by an agricultural easement must be operated under a conservation plan prepared by LCD/NRCS.

**Residences** – the agricultural easement limits the number of residences that may be constructed on the property.

**Farmstead** – the existing farmstead is included in the agricultural easement. A “farmstead zone”, usually 5 to 10 acres in size, accommodates the farm residence and current and future farm buildings.

**Impervious surface** – impervious surface (permanent, non-seasonal rooftops, and concrete and asphalt surfaces), is limited to no more than 2% of the entire easement area. Most impervious surface must be within the farmstead zone.

**Mining, dumping, water areas** – Mining is prohibited. Excavation of earth materials is permitted for on-site use, and is generally limited to one acre or less. Dumping is prohibited. Spreading of manure is allowed. The total area of constructed water impoundments is limited.

**Land division** – The property covered by the agricultural easement must remain as a single, indivisible tract.

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