

# LYME LAND TRUST BULLETIN

February 1988

Vol. II No. 1

The Lyme Land Conservation Trust

## **PRESIDENT'S LETTER**

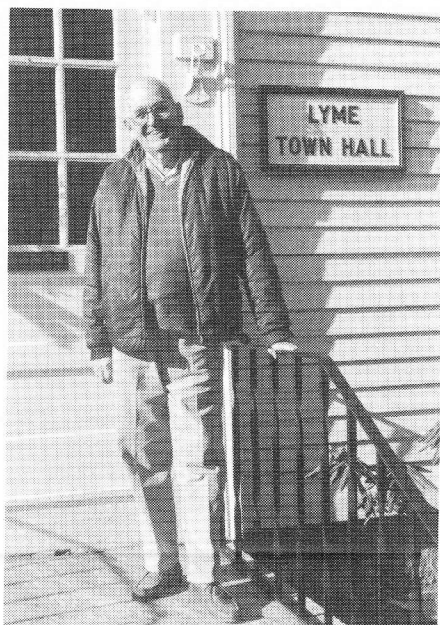
Dear Neighbors,

We are often asked what is our policy with respect to acquiring, holding and using our land. The starting point for any answer to this question is of course our charter, which reads in part that we are authorized "to engage in and otherwise promote for the benefit of the inhabitants of the Town of Lyme the preservation of natural resources of the land, swamps, woodland and open spaces, and the plant and animal life therein, and the preservation of unique scenic and historic sites therein."

We are not restricted in our acquisition policy as is, for example, the Nature Conservancy, which confines itself to areas of particular ecological significance. Our charter permits us to acquire open space solely for its own sake as well as for scenic or historic reasons. Much of the land that comes to us is set aside by developers as part of a subdivision plan. Frequently this will be wetland, unusable and already protected by existing Inland Wetlands legislation. Why should we accept it? Only for this reason: as population pressure increases (as it will) the laws may change and the protection of this vital resource could be eliminated. In short we will accept land, upland or wetland, which fits into our overall concept of preserving open space for future generations.

As to the holding of land, most is conveyed and held by us in fee simple, that is, outright ownership with all of the rights and responsibilities that accompany it.

(Continued next page)



Bill Beebe outside his office at Lyme Town Hall

## **NEWBURG GIVES TRUST EASEMENT OF NINE ACRES**

Andre W. G. Newburg of Sterling City Road has given the Land Trust a conservation easement on 9.2 acres of land, part of his farm on Sterling City Road. The easement applies to a parcel of high woodland which overlooks the Fall Brook valley and Hamburg Cove.

Although the donor retains title to the land in a conservation easement, all future development rights are ceded to the receiving party, in this case, the Land Trust.

The Newburgs have owned their farm since 1967. "This forward looking move is welcomed by the Land Trust," said President Rufus Barringer. "It insures that a beautiful piece of land is kept open for all to enjoy."

## **TRUST GETS SIXTY-ONE ACRE GIFT FROM WILLIAM BEEBE**

The Lyme Land Trust has received a most welcome gift of 61 acres of land from William H. Beebe. The gift consists of rolling woodlands stretching south from Beaver Brook Road and includes several hundred feet of Beaver Brook itself, as well as bordering wetlands. It also adjoins a six acre property of the Land Trust previously donated by Library Associates, Inc.

The Beebe gift is the largest single donation of land to the Trust to date and brings the total holdings of the Trust in Lyme to 234 acres. Bill Beebe, a resident of Lyme for most of his life, said that he made the gift as a way of helping to keep Lyme as it is.

"I realize some development is coming," he said, "but I hope we can keep it in proportion. There are certain parts of Lyme that should stay open for the enjoyment of generations to come."

In accepting the gift, Rufus Barringer, President of the Land Trust, said, "Bill has already done a lot for this town as First Selectman, as town Treasurer and in many other ways. Now he has made this wonderful gift for the enjoyment of all the residents of Lyme. We want to express our warmest thanks to a generous spirited citizen."

## **Beebe's Family Long In Lyme**

The roots of Bill Beebe's family are deep in the Town of Lyme. His forebears settled in Waterford in

(Continued next page)

Our charter provides that we will hold it in perpetuity, which is longer than most of us care to contemplate. Increasingly we are receiving conservation easements whereby we own the development rights on land while the ownership and control remains with the owner. By either method the open space character of the land is preserved for future generations.

Finally a few words on the use of land held by the Land Trust. Any land owned by the Trust is for the benefit of the inhabitants of the Town of Lyme. It is to be used but not abused. It is to be enjoyed for what it is -open space-whether that means hiking, bird watching or just being there. The same applies to easements although obviously there are restrictions on these, but they also are to be enjoyed if only for the fact that they will never be built upon.

This all boils down to one thing: our mission is to acquire land, by fee or by easement, for the use and benefit of present and future generations of Lyme residents. How we accomplish our mission depends upon the degree of support we receive from you.

Sincerely,

*Rufus Barringer*

Rufus Barringer  
February 1, 1988

1750 and moved to Old Lyme in 1775. In 1777, the Beebes moved to Lyme, where they cleared and farmed land along the west side of what is now Grassy Hill Road. In 1920, Bill's father bought the present property on Beaver Brook and Grassy Hill Roads from Elisha Cooper, the father of Rick Cooper of Ely's Ferry Road.

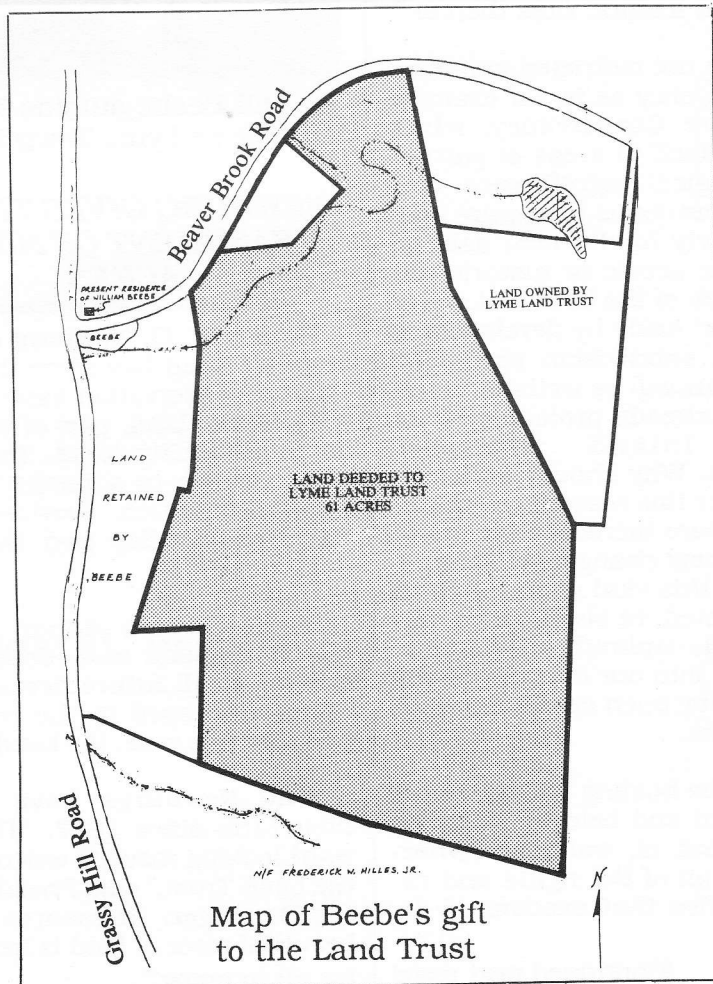
Bill was actually born in Auburn, New York and spent part of his youth in New Britain, Ct. But he came back to Lyme in 1946 and has lived on the property ever since. His residence is now the comfortable family homestead on the corner of Beaver Brook and Grassy Hill Roads. Up the road a few hundred feet the land deeded to the Trust begins. On the other three corners of this picturesque crossroads are the Beebe family cemetery, the stone smokehouse of the old Beebe farm and a roaring section of Beaver Brook.

The term "Town Father" certainly applies to Bill Beebe. He served the town as First Selectman from 1959-1965 and is pres-

ently in his eleventh year as town Treasurer. The handsome and instructive Lyme Annual Report has borne his imprint for all that time. His philosophy on village economics is: "You have to maintain a balance between necessary town services and acceptable tax rates. You can't expect urban services in return for rural tax rates. The key is to keep rates attractive while delivering efficiently those services that people really need." Bill says he feels that keeping this relationship in proper balance is the real way to promote the proper development of Lyme.

Another of Bill's deep interests, one perhaps more familiar to many residents, is music. Bill has been the organist at the church in Hamburg for twelve years. During the summer months, he also plays the organ at the Grassy Hill Church.

It seems that, sooner or later, every Lyme resident feels the benefit of Bill Beebe's talents and generosity.



Map of Beebe's gift  
to the Land Trust

## NATURE NOTES

### WINTERING BUTTERFLIES

Where does a butterfly go in the snow, wind and cold? The answer varies.

The well-known Monarchs migrate thousands of miles to Mexico where they roost in such numbers that their weight can fell a tree limb.

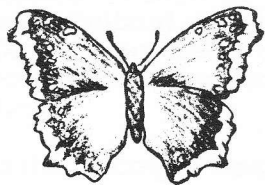
In the winter the familiar yellow and black Tiger Swallowtail is a mottled green or brown sticklike chrysalis easily mistaken for a twig hanging from a willow, birch or cherry tree.

One wetland species, the Bog Copper, survives as eggs on wild cranberry leaves, possibly under water.

The small Pearly Crescentspot overwinters as a half-grown brown caterpillar with yellow bands and many branching spines; and the showy Great Spangled Fritillary spends the season as a tiny caterpillar newly hatched from its pale brown egg.

Still other species hibernate in their adult form as does the dark Mourning Cloak with its conspicuous light wing edges. It is somewhere out there waiting to sun itself with open wings in early spring.

So, if your area supports both host and nectaring plants for butterflies and is free of pesticides and herbicides, you can look forward to the reappearance of many species after a seemingly impossible winter existence.



**Mourning Cloak**

## MAKING A GIFT TO THE LAND TRUST

The work of the Land Trust, as we all know, is entirely dependent for support upon gifts, of both money and land, and donors are sought among all residents of Lyme. Gifts of money, which are welcome in any amount at any time, are solicited with the annual membership dues notice and are added to the growing but still relatively small Land Acquisition Fund. There is little mystery about how to make such a gift or about its tax treatment, the Land Trust being a public charity. Making a gift of land, however, involves a bit more understanding. The conveyance may take any of several forms, depending on what the donor wants to accomplish, and tax treatment will vary widely with the nature of the gift. Any of the trustees of the Land Trust, as well as its counsel, will assist a prospective donor in the early stages of consideration, but ultimately one will have to consult his or her own tax and legal advisors. Though a gift of land need not be especially large, it is nonetheless a significant transaction to the donor, to the Land Trust and to all of us who now or will in the future live in Lyme. It should be handled thoughtfully.

The Land Trust offers landowners a variety of ways to achieve whatever goals they may have for conservation of all or part of their property. The simplest and generally most desirable form of transfer is an outright gift during the donor's lifetime. Fee ownership of the land is deeded to the Land Trust, to be held by it in perpetuity. The amount of the gift for tax purposes, except for donors subject to the Alternative Minimum Tax, is equal to the fair market value of the property, determined by appraisal, at the date of the gift. If the donor wishes, the deed may include certain restrictions or specific requirements, so long as they are reasonable, as to the use of the land.

By giving what is called a "remainder interest" in a piece of property to the Land Trust a landowner may retain, subject to con-

servation considerations, complete control and use of his property during his lifetime (or that of his spouse or children) and still obtain a tax deduction at the time of the gift. Title to the property passes to the Land Trust upon the death of the last person having a "life interest" in it. The amount of the gift is a percentage of the fair market value of the land based on the ages of those with life interests, the older they are (i.e., the sooner title may be expected to pass) the higher the percentage.

Another way one can preserve all or part of a parcel of land in its natural state without relinquishing ownership of it is to grant a conservation easement to the Land Trust. A conservation easement is an agreement, legally binding on the present and all future owners of the land, in which certain specified rights of ownership are given up by placing various restrictions on the use of the land. These restrictions set forth activities in which the owner may not engage, such as building structures, excessive or wanton cutting of trees, excavating, draining or filling in the land. The Land Trust undertakes, within certain limits, to monitor the use of the land to assure that the agreed-upon restrictions are adhered to. A conservation easement may be written to include almost any kind of restricted use upon which the owner and the Land Trust can agree. For example, since such easements are often granted in connection with the subdivision of large parcels of land, one restriction may be to prohibit any further subdivision of the property so as to limit development density. If the conservation restriction agreement meets certain Internal Revenue Service tests the grantor may be allowed a charitable gift deduction in the year of the grant. Determination of the amount of the gift (i.e., the value of the easement) requires expert appraisals, but generally it is the difference between the fair market value of the property with and without the specified restrictions.

In situations where reduction of estate and inheritance taxes is more important than a current income tax benefit, a landowner



may make a gift to the Land Trust by will. The donor may specify any of the alternatives described above - conveyance in fee simple, retained life use for himself and his family, or transfer of an interest in land by conservation easement - or some combination of them. The consequent reduction of taxable estate could be sufficient to enable one's heirs to retain property they might otherwise be forced to sell to pay taxes.

Enquiries about any matters having to do with giving land to the Land Trust may be directed to Rufus Barringer, President, or to any of the other trustees.

### **The Lyme Land Trust Bulletin**

is published several times a year by the Lyme Land Conservation Trust, Inc. as a matter of interest to its membership and to the general public in Lyme. Its editorial board, to whom readers are invited to direct questions and suggestions, consists of Paul Harper, Virginia Bladen and John Friday.

## **LAND CONSERVATION COALITION of CONNECTICUT**

The Land Trust is supporting the newly formed Land Conservation Coalition of Connecticut, which held its first public information meeting on January 27th.

This coalition is comprised of groups and individuals that propose-

1. A five-year, \$25 million annual bond authorization to provide a predictable source of funding for the Recreation and Natural Heritage Trust Program.
2. Enabling legislation for municipal land banking, funded by a sustaining source of revenue.
3. Adequate staffing in DEP's Land Acquisition and Management Unit.

The Land Trust urges its members to become informed on these issues and to convey their opinions to their legislators.

## **MOULSON POND UP-DATE**

Many environmental problems created by the development of the diFazio property abutting Moulson Pond remain unresolved. However, the Conservation & Inland Wetlands and Planning & Zoning Commissions continue intensive efforts to lessen wetland and flood plain disturbance and control erosion and sedimentation.

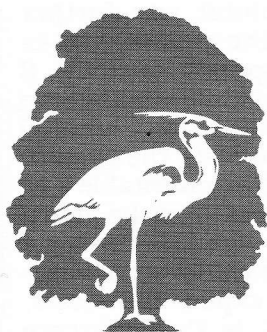
At the suggestion of both Commissions, the developer has retained Dr. William Niering, Director of the Connecticut Arboretum at Connecticut College, to design a planting of native species to protect the water and wildlife of the pond.

On behalf of a property which was given to the Land Trust principally as a wildlife sanctuary, the trustees will continue to monitor developments in the pond area.

## **LYME LAND CONSERVATION TRUST, INC.**

Box 1002, Lyme, Connecticut 06371

Non Profit Org.  
U.S. Postage  
PAID  
Permit No. 56  
Lyme, CT 06371



## **Postal Patron**

**YOUR COPY OF  
LYME LAND TRUST  
BULLETIN**