

WORKSHOP ON LAND PRESERVATION

On February 18, the Lyme Land Trust sponsored a workshop on the topic “The State of the Town: Open Space in Lyme: Protected Lands and Tools for Landowners Who Are Interested in Preserving Their Land, “ The talk was presented by Anthony Irving, past LLCT President and local land planner and Fritz Gahagan, a well known conservation lawyer and Lyme resident.

Anthony Irving began the presentation by noting that land preservation contributes not only to the ecological and biological diversity of an area, but also helps to sustain the social and economic bases of communities: both the rural character and historic continuity are preserved, and because open space is a renewable resource, it does not cost the community the continuing outlay of funds for providing the services that would be necessary for developed land.

The town of Lyme is ecologically noteworthy because it is a rural community near a intact coastal landscape, on a major river without a city at its mouth. One of the most cost effective ways of preserving this ecology is through the use of conservation restrictions; more than 1500 acres are now protected within the town. It is important, Dr. Irving said, for Lyme as a community, and for individual landowners, to act now to maintain control over development and preservation issues, and to educate ourselves about the resources and tools for doing so.

Attorney Gahagan then spoke about some of these resources and tools. “Time is always the enemy,” he said, “and planning takes years. There is a real possibility of land fragmentation; 50% of the land in Lyme is owned by people 60 or older.” The first steps for a landowner to take when thinking about family land is to identify the needs and conservation philosophy of the family, asking such questions as: How does the economic value of the land fit in with my family’s financial security? What are our desires for future family use? What is our stewardship ethic? Depending on the answers to these questions, a family might choose to keep the land as is, sell it, set up a family trust or partnership, or set up some conservation protection for it.

If conservation or preservation of some or all of the land is a goal, the landowner needs to decide what features of the land need protection, whether the family wants to maintain traditional uses of the land, such as agriculture or recreation, and what development rights they might want to preserve for the future. Gahagan noted that conservation easement can be an important tool in land conservation, allowing a landowner to maintain ownership and access rights to the land and possible future limited development options, while conserving the integrity of watersheds, wildlife habitat, agricultural lands, forest lands, and other features. There are also major tax benefits to using this tool, providing income tax deductions as well as lowering the estate tax costs when the land is handed on to other family members.

In closing, Gahagan stressed that if a landowner wants to explore conservation easement, it is important to put together a team, including a land conservation organization, an attorney, and a land planner. The Lyme Land Trust can provide more detailed information and referrals to those interested in exploring this option.