

LYME LAND TRUST BULLETIN

The Lyme Land Conservation Trust

March 1999



Enjoying the Nehantic State Forest on Land Trust tour.

SOME FORGOTTEN BENEFACTORS

In recent years, these pages have heralded the many generous contributors to Lyme's protected open space, but long before there was a Land Trust, there were conservation minded residents. Colonel Joseph Orlando Taneyhill and Harry K. ("Mickey") McClernon should be recognized for their important role in the formation of the Nehantic State Forest, the town's largest open space at about 1700 acres.

McClernon's daughter, Marilyn Wilkins is a member of the Land Trust board, and has vivid childhood memories of Taneyhill, who was a good friend of her father's. Taneyhill earned his commission in the first World War, then flourished in trade in New York, importing such goods as ginger from China and wool. He built a large house in Madison, but came over to the area of Hog Pond (now Uncas Lake) to go bird watching and hiking with "Mickey".

In May 1937 Taneyhill bought the house on the edge of Hog Pond and a large number of acres, 1,000 or more, from Gregory Davison, who had been acquiring parcels since 1906. For some reason not clear in the records, Davison's widow sold the land to a Frederick B. Clark of Colchester, who, the very same day, turned it over to Taneyhill for \$18,000.

Town records often do not cite the number of acres involved in a transfer of property, and rarely the purchase price. Boundaries of properties are described only by the names of neighbors, thus the exact location of land is very tricky if you can't locate the neighbor's land either. By a rough guess, the land received from Davison followed in a strip along the road from what is now route 156 and along the Northwest edge of Hog

Pond. It extended well into Brown Hill and across to the west side of Norwich Pond.

In addition to the house, there was a boat house and ice house. Taneyhill hoped to raise trout in a pond he created in a small stream behind his house, but the appetite of a blue heron curbed that plan. The access to the pond from Keeney road did not then exist, or was only a farm track. There went with some of the properties on the east side a right of way to Grassy Hill "by the upper and lower cart path (sic)", but these would have been very rough trails.

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PRESIDENT'S MESSAGE

When the State of Connecticut substantially increased funding in 1998 for open space protection, municipalities were given the chance to better protect their local resources. This five year program allocates over \$107 million to increase state holdings and \$59 million in a matching grant program for municipalities and non-profit groups, such as the Land Trust, to purchase parcels of local significance. To qualify the property needs to meet certain cultural and environmental criteria, there has to be a willingness to sell on the part of the landowner, and the local organization has to be able to raise matching funds. Even with matching funds the cost to any one group can be substantial. Creating partnerships between towns, organizations, neighborhood groups and individuals can go a long way to spreading the costs out.

With this in mind the Land Trust has been working with the town's Open Space Committee to identify parcels of significance and two have been submitted to the state for consideration. One is

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NEHANTIC FOREST

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In the months after acquiring the Davison land, Taneyhill set out to round out the borders of what is now the Forest with six further purchases, making up about 450 acres. These seem to have been along the northern and western borders, including Nickerson Hill.

Taneyhill died in early 1940, leaving the property to his wife, and according to Mrs. Wilkins, with instructions to sell to "Mickey" McClernon if she ever needed to sell. Apparently Taneyhill, who cherished the land, had all along intended that it should eventually go to the state: the Taneyhills had no children, although other parties were interested in purchasing the land.

The Second World War seems to have precipitated the next steps. With war underway, the property was remote and difficult for a single woman. On one occasion, she arrived at the house to find intruders, who were seen swimming naked in the lake. With

some aplomb, she gathered up the clothes, and drove off with them to the police station.

In 1942 Mrs. Taneyhill sold 1,000 of the 1700 acres to the state. This was roughly the northern section, including Nickerson Hill. She kept the house section along the northwestern edge of Hog Pond and the rough road to 156, but in November 1944, she turned this over to McClernon. Again, as with Clark, McClernon sold it the very same day to the State. McClernon was already off to war,

and did not want to burden his family with the property, according to his daughter.

She also reported that because of the war, the state pleaded poverty and McClernon had to twist arms for them to come up with the necessary money. The state raised the lake, according to Mrs. Wilkins, changed its name to Uncas Lake, poisoned the native fish and introduced trout. The house, by then derelict, was demolished about 1946, and two years ago, the huge chimney which was all that remained of the house, was bulldozed for

a picnic area.

But this is not the end of the Nehantic story. The land on the western edge of the forest left some years ago to the Land Trust by Margaret Slossen, and the easement donated by Cynthia and George Willauer, Mervin Woody and Marilyn Schmidt, while not belonging to the state, nevertheless have added some 90 acres of contiguous open space. It is possible that the state will add further acres with its current open space acquisition program.



Site of Colonial Taneyhill's house on Hog Pond / Uncas Lake.

PRESIDENTS MESSAGE

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a 328 acre parcel from the Firestone estate on Salem Road. The property, most of which is in East Haddam, has over a mile of frontage on the East Branch of the Eightmile River. For both conservation reasons and future development concerns we thought it important to act quickly on this property which is currently on the market. The purchase would not include the residences or outbuildings and would be bought by the state with 20% of the funds being raised by local groups. East Haddam has joined with us along with the East Haddam Land Trust and the Connecticut Chapter of the Nature Conservancy to raise the necessary funds.

The other parcel is an approximately 60 acre piece that abuts Nehantic State Forest and a Land Trust easement off of Sterling Hill Road. This parcel was also being eyed for development and we and the town saw it as an appropriate holding for the State to add to the State Forest. Although both pieces look promising we are awaiting the state's commitment. I will

hopefully have happy news by the Land Trust annual meeting in June if not before.

Partnerships between groups and individuals are important and sometimes the only way that pieces of property can be protected. Even at \$3,000 an acre for big upland chunks, buying land can be way beyond the means of any one purchaser. So saving land is a group effort, and takes careful coordination, time and expense. Lyme is fortunate to have such a

dedicated group of town leaders and generous supporters. And having neighboring towns such as East Haddam and groups like the Nature Conservancy working with us towards similar goals has only strengthened our ability to protect the region's natural resources. And thanks to the State for finally realizing how important open space is to Connecticut's livable future. Let us hope that they really mean it.



Uncas Lake from the boat launch.



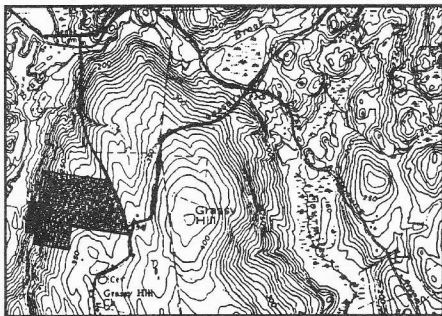
Anthony Irving, left, with Marianne and Michael DesRosier and Robert Barney.

A PLACE FOR THE FOXES AND BIRDS

A flock of wild turkeys regularly visit a feeding station. An elegant bird feeder, suggestive of Tibetan bells, attracts the winged forest dwellers. The deer are not shy. Two pairs of red fox bring their young to gambol on the lawn at dusk. The DesRosier family is one that cherishes their wildlife neighbors.

To continue the relationship, Marianne DesRosier has donated to the Lyme Land Conservation Trust a conservation easement on 9.6 acres adjacent to their house lot. This property was one of five in a subdivision off Joshuatown Road, near the junction with Tantomorantum Road. When the lot recently came on the market, she bought it to protect the wildlife.

Once farmland, the hillside land has now grown up to forest, but in winter it affords views across the valley of Joshua Creek to the eastern edge of Mitchell Hill.



Map of Hilles property. Beaverbrook Road at top.

For outsiders, the land is best seen as part of the hill visible across the pond on lower Tantomorantum Road. This is the southeast edge of Mt. Archer.

This is, in fact, the second easement that Mrs. DesRosier has donated to the Land Trust. Some years ago, she protected for eternity further development of the twelve acres surrounding their house and outbuildings.

A STEEP WOODED HILLSIDE

Another large lot on Grassy Hill has come under a conservation easement, thanks to the gift of Frederick B. Hilles. The fifty three acres lie on the west side of Grassy Hill Road, across from the intersection with Old Grassy Hill Road. It runs for a quarter mile north along Grassy Hill, and drops precipitously into the valley of Beaver Brook. It is not far from the recent Rosseau easement on Grassy Hill, and close to several large donations of land to the Land Trust made some years ago by William Beebe, thus creating the beginning of a lengthy wildlife corridor.

The land is part of the large farm which, going back to the eighteenth century, belonged to a branch of the Harding family. It was purchased by Hilles's parents in the 1930s. He has spent his vacations in Lyme since childhood, and like many Lyme residents would like to preserve a landscape he has long enjoyed.

"This is a lovely piece of New England woodland and history that the Land Trust is happy to see protected," remarked Anthony Irving, Trust president.

The upper part of the lot was once pasture, as evidenced by the remains of red cedar which is the first tree to appear when pasture reverts to woodland. The lower part is marked by very large oak, maple and pine trees, many in excess of 100 years old. This section is so steep that it may well never have been cultivated.

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Lower section of Hilles property.



Ralph Lewis, stewardship chairman and helpers on new trail.

WHAT DOES STEWARDSHIP INVOLVE

What does the Land Trust mean when it speaks of its stewardship obligations? When the Land Trust accepts a conservation easement (called a conservation restriction in Connecticut law), it accepts a legal obligation to uphold the provisions of the easement. The Stewardship Committee undertakes this responsibility on behalf of the Trust.

A donor or seller of an easement gives up certain rights in his property, including any future development of the land, the value of which is applicable as a charitable tax deduction. The Internal Revenue Service requires that the owner document the conservation values of the land to take the charitable deduction. (Because of its rural character, most land in Lyme would qualify.)

The land still belongs to the owner, and he has no obligation to open it to the public. However, the Land Trust has a legal obligation to periodically monitor the conditions of the easement.

The Land Trust must establish a baseline description of the property

against which to measure any changes. This will be in the form of the legal description in the deed, maps, photos and written descriptions of the fauna, flora and any other special features of the property. Once a year a representative of the Land Trust contacts the owner of the property and arranges to tour the boundaries and any other special features; a report is filed with the stewardship chairman.

Should any problems be apparent, the owner is notified in writing and arrangements are made to address the situation. The tour also provides an opportunity to keep in touch with our benefactors.

These inspections and reports are essential in order for the Land Trust to fulfill its obligations, and to date no problem issues have arisen. Lyme is a town with low development pressures and little problem, to date, with dumping and littering, but in the future these could become more serious, as population increases and as property changes hands.

A STEEP WOODED HILLSIDE

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The hillside is interlaced with wetlands and small seasonal streams that find their way to Beaver Brook and eventually the Eightmile River.

A conservation easement, called a conservation restriction in Connecticut

law, extinguishes or modifies certain land uses, such as development, when sold or gifted to an authorized receiver of such rights. The receiver is usually a non-profit agency such as the Land Trust or a government agency. The owner, however, retains the property for private use and there is no right of public access. There are tax benefits if the easement is a gift.

Education of new owners is an important component of stewardship.

Good stewardship is also important on lands that are owned outright by the Land Trust.

If the Land Trust does not fulfill these obligations, both it and the owner are liable to the Internal Revenue Service which provides the charitable tax advantage in the first place.

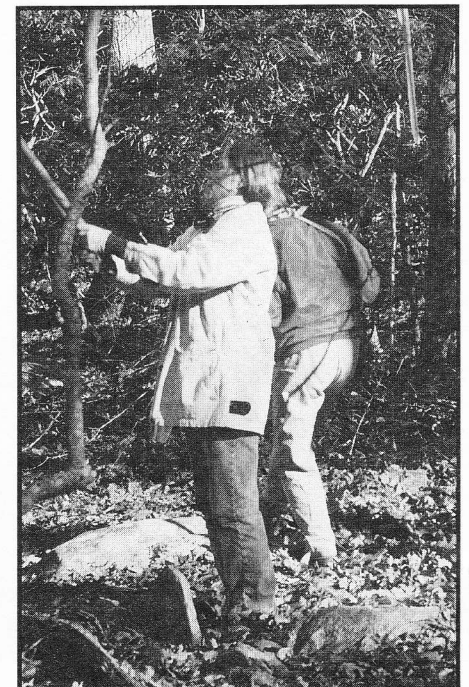
Open Space Recreation

In addition to upholding easements, the Land Trust has made many open space acres available to the public. The Stewardship Committee undertakes periodic work days to cut trails, build bridges, remove fallen trees, keep fields open to maintain ecological diversity, and hold walking tours.

With 55 properties totaling just over 1500 acres under its supervision, either through outright ownership or easements, the Lyme Land Trust's fifteen member board is kept busy. We would welcome help with any of these tasks.

Where we Stand Now

Lyme has approximately 22,000 acres, of which eight percent is water. If the holdings of the Land Trust are added to those of the state in the Nehantic Forest, the town and The Nature Conservancy, about a third of the undeveloped land is protected. However, as Linda Krause, regional planner, calculated in last winter's Winter Forum, this still leaves 12,000 acres of developable land, which might accommodate up to 4,000 house lots.



NEWS

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FOR IMMEDIATE RELEASE

Feb. 5, 1999

"News From The Nature Conservancy"

SAVED: 49 Threatened Acres on Whalebone Cove

HADLYME—The Nature Conservancy Connecticut Chapter has committed to purchasing 49 acres on a thriving freshwater tidal wetland in Lyme at a bargain price.

David Johnston of Old Lyme, who represents the Johnston Family Limited Partnership, owner of the land, agreed to the bargain sale, and the chapter exercised its option on the purchase this week.

"Whalebone Cove is one of the most critical conservation sites on the lower Connecticut River," said Chapter Executive Director Denise Schlener. "By agreeing to this generous bargain sale, the Johnston family is playing a vital role in protecting the Tidelands of the Connecticut River, one of the Last Great Places.

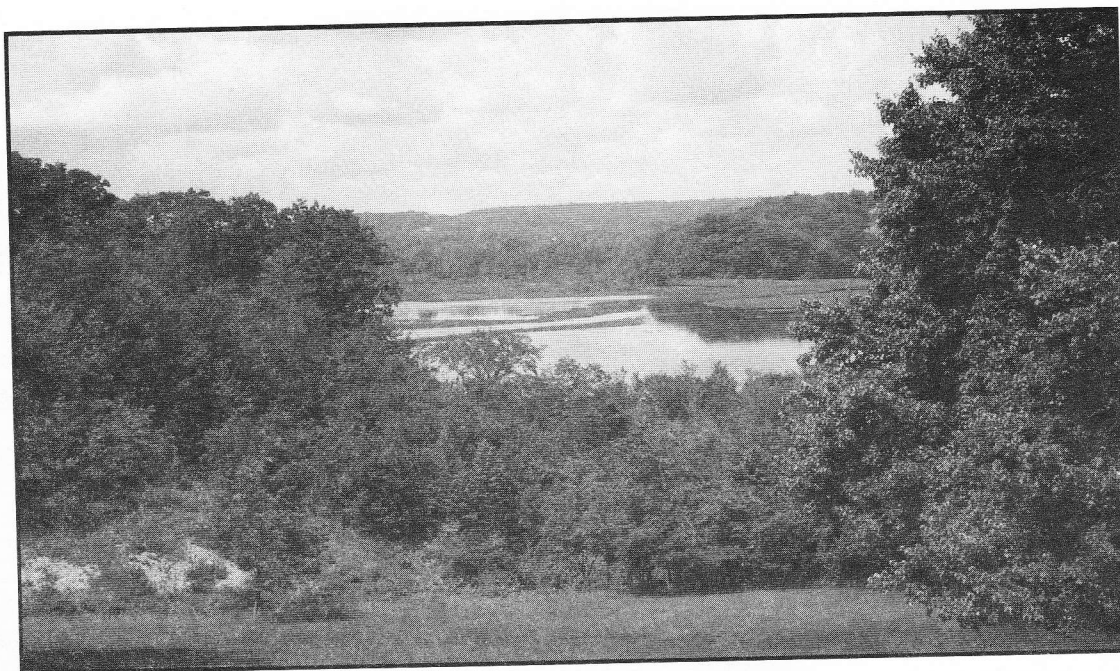
The chapter has begun raising funds to make this purchase.

Among the important partners in this acquisition is the Lyme Land Conservation Trust, which helped the chapter build local support. The neighbors of Whalebone Cove have also played an important role in not only working to protect this property, but Whalebone Cove as a whole.

Whalebone Creek is located on the east side of the Connecticut River, just south of the Chester/Hadlyme ferry crossing, near Gillette Castle. It is one of the most undisturbed and biologically significant freshwater tidal marshes on the river.

This purchase will bring the chapter's total acreage at the Whalebone Cove Preserve to 82. The Johnston tract consists of 28 acres of wetlands and 20 acres of upland forest and fields that provide a buffer helping protect the water quality of the cove.

The Johnston property, which is on Selden Road, could have been developed. Clearing the land for construction would have had an enormous impact on the area, including erosion and siltation, and loss of the trees as habitat themselves. Moreover, the area's relatively sparse development is one of the reasons Whalebone Cove is attractive to bald eagles, which frequent the cove in winter but are known to abandon an area where human activity is intense.



Whalebone Cove from Joshuatown Road.

WHALEBONE COVE, HADLYME, CONNECTICUT

A Thriving Natural Area ...

Whalebone Cove is a freshwater tidal marsh, its level rising three feet between low and high tide. Expansive mud flats are laid bare at low tide. The cove itself is traversed by the meandering Whalebone Creek, which is visible at low tide, and is fed by Hemlock Valley Brook to the north and Roaring Brook to the east.

Vegetation

Whalebone Cove is studded with grasses and reeds, and surrounded by oak, hickory, and hemlock trees. It is also the location of one of the largest stands of wild rice in the state, providing a seasonal feeding area for various birds.

Whalebone Cove is also home to several rare marsh plants, and other colorful plants that are not rare: pickerel weed, cardinal weed, wild iris, and wild roses.

Wildlife

The birds sighted at Whalebone Cove include green herons, great blue herons, sora rails, least bitterns, long-billed marsh wrens, Carolina wrens, white-eyed vireos, Canada geese, common mergansers, red-tailed hawks, marsh hawks, eastern bluebirds, brown creepers, mockingbirds, myrtle warblers and various woodpeckers. Mallards, wood ducks, and black ducks also nest and feed in the area.

In fall and early spring, osprey hunt the shallows. Tides keep the cove's mouth free of ice during the winter, affording easier fishing for bald eagles, which winter in the area. The saucer-shaped nests of large-mouth bass and bluegill are visible in the sandy-bottomed channels in early July.

Preserve History

In 1993 the chapter purchased eight acres at Whalebone Cove, two of which were an approved building lot for \$115,000.

The Connecticut Chapter received a donation of 25 acres on Whalebone Cove from Mary Peck Schwartz of Lyme in May 1988. Her donation was made up of two parcels: a 16.9-acre marsh piece and 8-acre Jabez Island, at the mouth of the cove.

Historically, the cove's water has been fresh, making it an important watering hole for ships entering the river. The 1938 hurricane deposited considerable silt at the cove's mouth, however, and now the narrow channel is only negotiable by small boats.

This press release was received from the Nature Conservancy Connecticut Chapter shortly before we went to press.

GET IN TOUCH WITH YOUR WATERSHED

Do you know your watershed address? Have you thought about what happens to the pesticides, fertilizer, sand, salt and oil and other products you use on your property? Do you think about the chemicals in products you use every day such as household cleaners? Can they affect your health through inhaling, swallowing or skin contact? What about the effect on the environment?

Come for a not-so-serious look at these serious topics, at the spring workshop entitled Simply Protecting Lyme's Natural Resources. This will be on Saturday, April 17 from 9:30 to 11:30 at the Lyme Public Hall in Hamburg. Coffee will be served.

The two speakers, Richard Larsen and Linda Birely, a Lyme Land Trust Board member, have presented a number of such programs. Both speakers are scientists from the Pollution Prevention and Environmental Management Team of Northeast Utilities.

The topic is particularly appropriate this year because Lyme has agreed to join neighboring towns to establish a new hazardous waste plant in Essex. Lyme Town Selectman Ralph Eno points out that currently the town is billed by the Waste Transfer Station for any hazardous wastes not disposed of on the special days for collecting them.

The forum should give town residents a better understanding of the issues and help cut down on unneeded poisons and chemicals in the house and garden and the cost of their disposal.

LAND TRUST TAPES AT LIBRARY

Two tapes relating to the work of the Lyme Land Conservation Trust are now available for borrowing at the Lyme Library. The first, "Lyme's Census in 2025: Could it reach 10,000", is the record of the Land Trust workshop held last March dealing with the pressures which might bring more development to Lyme, and the constraints to development. The main speaker was regional planner Linda Krause, followed by a panel with relevant town officials.

The second tape, "Your Family Land: Legacy or Memory", is a seminar with professional estate planners and family land owners on the options available to retain family ownership of land and avoid pressure to develop.

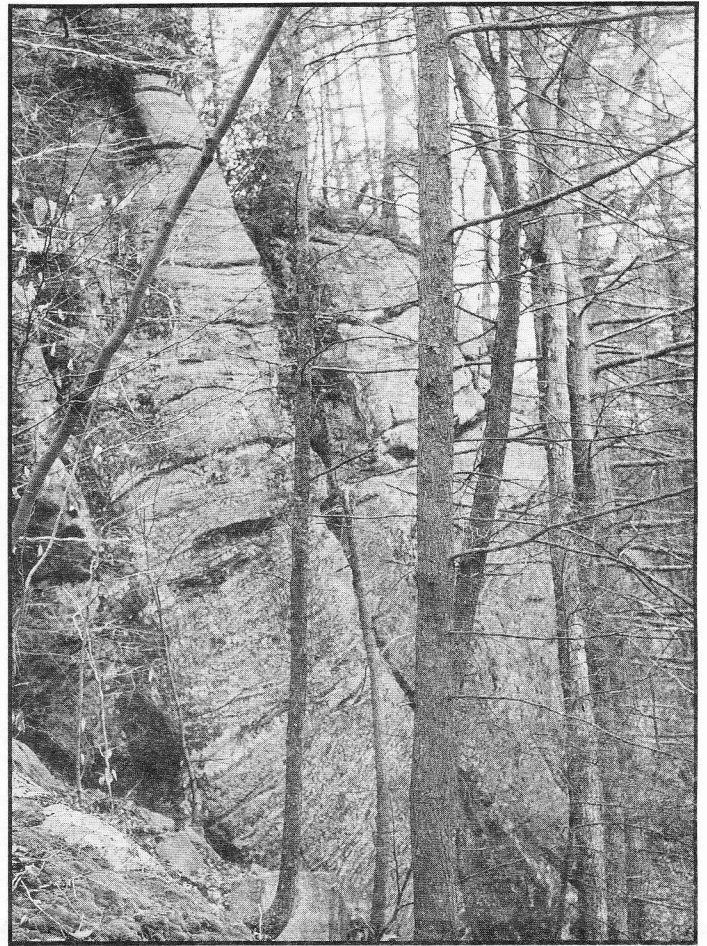
BOOKS HELP UNDERSTAND NATURE

For some years the Land Trust had donated subscriptions to science and conservation related magazines to the Lyme Library. This year the Education Committee has added *Sky*, *Telescope and Oceans* to the previous selections. Look for these on the magazine rack.

The Committee has also donated monies to the Lyme Consolidated School for a series of paperback field guides to supplement classroom and outdoor nature programs.

BRAVO LYME!

For the first time in its history, membership in the Lyme Land Conservation Trust has reached the 500 mark, which is more than a third of town households. This might be regarded as the town saying Thank You to all those who have made land and easement donations to the town, through the medium of the Land Trust. Donations in the past year also reached a record \$17,000. Treasurer Robert Barney regards these figures as "A sign of tremendous support."



The cliff on the Ravine Trail.

EXPLORE THE NEW TRAIL

You meander downhill through a thick laurel grove, circling the edge of a hill. You come to a rock outcropping and climb over a stone wall with seemingly cut stones, and two stone chairs made by some earlier passerby. You are now in a small stream valley, hedged in by increasingly tall and jagged rock cliffs. The remains of a bridge and old cart track cross the stream, but you continue downhill until you reach a shaded wetland, like Lyme's Everglades, one walker commented. Following the edge of the wetland, you pass what could well be the sheerest rock cliff in town, then suddenly you find yourself - at Mitchell Hill Road. The trail is only about three quarters of a mile, but you have been in many different worlds.

Welcome to the Land Trust new "Ravine Trail", which the Stewardship Committee, and several volunteers cut and marked this winter. One end is on Joshuatown Road, across the street from The Nature Conservancy's Selden Preserve (this is about 1.4 miles north of the intersection with Mitchell Hill). The other end on Mitchell Hill Road is .6 miles from the turn from Brush Hill Road, on the right downhill from "White Hall." Look for the Land Trust Trail markers at the entrances.

The trail links together nine acres Ron Phillips recently gave to the Land Trust and a right of way he has given to this land, with property owned by The Nature Conservancy and another strip of Land Trust property which was to be the required open space of a projected development on Joshuatown which never materialized.

Some of the trail is very rockstrewn and therefore rough walking, so we recommend sturdy shoes. Red tags mark the route.

PLANS FOR PART OF FORMER ENO PROPERTY

Dr. Paul A. Armand Jr. has donated a conservation easement on 48 acres to the Lyme Land Conservation Trust. He retains a five acre house lot. Last summer Dr. Armand purchased approximately a quarter of the 200 acre former Eno property at the intersection of Mt. Archer and Tantomorum Roads. The easement designates the house lot as a Reserved Residential Zone, which creates a few environmental restrictions on its development, such as the avoidance of introducing invasive plants and the use of pesticides.

The property is a diamond shaped plot that runs uphill from Tantomorum Road on the southwest corner of the Eno property, and abuts the hundred acres given to the Land Trust by conservation minded citizens. The remaining 50 acres was purchased by Robert Godley who has not yet announced his plans.

The Armand property is mainly woodland which rises from an elevation of 90 feet at the road to 320 feet, with locally steep and rugged terrain. Some remains of red cedar indicate pasture use



Old cellar hole.

not too long ago, but some sections have trees of more than 100 years. An old cellar hole indicates the location of the former farm house, and a long unused farm dump adds a note of human activity.

Dr. Armand, who is a scientist at Pfizer plans to build a house and move to Lyme.

Armand property. Mt. Archer Road at top.



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The Lyme Land Trust Bulletin

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