

LYME LAND TRUST BULLETIN

The Lyme Land Conservation Trust

September 1999



East branch of the Eightmile River in the Firestone Property.

STATE GRANTS BOOST LYME'S OPEN SPACE

Lyme has been a major benefactor of the state's land acquisition programs. One is the Recreation and Natural Heritage Grants, created a year ago with the goal of assuring 21 percent of Connecticut land be kept as open space, by either state, the towns or private non-profit organizations. Under the program the state pays between 80 and 100 percent of the cost of acquisition with the state assuming ownership. Over the course of the program, the state has to date spent almost \$10 million to acquire 3,725 acres. Of this, \$5 million was awarded to 23 towns this July.

The other program is the Open Space and Watershed Acquisition Program. Here a municipality, land trust or other land protection entity purchases land with the state providing up to 50 percent of the funding. During the past year Lyme has taken advantage of both programs.

Cooperation Pays Off

For many years the towns of East Haddam and Lyme have been concerned about the disposition of the more than 300 acres of the Firestone estate on Salem Road. Last fall the towns, supported by the East Haddam and Lyme Land Trusts, and The Nature Conservancy, applied for funds to go toward an \$800,000 purchase price. Award of \$640,000 under the Recreation and Natural Heritage Program was announced in July.

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Grant Spurs Negotiations

In July, the state announced a \$180,000 matching grant to the Lyme Land Conservation Trust and the town of Lyme under the Open Space and Watershed Acquisition Program. This is to go toward the as yet undetermined purchase price for the 95.9 undeveloped acres of the former Czikowsky farm. For many years the Land Trust and the town have been concerned that this ecologically sensitive land would be developed. In

PRESIDENT'S LETTER

This past August I was asked to participate in a forum sponsored for national park delegates from Tanzania and Jamaica. They were in the U.S. for an exchange of ideas on the relationship between land preservation and land use. On this particular day, they were interested in looking at the land trust model as an open space preservation tool.

One thing that struck me in putting my thoughts together was that historically, most of the land that has been protected in this country and around the world has been through direct government acquisition. This top down approach, which began in our country with the creation of Yellowstone Park in 1872, has provided us with wonderful parks and wilderness areas. Within the last 25 years, however, a very different strategy for open space protection has evolved. This new conservation paradigm is a bottom up approach that depends on regional and local groups of citizens rather than state and federal governments.

Looking at open space protection from a local perspective is quite different than the larger, bird's eye view that state and national groups must necessarily employ. Their concern is with a broader area of interest, whereas local groups

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recent years they have been in discussion with the bank which holds the land in trust for the heirs of the Czikowsky brothers whose farm circled the north side of Hamburg Cove.

About 200 acres of this farm was divided into large building lots in the 1980s. At that time the Land Trust received all rights to subdivide, in effect becoming the guarantor that these lots would never be further subdivided. Two years ago, Tom and Susan Childs donated

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Ralph Lewis and Anthony Irving installing a new bridge at the entry to the Pleasant Valley Preserve. It is made of Enviro Board, a recycled plastic material used by the Forest Service. It is long lasting, looks like wood, but does not have the adverse environmental effects of pressure treated wood.



FIRESTONE

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Only 54 acres of the estate lie in the town of Lyme, and the town paid its share of the match, \$46,500, from the open space fund established in 1997. The expenditure was approved unanimously at the June town meeting this year.

The bulk of the estate, 258 acres, lies in East Haddam, that town's share was: \$83,500 from the town's open space fund; \$20,000 from the East Haddam Land Trust and \$10,000 from The Nature Conservancy.

The diversity of habitats and the key location make this an especially important acquisition. The land runs for about a mile along the east branch of the Eightmile river, part of the ecologically significant network of waterways that constitute the lower Connecticut River water basin. The town has proposed to the state that 15 acres continue as farmland. There are 35 acres of floodplain, and 260 of upland deciduous forest. Some rare plants and animals are found on the land.

The estate lies close to two sections of the Nehantic State Forest, and Hartman Park as well as acreage under easement held by the Land Trust in Lyme. In East Haddam it is near the 823 acre Devil's Hopyard State Park and 746 acres owned by The Nature Conservancy. There is potential therefore for a very large greenway. While not part of the deal, Salem will benefit from the acquisition as well.

The state will manage the area for passive recreation, although specific plans have not yet been announced. With a new fish ladder coming to Ed Bill's pond near the eastern edge of the estate, fishing might be an option.

While the Lyme Land Trust is not a financial contributor to the purchase of the Firestone Estate, the participation of two towns, two land trusts and The Nature Conservancy in drawing up the application pointed to a cooperative effort which attracted state attention.

PRESIDENT'S LETTER

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have a much narrower focus. It is a scale issue. When you concentrate just on your own town or regional watershed, decisions about open space protection are much more linked to the community. The land, the people, the history are tied up together.

Land protection at this level is more multi-dimensional because it involves places and families and pieces of ourselves, our roots and certainly our futures. And what is most interesting is that this new paradigm is individually directed. Rather than a large political entity making land use decisions, it comes down to individual landowner belief that preserving the land is the most important thing they can do with their property - whether through conservation easements, bargain sales or outright gifts.

Between the town, land trust, Connecticut Gateway Commission and The Nature Conservancy, more than 2500 acres of land have been voluntarily protected by individual landowners in Lyme. In addition, the Land Trust has purchased property with gifts from town citizens. In total, nearly one half of Lyme's open space derives from individual contributions of land and money. This is certainly an impressive measure of the importance of the land in people's lives.

So why was there this interest in a small rural town in southeastern Connecticut by people who live half a world away in Tanzania and Jamaica? They were interested in hearing about empowerment: if people are stakeholders in the land, whether owned by individuals, communities or managed by local groups, are they better stewards than if the same land is controlled by a larger, remote entity? Although the land trust model does not answer the question directly, it says something about how people connect with the land. Certainly in Lyme, property owners have preserved open space because they feel it is in the best long-term interest of their land and their community. It's a stewardship ethic that transcends nationality and place. When people feel a connection and responsibility to the land, they are more likely to take care of it. It is true in Tanzania and it is true in Lyme.

Anthony Irving, President

EASEMENTS PRESERVE 41 ACRES

Conservation easements (called conservation restrictions in Connecticut law) have proved a most effective tool for preserving open space. Under their provisions a landowner keeps his land, but gives up the right to develop to a non-profit or government agency. The donation of these rights carry a value which may be taken as a charitable donation for tax purposes. There is no right of public access unless the owner wishes to provide it. The Lyme Land Trust has received three new easements:

Ely Meadow Property

An important addition has been made to the large acreage already conserved on Ely Meadow and Lord's Cove. The H. Everton Hosley Estate has placed building restrictions on 19.3 acres on both sides of the old farm track that leads from Ely's Ferry Road south along the Connecticut River. This lies immediately behind what was originally the ferryman's house, and runs about 1,000 feet down river from the former freight warehouse that juts into the river. The farm track has long led local farmers to the prized salt hay of the meadow, and duck hunters to a favorite spot for migrating birds.

The Nature Conservancy and the state own or hold easements on land to the north, south and east of this property. A private owner holds adjacent land. The Conservancy owns most of the salt marshes of Lord's Cove to the east of the meadow. This is a favorite area for bird watchers. The Town of Lyme recently received from Jane Davison four acres further south on the river shore in exchange for abandoning a long unused town road, Mack Lane.

The Hosley land contains a mixture of wetlands and sandy patches deposited by river floods. The large trees and thickets are home to many bird species. The Hosley estate placed the easement on the land to keep this important piece of river front undeveloped.



Property on Ely Meadow

Open Space on Baker Lane

The Lyme Land Conservation Trust has received a conservation easement on nearly 13 acres on the east side of Baker Lane as open space for a four lot subdivision. Going north on Baker Lane, the land is on the right at the first curve in the road. It is a steep and rocky property, and the house lots are large - two about 6 acres each, and two about 11 acres.

The conserved land runs along Baker Lane for about 600 feet, and contains wetlands as well as rock outcroppings. Part of the area is in East Haddam. The lot extends easterly from Baker Lane for about 1800 feet, bringing the open space close to the Firestone property recently acquired by the town (see page 1).

The donors of the easement are: Jill Tryon-Repka, Stephen J. Repka II and Jennifer Girty.

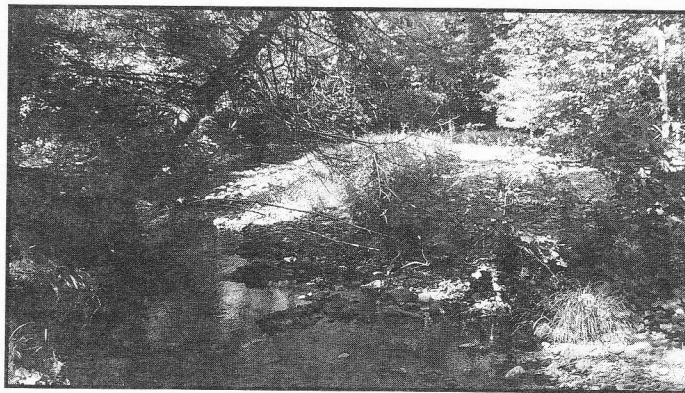


Hiram Maxim's Field on Blood Street

Old Farm Land

Hiram Maxim has added a conservation easement on nine acres to an earlier gift of a fifty acre easement to the Land Trust. The properties are at the western end of Blood Street. The new donation belonged to the 70 acre 17th century farm of Henry Benit (sic). This ran from the north side of Blood Street to Hog Pond (now Uncas Lake). What is now Bill Hill, was then known as Benit Hill. Joseph Lord purchased the property in 1767, according to Maxim, who is town historian as well as former president of the Land Trust. The existing house was built at that time.

The land thus fulfills several criteria for conservation land: it has historic significance, agricultural value and scenic attraction as it runs more than 300 feet along Blood Street. Maxim was concerned to protect these values and preclude development of land so easily developable.



Along Roaring Brook

SMALL BUT SIGNIFICANT

A small but ecologically important property on Roaring Brook has been given to the Land Trust. This 3.1 acre site, with 900 feet along the brook, is the open space component of the Clinton Subdivision off Day Hill Road in Hadlyme. It encompasses a variety of soils which support a mixture of plants. White, black and red oak can survive the dryness of the beds of sand and gravel deposited by glacial meltwaters 15,000 years ago. The moister soils of the brook's flood plain support white ash, red and sugar maple, sycamore, shagbark hickory and black birch. Hemlocks have flourished in both soils types, but are now suffering from the woolly adelgid that has devastated so many of Lyme's Hemlocks.

Like so much of Lyme, the area was once farmed, except for the steep slope of the river bluff, but there are indications that agriculture ceased about a century ago. Access to the property is limited.

DID YOU READ THE LABEL?

READ THE LABEL was the core message from the two speakers at the Land Trust's April forum on "Simply Protecting Lyme's Natural Resources." Linda Bireley and Richard Larsen are both scientists with the Pollution Prevention and Environmental Management Team of Northeast Utilities.

Ms. Bireley walked the audience through the precipitation cycle from evaporation, to clouds, to rain which drains off either as surface or ground water into bodies from which it evaporates. In undeveloped areas, natural processes counter pollutants and floodwater. Human activities interrupt the natural cycle by creating impervious surfaces - roofs, roads and the like - where water runs off more rapidly, picking up sand, salt, chemicals and other substances that harm the environment. This runoff contributes to flooding. Harmful substances can also drain off through the ground water and end up in aquifers, rivers, lakes and oceans. These sources are called non-point pollution, and account for 80 to 90 percent of water pollution.

Agricultural and pasturage runoffs can send an excess of nutrients to our waters. These encourage excessive plant growth. When the plants decompose, life giving oxygen is used up. In fresh water, the nutrient that causes most problems is phosphorous. Rainwater has little phosphorous. In addition, phosphorous clings to sand, thus creating a double hazard of siltation and chemical pollution. A different nutrient problem plagues Long Island Sound which has accumulated an excess of nitrogen, not normally found in salt water.

Ms. Bireley recommends property owners undertake an inventory of their land for conditions that might contribute to pollution. While she did not recommend totally abandoning the use of household and garden chemicals, she urged judicious use. Don't buy more than you need; apply sparingly; store safely - and READ THE LABEL.

Horrors in Kitchen and Garden

Mr. Larsen, in his Robin Williams persona, had the audience gasping for breath, at one moment from laughter, and the next in horror at his tales. He noted that we are in a state of paradigm change, from just "managing" waste to preventing it, with recycling as a last resort. His job at



Richard Larsen and selected household materials

Northeast Utilities is doing just that, and he has saved the company millions in the process.

He outlined four characteristics that make products hazardous to people and the environment, with examples of each. The first is toxicity (T). Often we are not aware that heavy metals are present, which can create crippling illness, even death. Recently there has been much publicity about lead in paint and gasoline, and the steps taken to address this problem. But in some cases mercury, which is even more toxic, has been substituted. The old alkaline batteries were not harmful, but now many devices use rechargeable nickel-cadmium batteries. These should only be disposed of at the dealer's or hazardous waste centers. But does everyone READ THE LABEL?

Reactions are another source of danger (R). Mixes create hazardous compounds. Such common household cleaners as ammonia and chlorine create a "smoking" toxic gas; how easy it is to get

these two in one container, such as a toilet bowl!

Ignitable substances (I) can be hidden traps. We got rid of chloro-fluorocarbons (CFCs) but are now using isobutanes in such things as lighters and shaving cream dispensers. What, asked Mr. Larsen with a leer, about a man who shaves and smokes? And what about silly string kids

play with if it is sprayed as the birthday candles are lit? Even labels can create unintended black humor. Labels on room freshener aerosols say "spray room until a light fog forms" but advises users not to breathe it, and to provide adequate ventilation. If you ventilate, why bother with the spray?

Other hazardous materials are corrosive (C). These may be either very high pH (alkalines) or very low (acids). Drano works because it sucks out fat - but it does this to your skin if you get it on you.

And if you look down the drain to see if it is working, fumes can get in your lungs and splatters can get in your eyes, creating permanent damage.

Mr. Larsen pointed to the hazards of frequently found household substances. Gasoline is highly flammable, and the benzene in it is a carcinogen. The attractive smell, if really inhaled, can create "chemically induced pneumonia" which is why instructions say "if swallowed do not induce vomiting".

Pressure treated woods last for decades because infused poisons kill bugs, fungus and other living things that weaken it; but splinters from such wood can be nasty. If the wood is burned or standing in water, the chemicals can pollute the air or water. It does help to stain such wood to keep the poison in.

Then there are oily rags, such as those used with linseed oil, which can combust spontaneously. As Mr. Larsen finished, his audience resolved to look for TRIC characteristics and READ THE LABEL.

THE LAND TRUST - LEAVE A LEGACY

by Carol Hardin Kimball

In 1967, a group of Lyme residents, deeply concerned about diminishing open space in town, founded the Lyme Land Conservation Trust. Since then, the Trust has permanently protected 1,524 acres. In addition it co-manages many acres in town owned by The Nature Conservancy.

Land Trusts depend on annual, tax-deductible contributions from local residents to acquire land and then to manage, i.e. "steward", it. Membership dues, memorial gifts (made at the suggestion of a deceased's family) and donations for special land acquisitions are traditionally made through outright gifts of cash and/or appreciated securities.

In recent years, however, people are also demonstrating their commitment to preserving open space by making a bequest, a monetary gift, through their Will or Living Trust.

Andy Zepp, Vice President for Programs at the Land Trust Alliance in Washington, D.C. observes, "Across the country Land Trusts are increasingly receiving bequests. This makes sense, given the financial obligations that flow from the commitment to steward more land in perpetuity. The trend is more and more towards utilizing bequests, devises [a gift of real estate by Will], and life income gifts such as charitable remainder trusts. Bequests in any form are vital to the future sustainability of Land Trusts."

A bequest reflects the maker's philosophy and priorities. It has many advantages. Simple to arrange, a bequest is either designed when a new Will is executed or later, by adding an extra clause termed a codicil. It is revocable - you can change the beneficiary if and when you wish. And because bequests are wholly deductible from the gross estate, they can offer significant federal estate tax savings.

A bequest can be worded to specify a specific dollar amount, or a percentage of your residual estate. Or a "contingent" bequest may be appropriate should the individual heirs you have named predecease you. While a monetary bequest through your Will is the simplest way to benefit the Land Trust, other creative estate planning options may be appropriate depending on personal and family circumstances. These include naming the Lyme Land Conservation Trust as *the*, or *a* beneficiary of a charitable remainder trust, retirement plan, or a no-longer-needed, paid-up life insurance policy. All of these vehicles are "tax favored." Anyone considering a bequest or other estate gift should consult his or her own professional legal and financial advisors.

Ultimately charitable gifts through one's estate are not primarily driven by tax benefits, but by deeply held commitments and beliefs. For example, the Lyme Land Trust's most recent bequest was received from the estate of long-time resident Chamberlain Ferry. His widow, Barbara, explained: "Chamb deeply loved Lyme's pristine wetlands and rock-filled woods. He hoped his bequest would inspire others to act similarly so that as much as possible of Lyme's remaining open space could be preserved for the future."

NEW BOARD MEMBERS

At the Annual Meeting in June, three new board members were elected:

Henry Willard, a retired electrical engineer, moved to Joshuatown Road three years ago. Willard, originally from Weathersfield, found that town so developed over time that he and his wife have relished the quiet of Lyme.

Steve Hoyt and his wife are also fairly new residents of Joshuatown. Hoyt, a Regional Manager, Corporate Properties for Fleet Bank, travels in the New England-New Jersey area. A longtime backpacking enthusiast, he finds Lyme a sympathetic home.



Ravine Trail

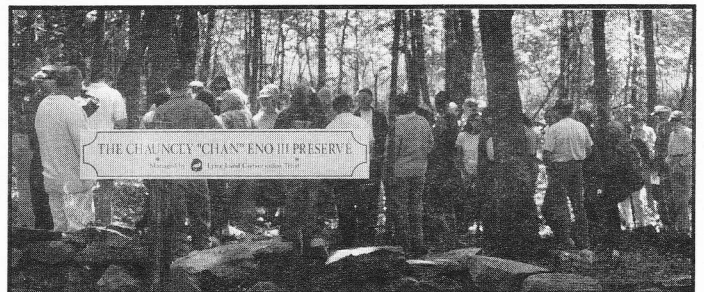
JOIN THE AUTUMN WALK

Geologist Ralph Lewis and ecologist Anthony Irving will share their expertise on a walk through the recently created Ravine Trail on Saturday October 30 at 10 a.m.. Meet at the entrance to the Selden Preserve on Joshuatown Road (1.4 miles north of the Joshuatown-Mitchell Hill intersection). The tour will follow the trail to Mitchell Hill Road, then return to the Selden Preserve. The trail is not long, but it is rough in some places and sturdy shoes are recommended. Sunday, October 31 is rain day.

WORKSHOP FOR LANDOWNERS

Several winters ago, the Land Trust held a well attended workshop on the whys and hows of conservation easements, the environmental preservation tool by which landowners can keep their land while giving up to a non-profit or government agency the right to develop. The easement can confer considerable tax benefits while fulfilling family needs.

Not everyone interested was able to attend then, and there have been changes in the federal and state tax laws which potential donors will want to hear about. The Land Trust is joining with the Old Lyme Land Trust, The Nature Conservancy, town boards and others to present another workshop on Saturday November 6. "A Landowner's Guide to Land Preservation" will be at the Senior Center, 26 Town Woods Road, 8:45 to 11:45 a.m. Speakers will include attorneys Fritz Gahagan and Campbell Hudson; Nathan Frohling and Katherine Doak from The Nature Conservancy, and a panel of experts to answer questions. Refreshments will be served.



Dedication of Chauncey Eno Preserve

Russell Shaffer, a retired advertising man from New York, has long had an avocation of environmental activities: courses at Coverts; a forestry course at Connecticut College; hunting; fishing, making maple syrup - if it's outdoors, Shaffer has tried it.

Retiring from the board after fulfilling their terms are: Betsy Dill, assistant treasurer; Roger Smith and Robert Wood both of whom were active with the stewardship committee.

FISH COUNTERS KEPT BUSY

This past spring, Lyme's newest fishway provided a path for thousands of river herring swimming beyond Hamburg Cove to find new spawning areas in the Eightmile River above the nine foot high Rathbun Dam. Migrating fish have not been able to use these upper reaches of the river for several hundred years.

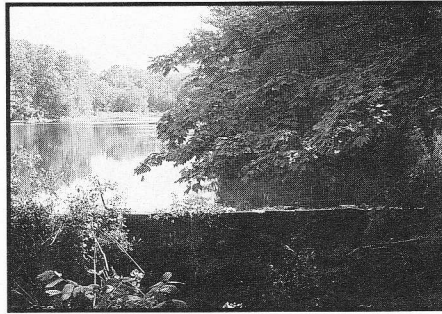
Lyme's 1999 fish passage started this year on March 24 when Land Trust board member and Fishway Steward Linda Bireley removed some weir boards from the top of the fish ladder. Water started flowing vigorously down the metal steep pass and the attraction water pipe. Within a few days, Linda's team of volunteers began to see several varieties of fish using the fishway.

Initially the volunteers observed only a few white suckers and sea run trout. Within two weeks, however, fish stewards were seeing several hundred alewives actively migrating through the fishway. By the middle of May (May 2 through June 5) the stewards regularly saw hundreds to thousands of alewives and blueback herring in the fishway. Linda report-

ed the observations to State DEP Fisheries Biologist Steve Gephard, who has posted the numbers of fish migrating through all the fishways in the state at his web site: [Http://dep.state.ct.us/burnatr/fishing/anadrep.htm](http://dep.state.ct.us/burnatr/fishing/anadrep.htm).

We would like to thank the following volunteer fish stewards: Linda Bireley, Karen Dahle, Fritz Gahagan, Sue Hessel, Anthony Irving, Chris Juhl, Chris McCawley, Betsy and Jim Morgan, Bobbie Nidzgorski, Jan and Valinn Ranelli, Polly Richter, Dave Williams, and Bob Wood.

If you would like to be a volunteer, contact Linda Bireley at 60 Mt. Archer Rd., Lyme; phone 434-9864 or email: LindaBIOTA@att.net.



Ed Bill's Pond where another fishway is planned.

GRANT

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an easement on the open field and barn that formed the center of the most beloved view in Lyme looking over Hamburg Cove to the village.

The remaining undeveloped parcel lies just north of the Joshuatown bridge over the Eightmile River. It has 2,400 feet of river frontage, as well as 25 acres of floodplain. Development has until now been difficult because the parcel does not have adequate road frontage under town regulations to build more than the existing two houses, and the wetlands and steep hill also create difficulties.

However, the attractions of the river and the upland views could appeal to developers and conditions might change to make development more feasible. On the North side, the property abuts the former Wilde property, which is being developed, but it also is close to the new Chauncey Eno Preserve.

If a purchase price is agreed to by all parties, the town will buy the property. Plans at this point are for it to be managed for passive recreation.

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