

LYME LAND TRUST BULLETIN

The Lyme Land Conservation Trust

Spring 2000



Old Grassy Hill Road

ENLARGING OPEN SPACE ON GRASSY HILL

The Old Grassy Hill Road is one of those hidden rural scenes treasured by those who know it. It adheres to the old road widths, with large trees at the road edge arching above; and, until a recent resurfacing, was a close approximation of the old dirt roads with humps and ruts.

Frederick Hilles's donation of an easement of 26 acres on the west side of the road, will help to preserve this rural scene along 0.4 miles of Old Grassy Hill Road. The easement runs from near the intersection with Grassy Hill Road to the East Lyme border. (See map page 2) The western border of the parcel is a series of old stone walls, which separate the conserved property from the open fields that run along Grassy Hill Road.

The easement is also important for its proximity to already preserved open space: it is adjacent to 75 acres of Land Trust Land donated some years ago by Bill Beebe, and a 53 acre parcel donated three years ago by Ted Hilles. With the Rosseau parcel of 50 acres there is now close to 200 acres of preserved open space on Grassy Hill. Many kinds of wildlife need habitat that is relatively unbroken by human activities, or they may not be able to move freely to find food, shelter and mates.

The two parcels of Hilles land are part of the coastal upland characterized by low rolling hills and are the watershed of the level valley bottom created by Beaver Brook.

The new parcel contains red maple swampland and the moisture rich soils also support the growth of tulip popular, white ash and yellow birch, several kinds of hickory, sugar maple, red and white oak, and black birch. Winterberry, spice bush and high bush blueberry are also found, but invasive barberry and multiflora rose have also found a foothold.

The trees on the northern end are 80-100 years old, those toward the south somewhat younger. The stone walls indicate pasturage, but the rocky soils suggest that plowing was not feasible.

PRESIDENT'S MESSAGE

There was an article in *The Day* newspaper recently where a federal study shows that Connecticut is shifting from rural to urban forests. Urban forests are classified as wooded land surrounded by development whereas rural forests are those capable of supporting a small commercial harvest. The apparent good news is that total forestland in the state is increasing; however, at the same time we are losing 6000 acres of rural forest a year. The problem is that the shift from rural to urban forest fractures the land threatening the functions and values inherent to the intact, non-fragmented landscape. This is an issue that is of interest to us as a land trust because of the large tracts of unfragmented forest still available in Lyme.

This got me thinking about the new conservation easement that the land trust received from Ted Hilles this past December on Grassy Hill Road. The year prior to that Ted had given us another easement and before that Richard and Shirley Rosseau, just up the road, had donated an easement. On the Beaver Brook end of Grassy Hill, back in the late 1980's, Bill Beebe gave us land that abuts the new Hilles parcel and next to his we received a piece in the mid 1980's that was part of a subdivision. The point is that if you look at the map that accompanies the Hilles article, you begin to see not only the potential for fragmentation, but also the beginnings of open space pieces joining together.

Obviously these donations of easements and outright gifts are by themselves critically important. They provide habitat and contribute to a healthy ecosystem. They preserve our cultural and historical heritage as well as the aesthetic landscape. But it is when they can be linked together that they really make a difference. The sum of the pieces when joined is greater than their total as individual parcels.

continued on page 2

COME BE A STEWARD

The Stewardship Committee is charged with ensuring that the properties held by the Land Trust are maintained according to applicable management plans or conservation restrictions. Because the Land Trust is becoming increasingly successful in protecting our treasured landscapes, we now have over 60 properties to "steward".

"Up until now the Land Trust Board of Directors could manage this stewardship function, but it means that some directors have responsibility for eight or more properties," says Ralph Lewis, committee chair. "We'd like to recruit a few more Land Trust members to help."

Stewards need to spend one to several hours a year walking and observing the property. This way they ensure the property is conforming to the management plan. The stewards then submit a report on the condition of the property to the committee.

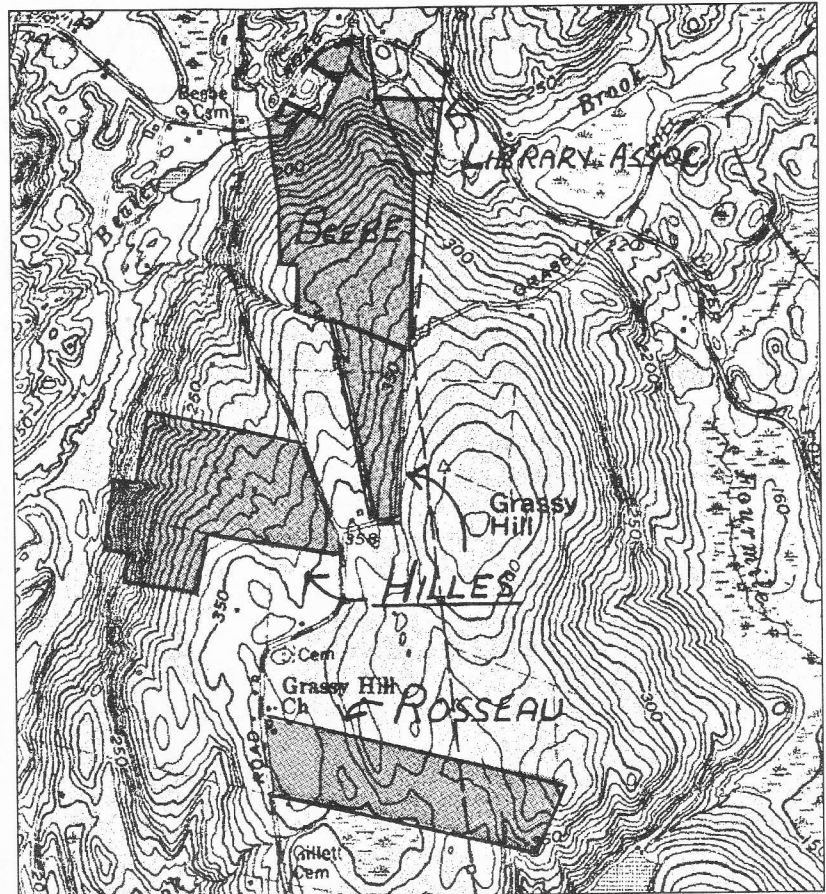
If you love the outdoors, especially the Lyme landscape, and would like to help protect what you love, contact Ralph Lewis at 526-8886.



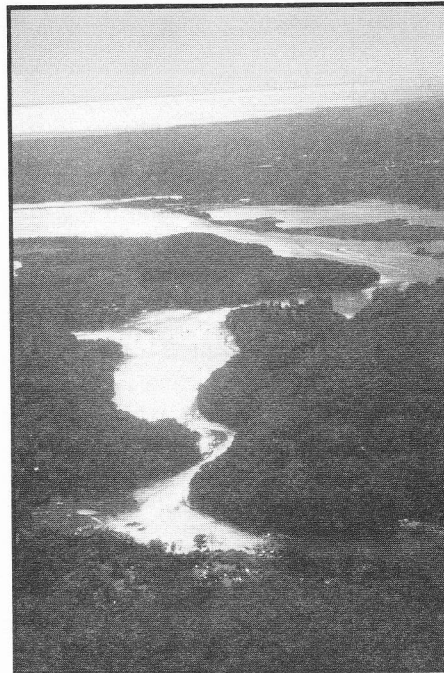
Ralph Lewis on a stewardship project.

STUDENTS TO LEARN ABOUT HABITAT AND FISHING

The Lyme Land Trust Education Committee has worked with Principal Rita Quinn at the Lyme Consolidated School to participate in their innovative "Voices/ Explore" program. Education Committee Chair Marilyn Wilkins will help students explore the importance of water and wetland habitats. Linda Bireley will present the Connecticut Aquatic Resource Education (CARE) introductory program on fishing to interested students on several Friday afternoons in April and May. The program will conclude with an opportunity for the students to go fishing.



Open space on Grassy Hill



Mouth of Eightmile River

Save the Date:

June 9, 2000, Annual Meeting.
7:30 Lyme Public Hall, Hamburg.
Nick Bellantoni will speak on Lyme's Archeology.

PRESIDENT'S MESSAGE continued from page 1

Aside from the commercial rationale for protecting these resources there are other, equally important functions and values that these large, unfragmented blocks provide. They support greater diversity and populations of wildlife, do a better job of protecting our air and water resources and present us with larger landscapes to admire that sustain our feelings of ruralness. So take a look at the map on this page. It represents just a few pieces of the puzzle, but for those of you who attended our workshop in March know, there are many other parcels that Lyme residents have protected and are connecting with other open spaces. So many people in town understand and support this vision, and we may yet be the town that is the exception to this shift from rural to urban forest.

Speaking of connections we want to stay in touch with residents, and we want residents to stay in touch with us. Our educational programs, walks, newsletter, and land conservation efforts are hopefully important to you. If they are, please let us know this spring with your membership and your membership renewal. It tells us that we are on the right track and provides us with funding we need to get things done.

Anthony Irving

WHAT SHOULD BE LYME'S GOALS FOR THE FUTURE?

Because Lyme faces the state requirement to write a ten-year plan of conservation and development this year, the Land Trust winter forum focused on the methods to create the plan, and what issues to consider.

The first step, is to inventory what you currently have. Nathan Frohling of the Nature Conservancy and Leslie Kane of the University of Connecticut Cooperative Extension Service, provided a natural resources inventory using the information from several years of scientific study of the Eightmile River Watershed by the two organizations with The Silvio O. Conte Fish and Wildlife Preserve and representatives of the three towns in the watershed.

Frohling stressed the importance of this watershed because of its high quality, remarkable bio-diversity, outstanding natural communities and limited development that has left large areas unfragmented. The streams are free flowing, and most of the adjoining land which forms the 61 square mile watershed, is likewise rated excellent or very good for habitat. The extensive freshwater wetlands support rare species of birds and plants and freshwater mussels. The streams carry a variety of migratory and freshwater fish.

The large areas of unfragmented woodland are of particular significance because they provide a variety of habitats, hold the soil and serve as areas to absorb storm waters. They also provide potential economic benefits.

Frohling suggested as conservation goals to: limit further fragmentation; acquire or otherwise conserve the most significant but threatened open space; and promote the existing variety of habitats. At present about a third of the open space in Lyme is preserved. Required wetlands setbacks for new construction provide protection for more space. However, there is still a lot of land available for development should owners so decide.

The slide presentation made full use of the Geographic Information System, a recently developed computer program that permits planners to map precisely wetlands, rivers, forests, and other natural features, each on a "layer." These layers can be combined on a single, easily readable map to indicate the most complex areas.

Currently developed areas, and areas that are not now protected can similarly be mapped, and overlaid on the natural resources map. This composite map indicates areas of conflict between conserva-



Eightmile River in Pleasant Valley Preserve

tion and development goals. The ultimate town plan, or policies, like zoning ordinances and other measures, can then be designed to address these problem areas.

Anthony Irving, Land Trust president, made a plea for developing a similar inventory of cultural resources, which could include archaeological sites, farmland, historic buildings and other features. He considered these cultural resources an important part of the "character of the town" although this "elusive philosophical quality" was not as quantifiable as the natural resources.

Irving suggested that the residents should decide what natural and cultural features should be preserved. It is not a decision to be made by the state or town boards.

Leslie Lewis, of the Connecticut Greenways Program, explained that the goal of the program is to develop linkages between the large but fragmented open spaces in the state. State funds are available, and towns are urged to consider greenways in their planning.

The Planning Process

Linda Krause, director of the Connecticut River Estuary Planning Agency, a regional planning group, then explained the process of developing the plan. The first, and by far the most important step, is establishing the goals. She, like Irving, stressed that these must come from the residents. The next step is research, much of which has been done by the Eightmile River Watershed Study. Alternatives to reach the goal are then considered, followed by the policies and implementation and finally evaluation and any adjustment of the program.

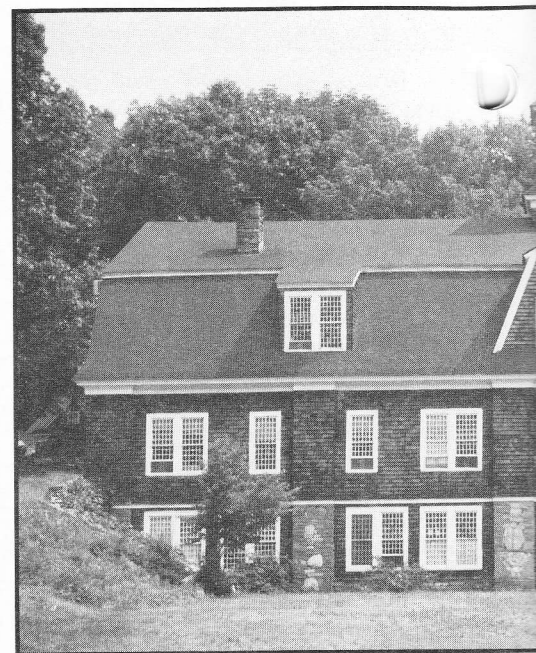
Krause explained that the town is totally free to develop its own policies within the parameters of the state planning enabling acts. There have been many new ideas and devices developed by planners since the last round of town plans in 1990, but Lyme presents a special challenge because many of these devices are for urban and suburban areas. Little attention has been given to preserving the open spaces between developed areas.

Krause addressed a panel of town officials, Ralph Eno selectman, David Tiffany of Planning and Zoning, Jim Thach of Open Space and Don Gerber of the Conservation Commission, with the challenging questions: what makes Lyme different; what is its character? Tiffany finds Lyme residents more committed to keeping open space than those of other towns.

The audience raised concerns about the types of houses they felt were out of keeping with the town character. These included those that were highly-visible, such as on ridgetops. Jim Thach came back to the idea of "you", the citizen: your actions, your input into local decisions, your volunteer work determine the quality of the town.

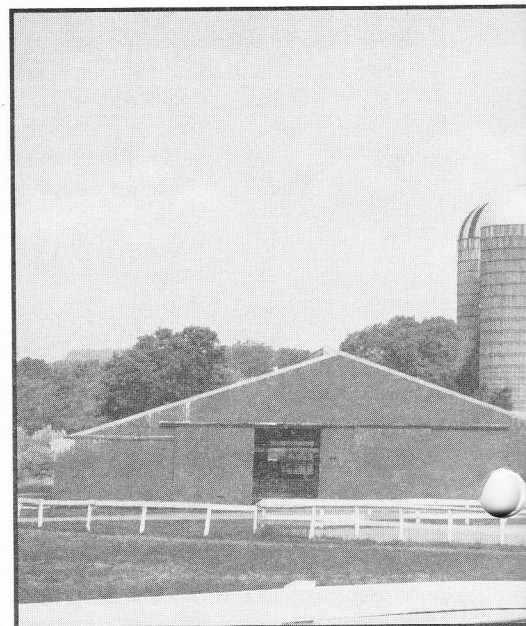
Town Questionnaire

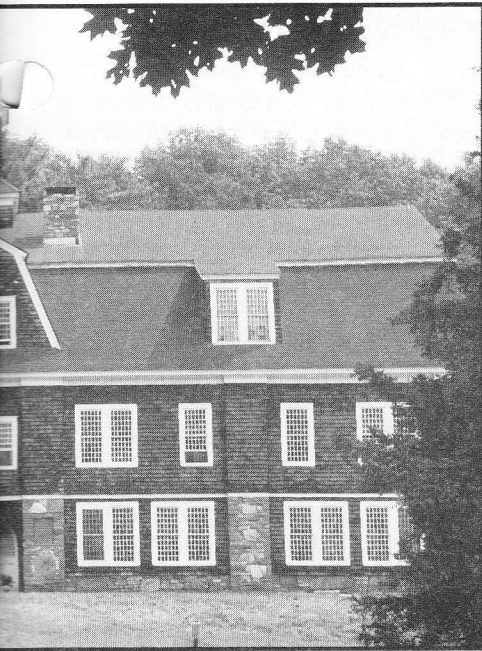
Answers to these questions and others will guide town boards and help mold the new plan. To gauge public opinion and search for ideas the town is mailing a questionnaire to all landowners. The Land Trust urges residents to respond thoughtfully and return the questionnaire. Extra copies will be in Town Hall and the library.



ODE TO THE

In earlier years, farming was the chief occupation of Lyme residents, and the predominant architectural features of the landscape were the barns and sheds related to the many farm functions: cow barns, horse barns, sheep barns, pig sties, chicken coops, corn cribs, privies, ice houses, smithies, sheds to hold tools and wagons—and later tractors. Most of the smaller buildings have gone, fallen from the neglect fostered by their obsolescence.

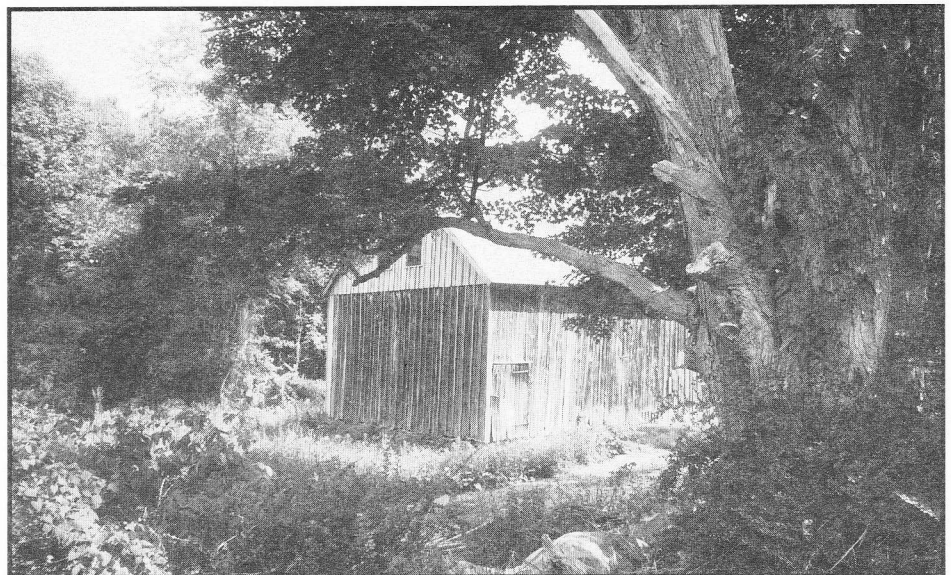
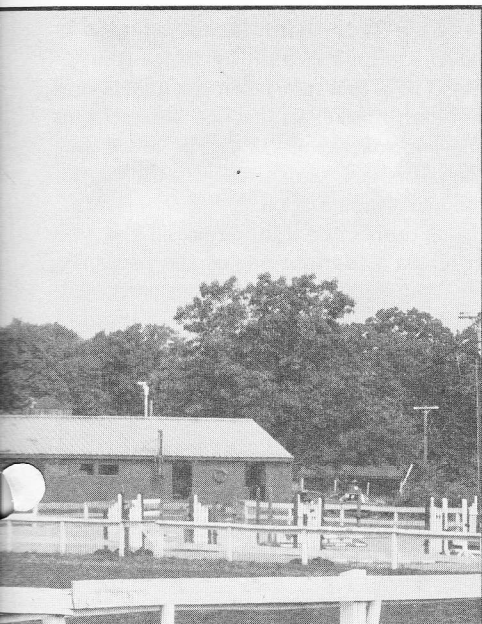
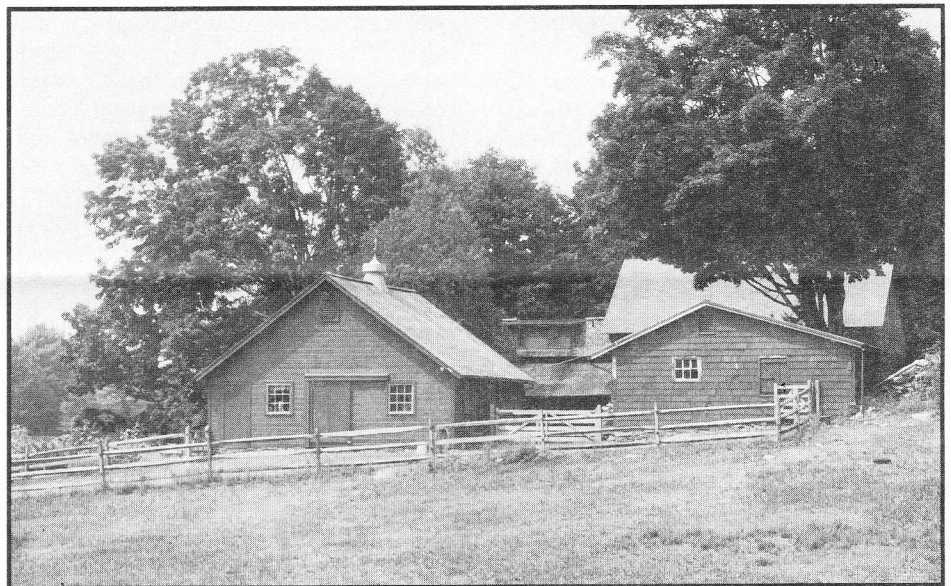
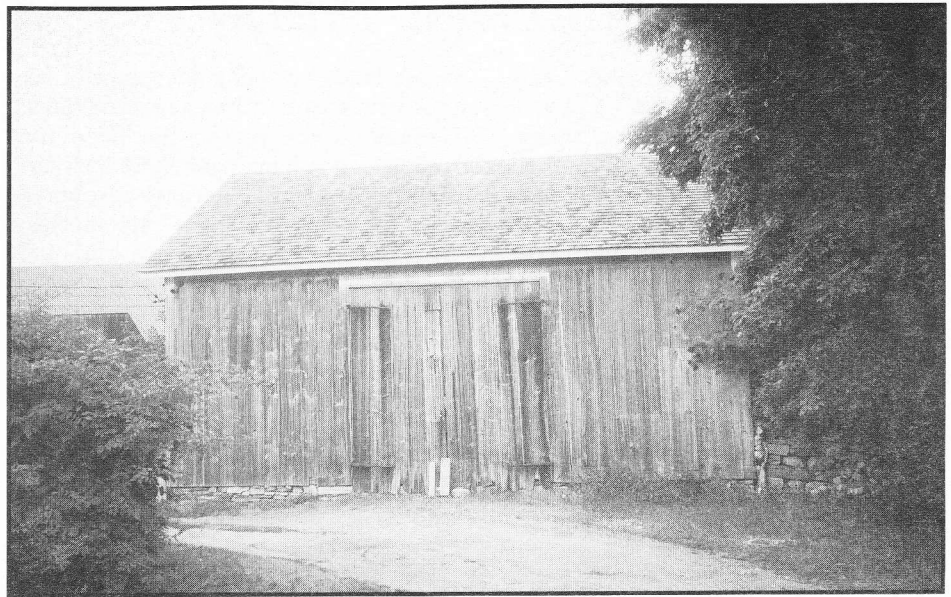




ME BARN

Many of the larger barns remain in town, in large part because they have found new uses, and some just because they were built so sturdily. Some are used for storage, including automobiles; some have been converted to houses or commercial uses; some just sit, targets for the next hurricane-and some are actually used as barns. A few new barns enliven the landscape.

What would Lyme be like without its barns?



LAND CONSERVATION AND THE LAW

In November, The Lyme Land Conservation Trust joined the Old Lyme Land Conservancy, The Nature Conservancy and other sponsors for a forum on ways a family can hold on to family lands while avoiding adverse tax burdens.

Nathan Frohling of the Connecticut Chapter of The Nature Conservancy, set the context for private efforts to conserve open space by stressing that the core motivation is a personal connection to the land.

Our childhood memories of place, connection with family history, with community and a love of nature seem to be deeply felt emotions. Wilderness should not be a "weekend luxury".

Frohling went on, however, to point out other merits of open space, including the economic benefits to towns if they do not become burdened with excess development; and the preservation of important ecological resources. The Nature Conservancy has singled out for special attention the lower Connecticut River tidal wetlands which harbor many endangered animals, birds and flora. The watershed of the Eightmile River, the core of the town of Lyme, is particularly significant for the purity of its water, thanks to the unfragmented nature of the natural landscape.

Plan for your property

Local attorneys Fritz Gahagan and Campbell Hudson then turned to the legal details by which landowners can preserve

family lands by taking advantage of tax incentives and other legal devices. Gahagan too stressed the need for landowners to think hard about their circumstances: what natural resources should be saved, such as rare species; what uses they would like to continue, such as recreation or timbering; what income they may need from the land for family needs. Conservation easements then become the tool by which these plans can be carried out tailored to the particular circumstances of individuals.

At the heart of understanding easements is the concept that ownership of land is not a unified right, but a collection of rights to various uses (hunting, mining, developing etc.). An owner may retain certain rights while giving away those that may be harmful to the natural resources, such as strip mining, or housing developments. An analysis of what is harmful may depend on the size and nature of the land: are there steep slopes subject to destructive runoffs? or wetlands that off set flooding? Is the woodland suitable for timber, or only firewood?

Once you are certain of your goals, you may seek a donee organization that you find compatible - it may be a government agency or one of any number of non-profit organizations which often have specific interests, such as birds or science education. The Internal Revenue Service regards gifts to qualified organizations as

a charitable donation, and so eligible for tax credits.

Public Purposes

There must be a clearly delineated public purpose in the intent and actual effect of the gift to qualify for a charitable donation. This might be to educate the public, to protect natural habitat, to contribute to viable agriculture, commercial forestland or preservation of watersheds. It also includes being near a state or federal nature preserve or park (Lyme is near several).

Easements also benefit continuance of family ownership by reducing the assessed value of land for estate tax purposes. This saves heirs from the necessity of selling in order to pay the inheritance taxes which are due very promptly after a death. As with all tax matters, there are many fine points of which a lawyer can inform you; the final donation of an easement is a legal document, and the gift is in perpetuity.

Gahagan made a final point: of all the parcels of land in Connecticut of more than 50 acres, 70 percent are owned by people over 60 years old. If proper estate planning does not take place, these parcels will be divided and sold, and lost forever.

Non-easement approaches

If some income is still needed from a property, Hudson pointed out that in addition to easements, there are a number of other ways to reduce the value of an estate in order to save on taxes. Many of these are sophisticated devices for large estates, and need the help of a qualified attorney. Since tax rules often change, a lawyer needs to keep in touch with regulations.

One of the simplest strategies is called a "bargain sale", by which a property is sold to a non-profit organization at less than market value. The difference in sale and market prices can be taken as a charitable gift, which reduces the capital gains on the sale price.

A number of legal devices allow you to retain a lifetime use of the property. The tax implications of any strategy will vary with the circumstances of each case, and a knowledgeable lawyer can consider the best strategy for specific circumstances.

The Lyme Land Trust has placed in the Lyme Library the most recent edition of attorney Stephen J. Small's Preserving Family Lands in which these measures are described in detail.



By cutting the brush along the edge of their field and the road, Tom and Phyllis Keel have opened up a lovely view of the Grassy Hill church and their own farm buildings. The scene was recorded in about 1910 by Lyme artist Guy Wiggins in a painting now at the Lyman Allyn Museum.

OPEN SPACE SAVES MONEY

Lyme Selectman Ralph Eno, one of the speakers at the fall forum, sharply underlined the fiscal importance of preserving open space in Lyme, with a hypothetical example, based on real tax and zoning requirements.

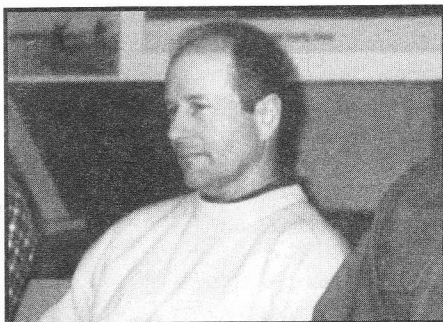
What are the fiscal impacts of a 140 acre parcel in a two acre zone in Lyme (which includes most of the town). The land is assessed at \$233,590 (70 percent of market value) which, at the town tax rate of 14 mills, yields \$3,270 in taxes. If the same land is put under an open space protection program, the assessed value drops to \$11,170, and the taxes due the town are only \$16.30. The appraised value of all the property in town that has been taken off the tax rolls in open space programs, is \$498,220. A bad deal for the town?

Consider, however, the long term alternative, if the land is developed. Given the type of soil in Lyme and the rugged terrain, it would be a conservative assumption that the parcel could yield 30 lots. A standard estimate for the number of school age children per house is 1.5. Our development would therefore yield 45.5 children.

At the current school cost of \$9,000 per child, the education costs of the new development would reach \$405,000 annually.

At current assessments and a mill rate of 14, the average Lyme house generates \$2,562 in real estate property and another \$500 in personal property taxes. This approximately \$3,000 in taxes per house, obviously does not come close to the school costs, let alone other town services such as fire, road work, ambulance and police.

Eno summed up: "A mill in Lyme presently generates just under \$290,000 for the town. At first glance, the value of property protected from taxes under open space conservation provisions would seem like a hefty number, but when weighed against the costs to the town with development, the alternative open space preservation makes sense."



Ralph Eno



Ravine Trail

FALL WALK FEATURED RAVINE TRAIL

October 30, 1999, the Land Trust hosted their fall walk on the Land Trust's newly created Ravine Trail. Land Trust President and ecologist, Anthony Irving, and Stewardship Committee Chair and Connecticut State Geologist, Ralph Lewis, led about 40 people on the trail. The trail starts off on Joshuatown Road about 1.4 miles north of the intersection with Mitchell Hill Rd. (across from the Nature Conservancy's Selden Preserve.) It descends gently in a northeasterly direction, through hardwood woodlands with an understory of laurels. It passes close to four mysterious stone cairns. As it descends, the trail becomes progressively wetter and considerably more rocky.

The trail turns southeasterly and begins to descend through a beautiful rocky ravine. In one particularly fanciful area the trail winds past several stone chairs among some large moss covered rocks. The work party that created the trail dubbed this the "Throne Room". The trail then ascends until it crosses a "divide" between two small watersheds. All the rain falling northwest of the divide drains to Whalebone Creek; the precipitation falling on the southeast side drains to a small unnamed creek that eventually leads to Selden Creek. The trail continues through woodland until it emerges on Mitchell Hill Road, about 0.6 miles from Brush Hill Rd.



One of the cairns along the Ravine Trail

MEMBERSHIP UPDATE

Membership in the Lyme Land Conservation Trust in 1999 exceeded levels in 1998, continuing the increasing trend of recent years:

YEAR	MEMBERSHIP
1993	283
1994	322
1995	366
1996	392
1997	423
1998	498
1999	501

More than 40% of Lyme's property owners are members of the Land Trust. This is one of the highest rates among Connecticut's 110 Land Trusts.

The principal reasons for this remarkable demonstration of public support, according to Treasurer Robert Barney, are the growing public awareness of the Land Trust and endorsement of its role in preserving the rural character of Lyme.

One surprising observation: 20% of 1998 members (100 residents) DID NOT RENEW their membership in 1999 compared to much lower percentages in prior years. Renewal is an expression of support and approval. There is strength in numbers. We encourage all residents to join the Land Trust in 2000. If you are new to Lyme and would like more information about the Land Trust, please call President Anthony Irving at 434-1460. We will contact residents later in May to renew or become members. We need your support.

JOIN NOW

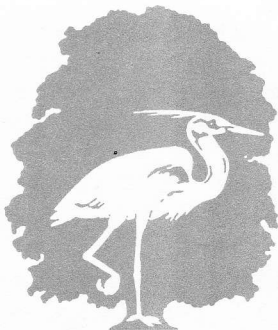
If you are not already a member of the Lyme Land Conservation Trust, won't you consider joining. Send tax deductible contributions to Box 1002, Lyme CT 06371. Be sure to include name and address.

Senior	\$5.00
Family	20.00
Contributing	50.00
Individual	10.00
Subscribing	25.00
Sustaining	100.00

Contributions to the Stewardship/Acquisition Fund also welcome. Consider including the Land Trust in your will.

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The Lyme Land Trust Bulletin

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