The Lyme Land Conservation Trust

Fall 2001

## PRESIDENT'S MESSAGE

As you read this, the land trust is finalizing the purchase of the Plimpton property. When we began working with Ken on this project last winter, it wasn't clear whether the board could put together the necessary funding. The agreed upon price tag of \$488,000 for 80 acres, although far below the appraised value, was a scary amount for us to consider. The only way to bring it off was to find partners who shared our vision for keeping the land in open space. Ken played an integral role here. With his agreement to a bargain sale on the 80 acres, plus his generous gift of a conservation easement on

her 25 acres, we had a terrific package, but, at this point, no money to fund it.

Our largest potential benefactor was the state and their Natural Heritage matching gift program. But because they would not be making any decisions until the middle of August and because our option to purchase would run out September 1, we had to come up with our half with no guarantee that the state grant would be approved. Raising our half of the \$488,000 was going to be a challenge, and we knew it couldn't be done without some major contributors.

The Connecticut Chapter of the Nature Conservancy immediately saw the ecological value of this property and pledged \$50,000. Their contributions to Lyme over the years have been numerous, and without them the town would be a different place today. The LandTrust board voted unanimously to put up \$50,000 from its acquisition fund. We hoped to replace this with contributions, but felt the project warranted this commitment regardless. Finally, an incredibly generous, anonymous contributor agreed to put up a \$75,000 challenge: Every dollar up to \$75,000 that was raised in the community would be matched.

That's when we made our public appeal. We knew the property provided scenic, cultural and environmental benefits to everybody in town, but if we didn't raise a minimum of \$75,000 from individuals the project would be in jeopardy. The board worked hard to get the word out, and the community responded wonderfully. To date more than 180 households have contributed \$115,000. Not only has this level of response ensured the protection of this scenic gateway to Lyme, but it also says so much about how the town feels about its open spaces and what they mean to our sense of place. And we are very happy to report that the state match of \$244,000 came through. Because of the success of this fund drive, the land trust will have the money necessary for future preservation efforts.

### WE MADE IT!

On September 5, Lieutenant Governor Jodi Rell and Arthur J. Rocque, Jr., Commissioner of the Department of Environment Protection, announced the award of \$244,000 to the Lyme Land Conservation Trust for the purchase of the Plimpton property. The Land Trust has already raised the funds for the required match for grants under the Open Space Acquisition Program.

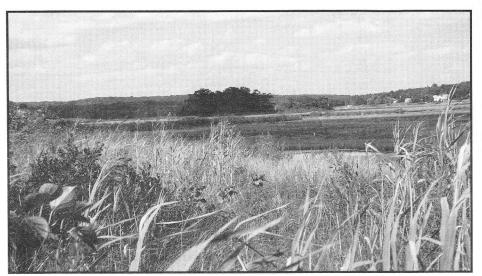
The state started the program in 1998 with the goal of setting aside about 20 percent of state land for open space by 2023. With this year's awards to preserve 1,120 acres across the state, the program has reached about two thirds of its goal through a combination of state and local efforts.

Thank you to everyone who gave so generously to this project and, as some of you have heard me say, "Every time you drive over the brow by Tiffany Farm you will know that something important was accomplished, not just for ourselves, but for future generations of people, plants and animals." I hope you feel well-deserved joy and satisfaction in your role and knowing that the community came together on this important project. Thank you for contributing. Thank you for caring.

Anthony Irving President



Plimpton property from above Tiffany farm.



The Pattagansett Marshes. Core samples reveal pollution history.

## "THE SOUND –WE CAN HAVE SUCCESS"

"It's important to know that we can have success," remarked Howard Michael Weiss reporting on the condition of Long Island Sound to the Land Trust's spring forum last March. Weiss is the director of Project Oceanology, an educational institution in Groton that provides hands-on courses for adults, school and college age children.

Weiss pointed to a number of improvements in the Sound. Older people remember encountering a lot of tar on the beaches in the aftermath of World War II, and ongoing pump-outs of ballast water. Regulations on pump-outs and better techniques for dealing with spills have made a vast difference, although technology for cleanups after oil reaches the beaches is still primitive.

Industrial wastes that inevitably end up in the Sound have also been curbed through strict environmental legislation. Industries have either responded - or closed down - and even benefitted as new techniques permit the recovery of valuable metals that previously were lost. Soil samples taken in the Pattagansett marsh show the levels of such metals from before the industrial revolution to the present. Deposits of metals increased notably in the 1940s to 1960s, with a peak about 1970, and have improved since. Slides of the Naugatuck and Norwalk Rivers showed the changes in quality of water flowing to the Sound as cleanups have progressed.

Organic pollutants, mainly sewage, and chemicals such as PCBs and DDT have also declined through the effect of legislation and new technology. The recovery of the severely-threatened osprey is a well-known story in this area where the many nesting platforms erected show the reversal of decline.

Weiss was less concerned about thermal discharge from nuclear plants than some observers. It is important that they be sited in an area where water currents rapidly flush away the warm water. This does not happen adequately if the plant is sited on a cove, such as are the Millstone plants. Of more concern is the water used for cooling which sucks in small fish and larvae. For species that are short lived and reproduce rapidly, this is not a concern. Species like lobster and flounder which reproduce only once a year are more threatened. However, Weiss noted that flounder is in bad shape up and down the east coast, and he thinks overfishing and habitat loss are of more importance.

Dumping in the Sound of material dredged to deepen harbors and rivers caused considerable controversy. However, recent studies have indicated this material has created no problems at the dump sites in Long Island Sound, which are now monitored for damage.

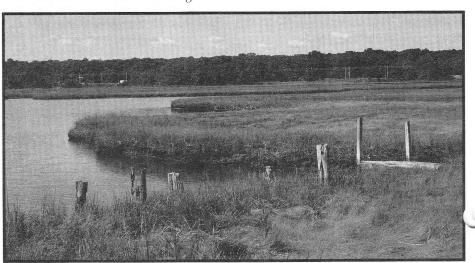
The current major concern for Long Island Sound is hypoxia - the loss of oxygen - which kills off species lying at the bottom and lower layers of the water column. This is caused by an excess of nitrogen that flows from the land into streams and rivers, and ends up in the Sound. In salt water, nitrogen acts as a nutrient for plant life that blooms, then dies to the bottom where the decomposition processes uses up oxygen. (An excess of phosphorous has a similar effect in fresh water.)

As a result of hypoxia, the western end of Long Island Sound is almost dead in the warm summer months. Recent studies of the nitrogen load give hope that new methods of sewage treatment will curb nitrogen flow, but more time is needed to make a final assessment.

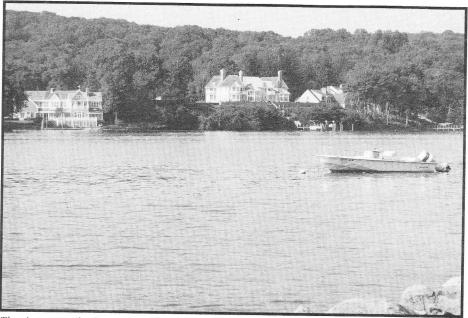
#### The Future?

We cannot, of course, predict all future problems for water quality, Weiss said. At present there is much discussion of the lobster die-off. Is it due to an epidemic disease? to water quality? Some lobstermen say it is due to spraying mosquitoes to prevent West Nile disease. Lobsters are, after all, not so different from mosquitoes. What about the effect of global warming?

There is also the issue of non-point pollution, the run-off from the land such as fertilizers, pesticides, oil from roads and so on. While non-point pollution is not in the quantities of the sources cited above, it is nonetheless significant and perhaps harder to deal with because it is the result of many small actions of many individuals. It is very important, Weiss concluded, to educate the public to change their habits. This is one of the messages Project Oceanology seeks to transmit.



Pattagansett Marshes



The view across the Connecticut River from Brockway Ferry Road.

## THE NEW TOWN PLAN

The town Planning and Zoning Commission has approved the 2001 Revisions to the Lyme Plan of Conservation and Development. First Selectman Ralph Eno, speaking to the June Annual Meeting of the Land Trust, pointed out that the town's response to a questionnaire a year ago was very similar to that for the 1990 plan, and therefore did not require a totally new plan, but did call for some revisions to the previous plan.

The responses to the new questionnaire included an even greater emphasis on preserving the quality of life, including increasing open space, and allowing development only where it fits from an environmental point of view. The new plan allows for no new industrial or commercial zones, at least for the next decade, when the next plan is due. Mr. Eno pointed out that these uses, contrary to popular assumptions, do little to ease the town's tax burden because they require increased town services, and often bring increased residential development in their wake. New houses in turn add new pupils to the schools which offsets the increased taxes.

The questionnaire responses only called for improvements to the infrastructure if they do not significantly increase taxes and fit with the general rural character of town.

#### **Diverging Opinions**

There was a more mixed response to the question of affordable housing in town. The selectman felt that with two different programs, a town program and a non-profit program in conjunction with Habitat for Humanity, the town could

NEW BOARD MEMBERS

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

Marta Cone: a long time Lyme resident, Marta is a graphic designer and owner of 1 2 3 Design in Saybrook. An avid hiker, biker and more recently kayaker, she has explored many parts of the country. Some years ago, she spent a year on a Navajo reservation, where her husband, Les, had a teaching fellowship, and she has brought her knowledge of Navaho crafts to schools with the Arts in Education program of the Eugene O'Neill Theatre.

Carol Hardin Kimball: Carol is one of nine contributors to the recently published *Tidelands of the Connecticut River*:

A guide to hidden coves and marshes, and has written articles for the Land Trust Bulletin. She was the first planned-giving officer for the Connecticut Chapter of The Nature Conservancy, and has been a volunteer monitor for the piping plover and other reserves. A Summer resident of Hamburg for many years and now full time, she is a docent at the Connecticut College Arboretum.

Prescott Littlefield: Prescott holds a Masters degree in Marine Affairs from the University of Rhode Island, with a specialty in coastal zone management. He teaches at the Sound School in New Haven and the Williams School in New London, and in summer he coaches sail-

begin to address the need for this housing. Mr. Eno felt that it was difficult to deal with the issue of overlarge houses, the "McMansions" or "Trophy Houses", with about 54 percent of respondents calling for some action to control this type of building. He said that he did not see how you can regulate taste. If a house meets the regulations, it should be approved.

He concluded that the town cannot just put the new plan on the shelf, but must deal vigorously with the increased development pressures the town is facing.

Linda Krause, director of the Connecticut River Estuary Regional Planning Agency, who was the consultant for the new town plan, emphasized what an unusually strong response the town made to the questionnaire. There was a remarkable agreement among replies, which were returned by 30 percent of the town, when a four to ten percent response was more usual.

Ms. Krause returned to the question of the large houses, saying Lyme, in her eyes, fit a definition of the New England landscape made by John Stilgoe a few years ago. The landscape is small in scale, with trees and fields. Development is by slow accretions over time, and evinces signs of dilapidation. Large developments and large houses, she felt, do not fit this landscape. She differed somewhat from Mr. Eno, in that, while it is difficult to regulate taste, the town should have courage to state its values and stick firmly to its regulations. She explained the rationale for and state mandate of the Connecticut River Gateway Commission to protect the scenic valves of the river, and the commission's continuing efforts to devise ordinances that protect property rights while fulfilling its goals. The eight town members of the commission, have in turn shaped their own regulations to match those of the commission.

ing at a yacht club in Stonington. He has been a fish monitor at the Rathbun Dam fishway.

Carolyn Bacdayan, Andrea Wing and Marsha Orzech retired on the completion of their terms.

"One of (Timothy) Dwight's Connecticut contempories acutely summed up the quality of New England's rural people: 'Competence among the rocks.'"

From Howard S. Russell, A Long Deep Furrow: Three Centuries of Farming in New England (abridged edition). New England Press.

## FITTING THE PIECES TOGETHER FOR AN OPEN SPACE NETWORK

While the Land Trust has had a very successful year, there have been important additions to the town's protected open spaces made by other individuals and organizations, which augment the Trust's work and fill in gaps. These have been reported individually in the press, but listed together they make an impressive showing. Matching state funds were an important part of the purchase price of most of these acquisitions. Properties using these funds will be open to the public.

The Connecticut Chapter of The Nature Conservancy, in its program to protect the ecologically significant tidelands of the lower Connecticut River, has made a number of purchases in Lyme and neighboring towns in the past year. These include parcels on the tidal coves and the Eightmile River and its tributaries

The Conservancy has acquired 50 acres from the late Catherine Fehrer. who with her sister Elizabeth was a patron of the much-visited Pleasant Valley Preserve. The new acquisition is a large field and wooded area on both sides of Beaverbrook, which runs into the Eightmile river a short distance downstream. A short hop from the Preserve, it lies behind Ms. Fehrer's house on Beaverbrook Road, which was given to the Florence Griswold Museum and is currently under repair.



Rock formation and caves, Ely's Ferry Road.

#### The Coves

The former Marks and Mercurio property, south of the Conservancy's Selden Creek Preserve is six acres, mainly wetlands with steep slopes. It feeds into Selden Creek, which is important for many migrating birds and anadromous fish. On the north side of the Selden Creek Preserve, the Lyme Land Trust assisted the Conservancy in raising funds for the 70 acre Kim-Fellman property on Joshuatown Road.

This brings to 441 acres the Conservancy has protected in the Selden Creek area. Property owned by the Lyme Land Trust and the State bring to a total of about 1,100 acres in this area, most of which are open to the public.

Another recent Conservancy acquisition has prevented potential development on a small parcel of 4.2 acres owned by Anchor Components on the north side of Ferry Road in Hadlyme. It runs 850 feet along Hemlock Valley Brook, which feeds into Whalebone Cove, and consists of sloping woodland and tidal marsh. The cove is noted for its rare plants and birds, such as osprey and bald eagles. The parcel is on the doorstep to Gillette



Parcel north of causeway in Hadlyme.

Castle State Park. The new purchase brings the Conservancy lands in the cove to about 82 acres.

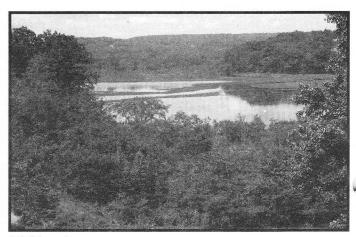
The Conservancy has also received donations of conservation easements that add 40 acres to its holdings in Lord's Cove. Dr. Stephen C. and Lynne Wardlaw have protected a U shaped parcel of 27 acres off Ely's Ferry Road which surround their High Rock home overlooking the river. The rocky cliffs of High Rock are visible from a distance to the south and west. Wetlands, a vernal pool and the southern slope of the hill all drain into Lord's Cove. The site includes caves used by Native Americans which are of considerable interest to archaeologists. There is, however, no public access to the property.

Mrs. Jane Davison has also donated an easement on 13 acres on the east shore of Lord's Cove. This brings to 180 acres that Mrs. Davison has protected in the Cove area, and to 351 total acres held by the Nature Conservancy.

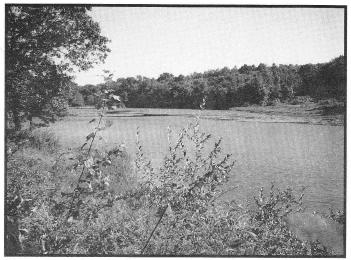
#### **Neighboring Towns**

The Land Trust and Lyme officials have long been conscious that the health of the Eightmile River strongly affects our quality of life. To protect the river, the three towns of Lyme, Salem and East Haddam, have increasingly worked together on protection measures including the initiative to have the river added to the federal Wild and Scenic Rivers program.

We can only cheer preservation efforts in our neighboring towns in the watershed area. The Nature Conservancy has recent-



Whalebone Cove

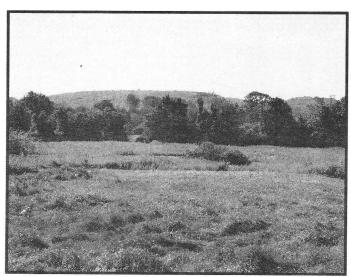


Moore property, Round Hill Rd., Salem.

ly purchased important holdings in Salem and East Haddam. The 33.5 acre Windslow property includes 835 feet along the upper reaches of the East Branch of the Eightmile River, and 700 feet along Darling Road (this is the extension of Lyme's Salem Road into Salem and East Haddam). This land abuts upstream the 300 acre Firestone property in Lyme and East Haddam which the state acquired last year. The property begins where the river passes under the road.

Perhaps the biggest, and most controversial, purchase by The Nature Conservancy is the 331 acre Moore property in Salem which was under consideration for an 18 hole golf course, a 100 suite inn, a banquet facility and some 40 private houses. The proposal was made to the town last year, but the developer's option expired when acquisition was delayed by the neighbors' lawsuit against the Planning and Zoning Commission for approving a special zoning change and the option ran out. Some in town supported the golf course project, expecting it to provide a needed tax infusion, while others wondered if the extra services required wouldn't offset the tax benefits. Some simply wanted to keep the land open.

The land lies between Round Hill Road, which runs to the southeast behind Salem village and Route 82. Harris Brook, a tributary of the East Branch of the Eightmile River runs through it. There are 25 acres of open fields, a ten acre man-made pond and

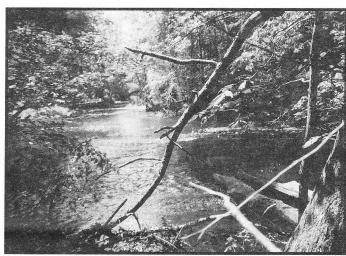


Walden Preserve, Salem.

98 acres of wetland. The remainder is mature forest.

Another protected Salem parcel lies between Hagen Road and Route 11. The Salem Land Trust originally purchased two hundred acres which The Nature Conservancy later bought and added 200 more acres. The land, called Walden Preserve, contains several fields noted for their wild flowers, woodland, a few small ponds and it crosses a stretch of the East Branch up to the highway. The Salem Land Trust hopes to be the designated steward of the property and to open it to the public with marked trails.

In East Haddam, The Conservancy received from Anne Pierson a 92 acre conservation easement on a triangular lot adjacent to the Burnham Brook Preserve. The brook is an important tributary of the Eightmile River. The wooded parcel is bounded by the dead-end West Road on the north and east, and by Route 82 east to the Salem border. It consists of mixed hardwoods, cedar,



The Eightmile River cuts across Mellon property.

hemlock and pine.

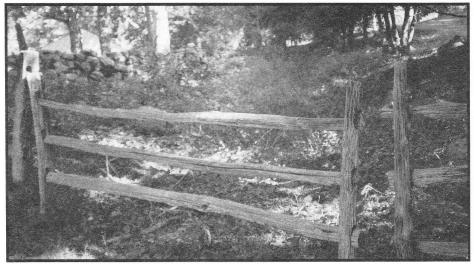
#### Mellon Easement - a private Effort

By a different route to conservation, Timothy Mellon made a significant contribution by purchasing the nearly 200 acre Freeborn Jewett property just north of Hamburg last year. After selling separately the former Judge William Marvin house at 359 Hamburg Road, Mr. Mellon this year gave a conservation easement on the remaining 194 acres to the State Department of Environmental Protection. He retains the right to lumber the property, but there will be no other development.

The land straddles the Eightmile River just south of the Marvin cemetery, which includes wooded wetlands on the west bank of the river, and a scenic hayfield on the east bank. It then crosses Hamburg Road and 156 acres stretch uphill to touch the Nehantic State Forest, and the Plimpton land.

#### A Win-Win Agreement

Lyme and Old Lyme this past year agreed to assist with the state's purchase of the 180 acre MacCurdy-Salisbury property in both towns and it is bisected by Town Woods Road. It has 700 feet on Rogers Lake in Lyme. About 100 of the acres are in Old Lyme, and 80 in Lyme. Both towns will participate in a management arrangement with the state, but there are no plans for development. In 1893, Ethel MacCurdy-Salisbury left the land plus \$40,000 in her will to form a foundation to support scholarships for Old Lyme students. More recently Lyme students have become eligible through Lyme's Brevelier-Breustil fund. Thus the Foundation, which had no use for the land, has made an important open space available to the towns, and in turn the state and



Gate to historic road in the Plimpton easement.

## WITH THANKS

The Lyme Land Conservation Trust has received with gratitude donations for the Plimpton Fund from the following:

The Nature Conservancy, Connecticut Chapter The State of Connecticut, Open Space Grant

The Lyme Land Conservation Trust Acquisition Fund

#### Individuals:

Ms. Susan B. Adams Mr. and Mrs. Bernard Aidinoff Mr. and Mrs. Albert Bacdayan Mr. and Mrs. Robert Barney Mr. and Mrs. Rufus Barringer Mr. and Mrs. William Benner Mrs. Sally Bill Mr. and Mrs. Richard E. Bireley Mr. and Mrs. Ashby Bladen Mr. Elmer C. Blackwell Mr. and Mrs. Frederick A. Bliven Dr. and Mrs. Barry Bloom Mr. and Mrs. Thomas M. Boyd Mr. Rudolph Bergmans and Ms. Ann Lane Mr. and Mrs. Edward W. Bremer Mrs. Jean Brown Mr. and Mrs. Templeton Brown, Jr.

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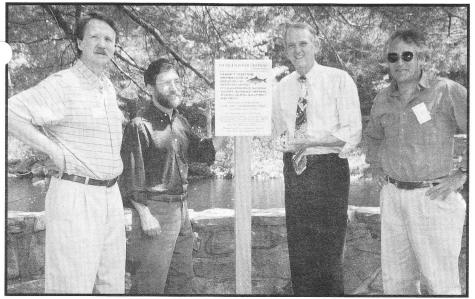
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Mr. and Mrs. Peter Van Slyck Mr. Henri C. Veit

Mrs. Evelyn P. Walden

Mr. and Mrs. David Walker continued on page 7



Inauguration of new fishway: from left, Tim Miner, David Leff, Congressman Rob Simmons, Anthony Irving.

### ANOTHER FISHWAY OPENS

The formal inauguration of the fishway to Ed Bill's Pond took place in May. Representatives of the many sponsoring organizations, state and federal, attended along with Land Trust board members and friends. Congressman Robert Simmons was the main speaker, with presentations om Tim Miner executive director of the onnecticut River Watershed Council, Todd Tuomi of the Northeast Utilities' program to support wetlands, and David Leff, Deputy commissioner of the Department of Environmental Protection.

Linda Bireley, who heads the fishway program for the Land Trust, reported that the Ed Bill's Pond and Rathbun Dam fishways were closed during the summer months but will open from mid September to about December for the fall emigration of small fish to the ocean. They reopen in the spring for the fish returning to spawn in fresh water. A future goal of the fishway program is to encourage the return of salmon to Connecticut's waters.

#### EIGHTMILE RIVER BECOMES A STATE GREENWAY

This spring, the Eightmile River was designated an official state greenway. This is the first year that the criteria were established for the Connecticut Greenways Program, and the river was among the first 18 designations. The greenway runs from the mouth of the

river to the sources of both branches. The width will be determined by local efforts, such as town or land trust purchases and easements, many of which are already in place.

Greenways become part of the new state plan of Conservation and Development as designated open space, explained Lyme resident Leslie Lewis, head of the DEP Greenways Assistance Project. This provides protection

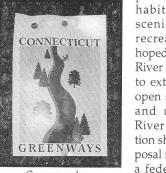
against harmful actions by state agencies, although it does not affect private rights.

The criteria for selection include richness of resources and ongoing local

preservation efforts, in this case the long term cooperative efforts of the towns of Lyme, Salem, East Haddam, their land trusts, and The Nature Conservancy for protection of the river.

The Greenways Program is a vision for a coordinated state-wide network of

protected open spaces for habitat protection and scenic places for human recreation. In time, it is hoped to link the Eightmile River to adjacent greenways to extend the reach of this open space along the shore and up the Connecticut River valley. The designation should support the proposal for the river to become a federal Wild and Scenic River, which provides simi-



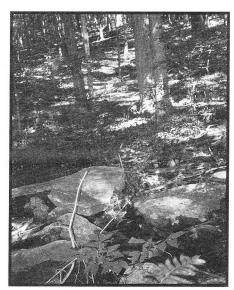
Greenways logo

lar protection from harmful federal actions. Both programs will support local enforcement of zoning and environmental programs.

## JOIN THE FALL WALK

The Honey Hill Preserve was the Land Trust's first public trail, laid out in 1988, with a self-guided tour brochure. The parcel is an interesting mix of wetlands with rocky uplands. In the 13 years since the trail opened, there have been some changes as old trees fell down, new growth developed, watercourses shifted. The Land Trust will revisit the preserve this fall on a new and enlarged trail. Board members Anthony Irving, an ecologist, and Ralph Lewis, geologist, will lead the tour on Saturday, October 27 (rain date Sunday the 28th), starting at 9:30 a.m.

To reach the preserve, go north on Hamburg Road to Route 82, turn left toward Hadlyme for 2 miles. Turn right onto Clark Road, and the preserve entrance is at the bottom of the hill on the right.



Honey Hill Preserve, Clark Road.

## WITH THANKS continued from page 6

Mr. and Mrs. Robert D. Webster Mr. and Mrs. Gary H. Weed Mr. and Mrs. Peter Weigle Mr. and Mrs. Eric F. West Mr. and Mrs. Richard Wilkins Mr. and Mrs. David Whitehead Mr. and Mrs. George Willauer Mr. Robert L. Wilson Mr. and Mrs. Thomas D. Wing Mr. J. Melvin Woody and Ms. N. Simon Mr. and Mrs. Richard L. Younger Mr. and Mrs. Richard J. Zall Anonymous

## We have also received the following corporate donations:

Dominion Foundation Mobil Foundation Pfizer Foundation Reader's Digest Foundation

These are contributions as of September 26. Later donors will be acknowledged in the next bulletin.

## WILD AND SCENIC RIVER MEASURE ADVANCES

In May, Land Trust president Anthony Irving accompanied Nathan Frohling, director of the Tidelands Program of the Connecticut Chapter of The Nature Conservancy and Sue Morrow, first selectman of East Haddam, to Washington D.C. to testify at a hearing of the Senate Committee on Energy and Natural Resources. The Committee was considering the bill proposed by Senator Christopher Dodd and supported by Senator Joseph Lieberman to require a Department of the Interior assessment of the eligibility of the Eighmile River for the Wild and Scenic Rivers program. The committee approved

the bill, but the full Senate has not acted as we go to press.

Congressman Robert Simmons introduced a similar bill into the House of Representatives as his first act in January, and it has passed the House.

The towns of Lyme, Salem and East Haddam, their respective Land Trusts and The Nature Conservancy have been pushing the measure which will study the eligibility of the river for the program, in terms of its natural resources and local support.

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## 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. Readers are invited to direct questions and suggestions to Joan Rich, Editor, at 434-7091.

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