



PECONIC LAND TRUST NEWSLETTER

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Photo: Jeff Heatley

Bridgehampton Farmland Protected

Through an unusual project that incorporated a variety of conservation tools, the Peconic Land Trust has received a gift of a conservation easement on 54+ acres on Highland Terrace, fronting on Sagg Pond, owned by Daniel C. Shedrick. Mr. Shedrick had purchased the land from a long-time farming family, the Fosters. In making this gift, Mr. Shedrick voluntarily reduced the potential yield on his property from 17 to 4 units and created a substantial agricultural reserve area of 33.15 acres containing prime agricultural soils which is currently being farmed by the Foster family. When implemented, this reduced-density or "limited development" plan will create 4 lots in the northeast section of the site.

Another significant aspect of this pro-

ject is that the Fosters sold the land to Mr. Shedrick through a "like-kind exchange." This enabled them to take their equity from their highly-appreciated land and acquire additional agricultural acreage elsewhere that they had been leasing. There were several benefits to the Fosters: 1) they did not have to pay capital gains tax on the sale; 2) they acquired land they had been leasing and, 3) they were granted lifetime use (for themselves and their children) on a significant portion of the land sold.

According to John v.H. Halsey, Trust President, the site is one of the few remaining large farmland parcels left in the area. "Mr. Shedrick has protected an important part of Bridgehampton's farming heritage as well as a significant piece of land." The

Peconic Land Trust has been working with landowners in the area since 1984, when 6 acres on the Eastern shore of Fairfield Pond to the southeast of Sagg Bridge were donated to the Trust. In 1989, the Trust purchased 20 acres of farmland and wetlands, now known as Smith Corner Preserve, with funds raised by conservation-minded residents. Other landowners have also placed easements on their land and, in addition to its own projects, the Trust has facilitated the sale of development rights to Southampton Town's Farmland Preservation Program.

This project is an excellent example of a "win-win" situation with the winners being a conservation-minded landowner, a farm family, prime agricultural soils and scenic open space, and the community.



Photo: Jeff Heatley

Prime Farmland in Riverhead Protected

Working with the Peconic Land Trust and the Town of Riverhead, the Richard N. Reeve family has protected 61.5 acres of prime farmland north of Sound Avenue in Northville. In the recently completed project, the Town purchased development rights on the acreage as well as the rights on an adjacent 8-acre parcel farmed by Richard L. Reeve. The land has been farmed by the Reeve family, descendants of Josiah Reeve, the first Town of Riverhead Supervisor, for many generations. Simultaneously, a conservation easement was granted to the Peconic Land Trust on an additional 25+ acres of meadow and woodland overlooking Long Island Sound. The Reeves have reserved the right for one residential unit on 6.7 acres of this parcel, and the easement allows for one development right, restricted to a caretaker's residence and barn, on the remainder of the parcel.

The Reeve purchase of development rights is the second in the Town of Riverhead's program, following 45 acres owned by Austin Warner in

Calverton in December 1998. Comments Riverhead Town Supervisor Vincent Vilella, "The members of the Farmland Select Committee, the Peconic Land Trust, the Riverhead Town Planning Department and the office of the Town Attorney worked collectively to make this purchase possible. Additionally, on behalf of all the people of Riverhead, thanks to Governor Pataki and the State of New York for providing funding to preserve Riverhead farmland. This purchase of development rights further shows the commitment of the Town in preserving farmland within our town." For the Trust, the completion of its work with the Reeve family began many years ago when the family first started to plan for the future of their farm. John v.H. Halsey comments, "It is truly an honor to have assisted the Reeves in achieving their goal to protect their farm. In conserving their family land, the Reeves have demonstrated their great respect for their forebears and farming heritage, and have assured that their land will remain in agriculture for generations to come."

Conservation Tool: Limited Development

Limited Development is the subdivision of land on a reduced-density basis, in a manner that is both economically rewarding to the landowner and ecologically sensitive to the land. It integrates the unique elements of an individual property (its agricultural soils and natural features) with the landowner's goals (estate planning, financial objectives) and the real estate market of the local area to create an alternative to traditional development.

Limited development is often used in conjunction with other techniques, such as a conservation easement, outright gift of land, bargain sale, and so on. There are a number of advantages to the landowner:

1. It is another option to consider rather than an outright sale of the property.
2. It enables the landowner to blend a sale of property with a charitable gift to offset the potential capital gains tax and ordinary income.
3. Reduced density plans often address requirements and concerns of regulatory agencies in advance, thereby expediting the approval process.
4. Road improvements and other infrastructure costs are greatly

reduced with limited development.

5. The landowner's intent can be expressed today, while leaving implementation of the plan for the future.

With full-yield development, landowners often focus on the "gross sale price" offered by a developer rather than net return. Most agreements of sale contain conditions that must be satisfied before payment will be made, such as subdivision approval, financing, and permits for septic systems and water. The landowner is also responsible for sales commission, capital gains tax and legal fees. After a lengthy and costly process, the net to the landowner can be considerably less than expected. Moreover, the process of land development and the prices that developers pay for land often lead the developer to "max out" the number of lots on the site. Nobody, especially the landowner and the community, wins in this process.

Ed. Note: Limited development is explained, along with other conservation tools, in the Trust's booklet "Options for Landowners." Landowners may contact Marian Sumner, Director of Conservation Programs for Peconic Land Trust, (516-283-3195) for a copy of this booklet, or if they have questions regarding the Trust's land conservation work.

Other Conservation News

Shelter Island Nursery - The 28-acre site is located on the prime aquifer on Shelter Island and is of critical importance to the Town. The Trust assembled a group of conservation investors to purchase the property at auction. The land was acquired on May 19 and the Trust is leasing it to Stony Hill Nursery. The Trust and the Shelter Island Town Board have agreed to a 4-lot concept plan that includes two building lots; one nursery lot, and one lot subject to a conservation easement.

Schotsky - The Trust worked with landowner Arnold Schotsky on a plan to protect a portion of his 166-acre site in Aquebogue. Mr. Schotsky sold the development rights on 63+ acres to Suffolk County and will implement a limited development plan on the remainder that includes a 27+ acre, partially wooded parcel which will be protected in perpetuity.

Making the announcement of the County purchase of development rights on the Schotsky land in August were (l. to r.) Hoot Sherman, Peconic Land Trust Director of Public Programs; Julie Wesnofske, Peconic Land Trust Program Manager; Alan Greco, Suffolk County Department of Real Estate; Robert J. Gaffney, County Executive; and County Legislator Michael J. Caracciolo.



The Trust would like to thank a group of young land stewards who volunteered on a July Saturday to clean up East Point Preserve in Hampton Bays. They collected over five large bags of debris that Barton Stacy, a parent, carted away. Margaret Medford and Helen Minieri Stacy also helped the group which included (l. to r.) Thomas R. Stacy, Robert J. Tannen, Ailec Rose Stacy, Christopher Tannen, Alana Fursich and Sandy Fursich (a parent). One of the Trust's earliest projects, the 6-acre Preserve of tidal wetlands and upland was donated by Mr. and Mrs. Jacob K. Fischbach in memory of Leo Marder in 1985. Good job!

Vote YES on November 2

Shall Resolution No. 1100-98, Adopting a Charter Law, Extending the Suffolk County 1/4% Sales Tax Drinking Water Protection Program for Environmental Protection, limiting County-wide Property Tax Increases, and Providing for Sewer District Tax Rate Stabilization, Be Approved? *(Ed. Note: this is the actual wording of the resolution that will appear on the ballot)*

On November 2, Suffolk's voters will have an opportunity to continue their commitment to environmental protection by voting to extend the 1/4% sales tax for drinking water protection program. Modified from the original proposal in 1987, the reauthorization of this tax will provide funding in three critically important areas. Over the 13-year life

of the program, environmental programs will receive approximately \$270 million, or 1/3 of the funds generated. Of that amount, farmland protection will receive approximately \$62 million over the life of the program, open space and drinking water protection will be allocated approximately \$114 million, and water quality improvement initiatives will be funded with approximately \$94 million.

This is not a new tax. These categories are specifically earmarked and cannot be altered without voter approval. There is no possibility for the fund to be raided for other purposes. This funding is crucial for open space, farmland and surface water protection, as well as for implementing the management plans for the Long Island Sound, the Peconic Estuary and the Great South Bay Estuary. Passage of this fund will allow the county to leverage state funds and serve as the local match to lure the state's Clean Water/Clean Air Bond Act funding to Suffolk County.

Dam Pond



Photo: Duch Redfield

The Peconic Land Trust, acting on behalf of the Town of Southold, has a tentative written agreement with Joseph Gazza and Bernice and Andrew Letteri to purchase 21 acres around Dam Pond in East Marion. According to the agreement, the Trust and the Town have until mid-November to secure funding for the acquisition. Potential funding sources include Suffolk County's Preservation Partnership Program which would split the purchase price 50-50 with the Town and a grant through the New York State Environmental Protection Fund which would help to finance the purchase. While the 21 acres represents the most environmentally sensitive part of the property, the Trust's goal is to protect the entire 36-acre site which adjoins an 80-acre parcel under a conservation easement held by the Trust. The area, one of the most beautiful viewsheds on the North Fork, is considered a relatively undisturbed ecosystem that is known to contain rare and endangered species. In addition, its protection would ensure quality water flow to Dam Pond, a prime source of fin and shellfish, as well as habitat for birds and wildlife. It is listed in the New York State Open Space Conservation Plan and has been named a priority parcel for preservation by the Long Island Pine Barrens Maritime Reserve which oversees the protection of the Peconic Bays, a federally designated National Estuary. This aerial view shows the peninsula in the middle, with the Orient-East Marion causeway above, and to the right.

Fort Corchaug Partnership Receives 1999 New York State Preservation Award

Last May, the Commissioner of the New York State Office of Parks, Recreation, and Historic Preservation, Bernadette Castro, presented the agency's 1999 State Historic Preservation Award for Archeological Sites to representatives of the partnership that preserved the remains of Fort Corchaug on Downs Creek in Cutchogue. According to Commissioner Castro, "These awards recognize some of the finest work and dedication to historic preservation that this state has ever seen." Through a unique

conservation collaboration between private individuals and organizations, town, county, state and Peconic Land Trust, this 105-acre site with its important Native American fort site, productive farmland, scenic woodland and wetland have been conserved in perpetuity. Initially considered for acquisition in 1991 with \$3 million in public funding, the same result was achieved six years later at a public cost of half that amount due to a significant private sector initiative coordinated by the Trust.



Accepting the 1999 New York State Preservation Award are (front row, l. to r.) Carolyn McCall representing her brother, Russell McCall, who granted conservation easements on his portion of the site; Southold Town Supervisor Jean Cochran; Myra Case of the Fort Corchaug Management Committee; and Ms. Castro. Also accepting (back row, left to right) are Michael Frank, Suffolk County Commissioner of Parks; John v.H. Halsey, president of Peconic Land Trust; James Grathwohl, chairman of the Board of Trustees of The Old House Society in Cutchogue; and William Peters, trustee and treasurer of the Cutchogue-New Suffolk Historical Council.

Advantages of Donating Appreciated Stock

There are several advantages to making a gift to Peconic Land Trust with appreciated securities. First, a donor can save capital gains taxes on the appreciation while receiving a tax deduction on the full value of the gift. Secondly, you may want to give "odd lots" in your portfolio that were created by a stock split or dividends that were reinvested to buy additional shares. In addition, the Trust pays the broker commission. Making a gift of stock is simple. Just notify your broker that you would like to make a gift of securities to Peconic Land Trust and instruct him or her to contact Marsha Kenny, Director of Development. If you are holding the actual stock certificate, please hand-deliver the unsigned certificate to our office or send it via Federal Express. In a separate mailing, also by Federal Express, send us a signed power of attorney to negotiate the sale. Either way, please let us know that you are making this gift or have your representative notify us. Knowing your intent is particularly important so that we may send you an acknowledgment for tax purposes. If you have any questions, please call Marsha Kenny at (516) 283-3195.

1999 Challenge: to Raise \$700,000 by October 31

Given the strong economy and a diminishing amount of vacant land, property values of farmland and open space are escalating at alarming rates. While there are acquisition funds available through the Community Preservation Funds of the East End Towns and Suffolk County land protection programs, this public money is finite. It can, however, go much farther when combined with conservation easements, limited development, and a variety of other private conservation techniques.

With significant opportunities for conserving farmland and open space, and the expansion of our professional staff required by this additional work, our Challenge goal must be greater this year than in past years. We must match our 1999 Sponsor's support of \$350,000 with your donations by October 31 for a total Challenge of \$700,000. Please be as generous as you can so that we can continue working with landowners and local municipalities to protect the beauty and heritage of Eastern Long Island.



PECONIC LAND TRUST

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Mission Statement

The Peconic Land Trust is a nonprofit, tax-exempt conservation organization dedicated to the preservation of farmland and open space on Long Island. To this end, the Trust acquires and manages land as well as easements for conservation purposes. In addition, the Trust assists farmers and other landowners in the identification and implementation of alternatives to full-yield development.

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Grapes ripen on vines planted at Channing Daughters Vineyard where the Trust holds a conservation easement on 17 acres. The Channing family extended the easement in late 1998 to cover an additional 46 acres of their land on Scuttlehole Road in Bridgehampton.

New Board Members

The Trust would like to welcome two new members to its Board of Directors . . . **Charlotte Hanson** moved to Orient in 1993, following a career as a Navy wife (her husband Thor is a retired Admiral) and teaching and administrative positions at National Cathedral School in Washington, DC and The Brearley School in New York City. She has served on the Board of the Oysterponds Historical Society and is currently chairman. She is also on the Board of Floyd Memorial Library in Greenport and the

Orient Congregational Church Play School. With the exception of his college years at the University of Delaware, **Al Krupski, Jr.** has spent all of his life on the North Fork. Like his father, both his grandfathers and three of his great-grandfathers, who all farmed on the North Fork (his fourth grandfather farmed in Calverton!), Al farms on 80 acres in Cutchogue. In 1985, he was elected to his first of five terms as a trustee of Southold Town, serving since 1991 as chairman.

From Quail Hill Preserve . . . A Farmer's Perspective on a Sunny Summer

During 10 years of farming at Quail Hill, I have lived through four droughts, though none so prolonged as this year's, which really began in the spring. We were forced to water by early June and to continue to water. Crops that appreciate sun will taste sweeter, such as tomatoes, but crops that need significant water to grow to any size (cabbages, broccoli, corn) will suffer. Many crops, planted in early summer, and able to weather the dry and dust, will benefit in their ripening to fruit from the recent rains (eggplant, peppers and autumn squash). Certain crops will be scarce as we enter into early autumn (beets, carrots) due to minimal or no germination on plantings during the driest spell. I am lucky, these 10

years, to have had the opportunity to practice sustainable agriculture. Whatever the difficulties (including the weather) I return to the contradictions of the garden, to work in harmony with land and the elemental. To farm is to face change after change, and to observe the ordinary mysteries.

Scott Chaskey, Preserve Manager

Ed note: Quail Hill Farm celebrated its 10th anniversary this summer. Applications for winter shares will be available in late September. For more information, please call Pam Greene at (516) 283-3195.



This crew from the Suffolk County Department of Labor Conservation Corps planted 10,000 Spartina grass plants at the Peconic Land Trust's Cassidy Preserve in Greenport during a hot July. Many native plant and animal species had migrated from the wetlands when Suffolk County filled the water channels with clay during a dredging project in 1964. Subsequently, Phragmites had choked approximately 5 acres of vegetation, killing many native species. The Spartina grass will attract native marsh species back to the area. This project was funded by an EPA Five-Star Restoration Challenge Grant.

Other Ways to Support Land Conservation

Matching Gifts: If your employer has a matching gifts program, your gift to the Trust can be doubled or tripled. Please check with your employee benefits office.

Memorial gifts: A gift in memory of a loved one or friend is a special tribute to those who appreciated the beauty of Long Island. We will

be pleased to notify the family of your charitable gift.

Special occasion gifts: Commemorate an anniversary, birthday, wedding or other special occasion with a gift to conservation. The Trust will send a card in your name to whomever you designate (just provide us with a mailing address!).

The Bottom Line: Bequests

If you would like to extend your support of the Trust's work in protecting farmland and open space on Long Island, you may include a provision in your will to bequeath cash, securities, or other asset property to the Trust. The following language may be used and modified as necessary:

For gifts of real estate

"To the Peconic Land Trust, Incorporated, a 501(c)(3) non-profit organization, incorporated under the laws of the State of New York in 1983, having as its principal address 296 Hampton Road, Southampton, New York 11968, I hereby give and devise my real property at (street address here) to Peconic Land Trust, Incorporated, of Southampton, New York."

For cash gifts

"I give and bequeath \$ ____ to Peconic Land Trust, Inc. of Southampton, New York."

For gifts of securities

"I give and bequeath ____ (number of shares) of (name here) common stock to Peconic Land Trust, Inc. of Southampton, New York."

For asset property such as paintings, other artwork, antiques, etc.

"I give and bequeath (description or name of items) to Peconic Land Trust, Inc. of Southampton, New York."

If you or your attorney would like to discuss a potential bequest, please call Marsha Kenny, Director of Development, at (516) 283-3195. All inquiries will be kept confidential.



Candid camera catches members of the Trust's Stewardship staff at a recent meeting (l. to r.) Chris Pickerell, Shellfisher Preserve Manager; Scott Chaskey, Quail Hill Preserve Manager; and Pam Greene, Stewardship Assistant.