



# PECONIC LAND TRUST NEWSLETTER

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Photo: Photographic East/Peter Muller

## The Future of Conservation: Where Do We Go From Here?

John v.H. Halsey

Over the past 20 years, there have been many conservation accomplishments on Long Island. Indeed, it is very encouraging that most of those who live here understand that the land is a truly significant natural resource, integrally linked to every aspect of our economic and social lives. This is clearly evident by the tremendous voter support for public acquisition programs and conservation organizations such as the Peconic Land Trust. Communities no longer question whether or not to conserve land, but how to do so in an even-handed and cost-efficient manner.

At the same time, there is reason for concern about the future. Notwithstanding the best efforts of our communities to acquire and protect land, we must all take a

much broader perspective on conservation if Long Island, and areas similar to it throughout this country, are to retain their farmland and open space into the future.

Ask any large landowner or farmer on Eastern Long Island how our rural heritage can be preserved and you are likely to get a wide range of responses. Most will tell you that it is not going to be easy. Tax policy, conflicts over property rights, and over-regulation are among a number of issues that force landowners to convert their open land to residential and other uses. These fundamental issues increasingly polarize landowners from the rest of the community. Unless we clearly understand these issues, and address them in a spirit of fairness and cooperation, we will face a conservation crisis that will

shake the very foundations of our land and society.

Given twelve years of experience in protecting and managing land on Long Island, the Peconic Land Trust has learned a great deal about the complexities involved in preserving our rural heritage. We offer the following as "food for thought" to those who are concerned about the future of conservation.

### Tax Policy

The reality is that many public policies conflict with each other both within and across various levels of government. This is certainly the case with respect to conservation in general. For example, in spite of federal and state

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## The Future. . . (continued from page 1)

laws that subsidize agriculture in a variety of ways and encourage the conservation of prime agricultural soils, federal and state tax policies jeopardize the very existence of farms on Eastern Long Island and elsewhere in the country. The essence of the problem comes down to the doctrine of "highest and best use" as a basis to value vacant land for inheritance and property tax purposes. The farmer who is provided with an agricultural assessment for property tax purposes may have to sell the farm to pay the inheritance taxes. In short, our present tax policy is inconsistent with our conservation policy and forces the development of farmland and open space.

We must replace the doctrine of "highest and best use" with one of "current use." In other words, instead of taxing land based on its potential, land should be taxed on its present use as farmland, woodland, etc. Additional taxes could be levied when vacant land is converted to another use, thereby creating an incentive to keep it open and productive.

### Property Rights vs. Public Interest

While public interest plays a significant role in conservation, all too often, efforts are undertaken to preserve land without regard to the goals, needs, and circumstances of those who own and work the land. In some instances, moratoria are passed, effectively locking landowners in place so that they are forced to consider below-market offers for their land. This process fosters tremendous distrust and polarizes those who own land from those who do not. The rapid growth of the wise-use movement and recent moves to weaken land-use regulations on the federal and state levels are manifestations of the clash between the rights of property owners and the public interest. In the end, such strategies may lead to a far greater public cost.

Understanding the rights of property owners is the first step in bridging this growing chasm. Public and private conservation tools, and the art of compromise, can be used to find win-win

solutions for the landowner and the public at large.

### Over-Regulation

Anyone who owns land realizes how increasingly difficult it is to use land. Whether one is attempting to build a house, farm a field, or subdivide property, there are a plethora of regulations and steps to go through with a variety of regulatory agencies. Just as governmental policies often conflict with one another, regulations do likewise. For example, there are instances wherein town planning boards create agricultural reserves through clustering only to have the Suffolk County Health Department preclude agricultural use of the same reserve area. Regulations are here to stay. They are designed to serve the public, therefore, every effort must be made to eliminate such inconsistencies. We should also realize the extent to which some regulations represent a double-edged sword that stimulate as much development as they purportedly prevent.

A meaningful step forward would be to replace punitive regulations with incentive-based regulations. For example, Southampton Town has provided a "fast track" for subdividers who voluntarily reduce the number of housing units by 25% within a subdivision. While efforts should be made to get other regulatory agencies to follow suit, such legislation represents a positive shift away from the status quo.

### Acquisition By Hysteria

Over the past 20 years, many public acquisitions of land and development rights have occurred. While many have been well-executed and resulted in the protection of important land, there are a number that could have used our limited public funds more wisely. In such instances,

acquisitions occurred in an environment of hysteria fueled by those who embrace an "all or nothing" philosophy. One example was the purchase of Hampton Hills by Suffolk County for \$17 million when the bulk of the property could have been protected at no cost. Public acquisition could have been limited to significant land around Wildwood Lake at a much lower public expense thereby enabling the savings to be used for other acquisition projects. In another situation, the New York State Department of Environmental Conservation (DEC) chose state acquisition of lands around Hallocks Bay over recognition of conservation easements donated to the Peconic Land Trust.

Public acquisition programs must become more cost-efficient. Every effort should be made to blend public purchases with private conservation techniques and private ownership so that limited public monies are leveraged to the greatest extent possible. Public acquisition costs can be minimized by allowing landowners to retain some equity in appropriate locations of their land. In addition, through the use of conservation easements, the responsibility for the management of protected land can be shared with the private sector. In recent years, the State of New Hampshire sponsored an impressive public acquisition program that illustrated such an approach. State acquisition funds were made available only when matched with funds from private or other public sources, donations of land or conservation easements to local governments or private conservation organizations, or any combination thereof.

In the end, it takes a tremendous amount of work to conserve land. There are no silver bullets or simple answers. It is a process of problem solving, not finger pointing. In fact, we have seen the enemy, and they are us. Our own policies, regulations, and attitudes get in the way. If the status quo is maintained, we will experience a conservation crisis through which we may very well lose what is left. Fortunately, we do have choices. With an understanding of the issues at hand, we can preserve the rural integrity of Long Island and beyond.



## New Home for Peconic Land Trust

**E**arly this month, the Trust moved from its home on Jagger Lane to 296 Hampton Road in Southampton Village. During the last six years the Trust's professional staff has more than doubled to meet the increasing demand for its conservation planning and land management services (we presently are working on over 40 conservation projects representing thousands of acres), and with each completed project, our land management responsibilities increase.

Recognizing the need for additional space, the Board of Directors authorized Trust President John Halsey and a Building

Committee to begin a search for new quarters over ten months ago with the stipulation that the office would remain in Southampton Village because of its central location on the East End. The committee considered a number of options finally settling on a traditional two-story, turn-of-the-century house located on the corner of Hampton Road and Old Town Road in Southampton Village. This property presented the Trust with a unique opportunity and set of circumstances: a bargain sale enabling us to purchase the building for substantially less than its fair market value, a financing package from

Bridgehampton National Bank that was sympathetic to our needs, and a prime location, all were significant factors in our decision.

Our new home gives us an additional 1,000 square feet of space over the Jagger Lane building. In addition, an accessory building on the site can be rented, providing the Trust with income to offset overhead expenses in the short-term, yet be available to us in the future, when and if our space requirements increase. We are fortunate to have an opportunity that will be, over time, a more prudent use of the financial resources provided by our supporters.

### Challenge '95: Please Remember to Send Your Contribution Before October 15th!

*The '95 Challenge...*  
Raise a total of \$600,000 by  
October 15

**I**n the past, the Trust's annual Challenge Grants have enabled us to protect over 2,000 acres of land, valued at more than \$27 million. *It is important to note that this acreage has been protected at a fraction of the cost that it would take to purchase the land directly.* While the record so far is impressive, there is much more work to be done and many thousands of acres yet to protect. This year, the Trust must raise a total of \$600,000 by October 15th. We would like to give special thanks to this year's Challenge Grant Sponsors:

Joanne and Jon Corzine, the de Cuevas Family, Dietrich and Phillippa Weismann, Joan and Joseph F. Cullman 3rd, William & Mary Greve Foundation (Anthony C. M. Kiser), Dina and Fouad Chartouni, Jack Jay Wasserman, Arlene and Alan Alda, Mr. and Mrs. James E. Burke, Job Potter, Warren and Barbara Phillips, Martin and Suzanne Schulman, and Marillyn B. Wilson, and others.

Please join our Challenge Sponsors in helping us reach this important goal. If you have not done so already, please consider making a tax-deductible contribution to the '95 Challenge Grant. A contribution envelope is bound to the center of this newsletter for your use. Thanks for your support!



*This year's Peconinic, held at the Trust's Quail Hill Preserve and attended by over 400 people, was an occasion to honor former Board Member Deborah Ann Light. The Trust dedicated a bronze plaque that will be placed at the Deborah Ann Light Preserve, 192.45 acres in Amagansett donated by Ms. Light to the Trust earlier this year.*

*(l. to r.) Board Chairman Lucy Bradley, Deborah Ann Light, and John v.H. Halsey, Trust President.*

## Wanted! Conservation Investors

Given the high value of land on Eastern Long Island and the financial limitations of purchasing land at its fair market value, the Trust is actively seeking private individuals with strong conservation interests who are willing to invest in land and help implement conservation/limited development plans with the Peconic Land Trust. Charitable gifts can often be incorporated in such transactions. If you or someone you know are interested in this concept or if you are looking for a unique building site, surrounded by perpetually protected land, please contact the Trust office at (516) 283-3195 for more information.

This is not a solicitation for sale. To visit the properties currently available through this program, contact the Trust and we will put you in touch with the appropriate real estate broker.

## Project Update: Fort Corchaug, Cutchogue

**F**ort Corchaug is an important historical site situated on a 104-acre property located in the hamlet of Cutchogue, Town of Southold. The land once contained a fortress built by the indigenous people of the North Fork and is now listed on the National Register of Historic Places. Archaeological evidence shows that the fort site, like others of its period, was of log construction, and served purely for defense. It is one of five Native American forts known to have been on Long Island during the time of the early settlers' arrival. The sites of the other four forts (Manhanset, Shinnecock, Montauk, and Fresh Pond) are either no longer known or have been compromised by development. It is all the more important, therefore, that the Fort Corchaug site be protected and that its archaeological treasures, which provide a vital link between Long Island's pre-history and the

present, be preserved as an educational resource.

The Baxter Family of Cutchogue, owners of the property, have been excellent stewards of the land, assuring the protection of the historical resources contained therein. Previous efforts to publicly purchase the property in its entirety have failed but the owners have asked the Trust to assist them in the implementation of a plan that will meet the family's goals while also preserving a significant portion of the land as open space. The plan envisions a subdivision of the 104 acres into four sections: the first section would consist of approximately 37 woodland acres, including the fort site, which would be maintained as open space; the second and third sections would be large agricultural lots; and the fourth section would be approximately 30 acres reserved for future development of no

more than thirteen homesites. The proposed plan would require the Town of Southold's acquisition of the open space (fort site) and the Trust's acceptance of conservation easements granted voluntarily on the agricultural parcels.

The successful implementation of this plan will provide a number of significant benefits: scenic vistas will be secured, agricultural lands preserved, a reduction in allowable density by nearly 75%, and the public acquisition of an important community asset. Fortunately, there is both adequate funding available for the acquisition, as well as strong support for the plan from Planning Board Chairman Dick Ward and Town Board members. Pending a favorable review of the subdivision application by the Town's Planning Board, the preservation of Fort Corchaug will become a reality.



Photo: Matt Bonora

## Reel Point Protected

The Peconic Land Trust has recently received a gift of 8 acres of land in the Town of Shelter Island. The property, commonly referred to as Reel Point, is located on the tip of Ram Island and includes three individual, residentially-zoned parcels with frontage on Coecles Harbor and Gardiners Bay. The scenic site includes wetlands and has been a popular hiking and fishing spot for generations of Shelter Island residents. The Trust is currently preparing a management plan that will provide for its long-term management and allow public access for the residents of the Town that is sensitive to the environment and to the neighboring community.

## The Bottom Line: Bequests

You can make provisions in your will to bequeath cash, securities, or property to the Trust that will further its work protecting farmland and open space on Long Island. If you would like to make a special bequest to the Peconic Land Trust, please use the following language in your will:

**"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 bequeath \_\_\_\_\_ (e.g. the sum of \_\_\_ dollars; \_\_\_ shares of the common stock of \_\_\_\_; my residence located at \_\_\_\_\_) to be used for its general purposes."**

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

## Bridgehampton Kids Learn ABCs of Organic Farming

Last spring, The Heckscher Foundation for Children awarded the Peconic Land Trust a grant of \$3,500 to establish a working, organic vegetable garden at the nonprofit Bridgehampton Child Care and Recreation Center. This past summer, under the supervision of Scott Chaskey, the Trust's Stewardship Coordinator, children learned the relationship between nutrition, agriculture and ecology. Adjacent to the Center, the children worked with an experienced community farm apprentice, planting, working the soil and harvesting their crops. In addition, the operation of a small farm stand provided an outlet for their crops and enabled participants to

gain work experience. The lesson was a simple but long-lasting one that demonstrated the natural cycle of seed, to food, to compost, to garden soil, and back again to seed; a cycle that is important for children to recognize and experience.



## Reflections from Quail Hill Farm

**A**fter a nearly perfect spring of equal rain and sun, and cool growing days, Quail Hill Farm is enjoying its finest year of harvests. Five years of composting and cover cropping has helped to nurture sweet greens and peas, carrots and huge beets, dill, fennel, flowers, sweet corn, an abundant crop of 'taters and tomatoes. The "circus garden," located beside the herb garden, is overtaken by the three sisters: rainbow corn, pumpkin, and a twelve-foot bean teepee. This year, 155 families harvest their own organic vegetables and fruit as members of our cooperative farm. The following is excerpted from Stewardship Coordinator Scott Chaskey's July letter to farm members:

The ancient Greeks held that lovers of garlic

would not be permitted to enter the temples of Cybele. If any of you are worried to be so labeled, do not enter our temple of garlic (the small greenhouse located by our shop). All others, especially lovers of "serpent garlic," please come and inspect. You will be greeted by a sea of moons in groups of ten

suspended from metal hoops, drying in the "shadehouse." If you crouch down, you are the planet receiving the (sulfurous) light of thousands of revolving cloves. This year's crop will need to cure for a few weeks, then these hardy allium will be yours, at the stand. Oh, I know that garlic receives preferred attention in these letters,

considering our generous variety of vegetables, but we feel a sympathy for this bulb which is equal to that displayed by the sunflowers which volunteered in the garlic growing bed. Sympathy more properly pronounced: ecstasy! We read it on the faces of these plants pleased to be bedfellows of *Ail Rouge*: thanks to blackbird or sparrow for dropping seed (last autumn?) among the mulched cloves . . .



*Quail Hill Farm is a Stewardship project of Peconic Land Trust. It serves as an example of the Trust's commitment to actively care for the land it protects.*

### Wish List

Your response to our "Wish List" in our last newsletter was fantastic. We'd like to thank the following for their generosity: Mr. and Mrs. Harry Balterman for an answering machine; Morton Davis for an Apple Imagewriter II; Sue Fuller for a Craftsman Table Saw; John White for compost for the Bridgehampton Community Center farm project; Richard Luppi for a Macintosh Plus computer with Mac SE/30 upgrade; and Mike Forster for a flat bed trailer. Also, a special thanks to Joan Baren for allowing us to use her wonderful drawing of Quail Hill on the cover of the Peconic invitation; to Alice Cole for her weekly volunteer assistance in the office; and to all of the volunteers who helped to make the 10th Annual Peconic a success.

Don't forget . . . gifts of goods and services, or items on our "Wish List" will help the Trust stretch its conservation dollars. Please call our office, (516) 283-3195 if you can provide any of the following . . .

- Office furniture
- Conference table
- Copier with special features such as collating
- Fax machine
- Frequent Flyer Miles (to help with travel expenses for conferences)
- Tractor (40-50 H.P. with bucket loader)
- Small pick-up truck
- Dump truck
- Metal tool chest on wheels
- Moderately priced rental housing on East End for staff person or summer intern

### Save the Date! October 1, 1995

The Trust will be one of several beneficiaries of a unique fundraiser planned for **Sunday, October 1st** at the Crescent Beach Club in Bayville, Long Island. Foods, wines, and the fine restaurants that serve Long Island-grown products will be featured in the first of a series of food and wine events. The event is being sponsored by L.I.F.E. (Long Island Food Experience), a non-profit organization created by chefs Tom Schaudel and Michael Meehan to "oversee the promotion of Long Island foods, wines, restaurants, chefs and growers on a national level." Schaudel is chef/owner of "107 Forest Avenue" in Locust Valley and the "Downtown Grille" in Montauk, and Meehan is chef at the Mill River Inn in Oyster Bay. Part One of the two-part exposition will be a Long Island Marketplace, showing off locally-grown produce, seafood markets and purveyors, and offering sample tastings from participating chefs and Long Island vintners. Part Two will be a seven-course gala dinner created by some of the Island's most notable chefs, and the announcement of the first recipient of the L.I.F.E. Achievement Award. For ticket information, please contact Mr. Schaudel at (516) 674-3441.

# Long Island Community Markets: A Busy Growing Season

**T**he Trust's Long Island Community Markets project has had a busy 1995 season, adding two farmers markets. As a result, the communities of Locust Valley and Patchogue are enjoying the benefits of having "fresh-from-the farm" Suffolk County produce for sale at weekly markets located in their village centers. These markets came about through the cooperative efforts of Ellen Rulseh, Project Manager, Augusta Field, the project's new Market Coordinator, and representatives from community organizations.

Coordination with the Locust Valley Chamber of Commerce, which began last fall and continued through the spring along with grower recruitment, came to fruition when the market opened on Saturday, June 10th. Enthusiastic members of the Locust Valley Chamber of Commerce have provided many hours of their time to make the market a success and more than \$6,000 for advertising and coordination. The **Locust Valley Farmers Market** is open every Saturday from 10 AM to 2 PM at the parking lot at the corner of Forest Avenue and Weir Lane.

Plans for the **Patchogue Community Farmers Market** began when Trust Board member Tom Williams introduced Ellen Rulseh to Bill Knapp, President of the Patchogue Chamber of Commerce and Donna Bodkin, Chamber Executive Director. The Chamber worked to enlist \$5,000 in financial support from the Knapp Swezey Foundation and a matching \$5,000 from the Patchogue Business Improvement District toward the \$15,000 required to start a new market. Suffolk County Executive Robert J. Gaffney and County Legislators Brian X. Foley of Patchogue and Gregory J. Blass of Riverhead joined other local officials on a hot Friday, July 21 to celebrate the opening of the Patchogue Market at the corner of South Ocean Avenue and Terry Street. The market is open every Friday, from Noon to 6 PM. Earlier this summer, the County Executive signed a resolution, introduced by Legislators Blass and Foley, and passed by the Suffolk County Legislature, to provide the Peconic Land Trust with a grant of \$40,000 to organize, manage, and promote farmers markets on Long Island.

Other markets in the project include the **Port Jefferson Community Market**, open on Thursdays from Noon to 5:00 PM across from the ferry, and the **Islip Grower's Market**, at the Islip Town Hall parking lot on Montauk Highway, which is open Saturdays, from 8:00 AM to 1:00 PM.

Participants in the WIC (Women, Infants and Children) program are issued coupons through the Suffolk County Health Department to purchase fresh fruits and vegetables at these farmers markets. Through this program, Suffolk County farmers who are vendors at the markets will receive more than \$30,000 during the season.

In addition to the funding support received from the Locust Valley Chamber of Commerce, the Patchogue Business Improvement District, and the Knapp Swezey Foundation, and Suffolk County, Long Island Community Markets has also received funding for 1995 from the Harry Chapin Foundation, Key Bank, and private donations.

## Memorial Gifts

Memorial gifts are special tributes to those who appreciated the beauty of Eastern Long Island. A gift in memory of a loved one or friend will enable the Trust to continue its conservation work, protecting in perpetuity, the scenic views, wetlands, productive farmland, woodland and open space we all love.

### **HELP PECONIC LAND TRUST PROTECT OPEN SPACE AND FARMLAND**

The Trust provides farmers and other landowners with unique alternatives to full-scale development. Please remember that matching gifts, offered by many employers, can double or triple the value of your gift. Please take a moment to check with your employer and enclose appropriate forms, if eligible. We appreciate your support.

I/we are pleased to support Peconic Land Trust's conservation efforts.  
Enclosed is a donation in the amount of \$ \_\_\_\_\_.

\_\_\_ This gift qualifies for my company's matching gift program; forms are enclosed.

\_\_\_ I/We are interested in making a contribution of asset property (any property of value such as artwork, a house or a subdivided lot). Please contact me/us.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

A gift to Peconic Land Trust is tax-deductible. All donors will be provided with a written acknowledgment for tax purposes. A copy of the last financial report filed with the Department of State may be obtained by writing to: 1) New York State, Department of State, Office of Charities Registration, Albany, NY 12231, or 2) Peconic Land Trust, P.O. Box 2088, Southampton, NY 11969.



**PECONIC LAND TRUST**  
 P.O. Box 2088  
 Southampton, N.Y. 11969



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**How To Own Land**

Find a spot and sit there  
 until the grass begins  
 to push between your thighs.

Climb a tree and learn  
 the gestures of the wind.

Follow the stream to its source  
 and trade speech  
 for that cold sweet babble.

Gather sticks and spin them into fire;  
 watch the smoke spiral into darkness;  
 fall asleep;  
 dream that the animals find you.

They weave your hair into warm cloth;  
 string your teeth on necklaces;  
 wrap your skin soft around their feet.

Wake to the configuration  
 of your own scattered bones  
 watch them whiten in the sun.

When they have fallen to powder  
 and blown away,  
 the land will be yours.

**Susan Farley**  
*Reprinted from In Context*

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*Mission Statement*

The Peconic Land Trust is a non-profit, 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 outright development.

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- John v.H. Halsey, *President*
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- Marsha Kenny, *Director of Development*
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- Land Marks

**Newsletter**

- Marsha Kenny, Editor
- Searles Graphics, Printing

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