



The Heron

FALL-WINTER 2011

ISSUE NO. 25

The Newsletter of the Mattapoisett Land Trust, Inc. • www.mattlandtrust.org • E-mail: info@mattlandtrust.org

Can we really protect land forever?

by Gary P. Johnson

We live in a time of ever increasing rates of change in all aspects of life: in government, in the economy and even in what was previously thought unchanging, the climate. In this era of impermanence, can we really assume that a small non-profit organization like the Mattapoisett Land Trust will be able to protect lands from development in the future? Or could the directors of the MLT decide that development would be a better use of the properties and sell them to an interested developer? The Town's ownership of the Tinkham Forest and the proposed swap for other lands makes this issue even more relevant to residents of Mattapoisett. We hope that we can reassure you that the protected lands of Mattapoisett will, most likely but not certainly, remain protected in the future.

The first thing to remember is that our non-profit organization exists within a federal system of government with national, state, county and town levels of government all of which have the power of eminent domain over our lands, should there be a demonstrated public interest in changing their use. Given that our properties tend to lie in environmentally sensitive areas, the likelihood that they would be taken seems

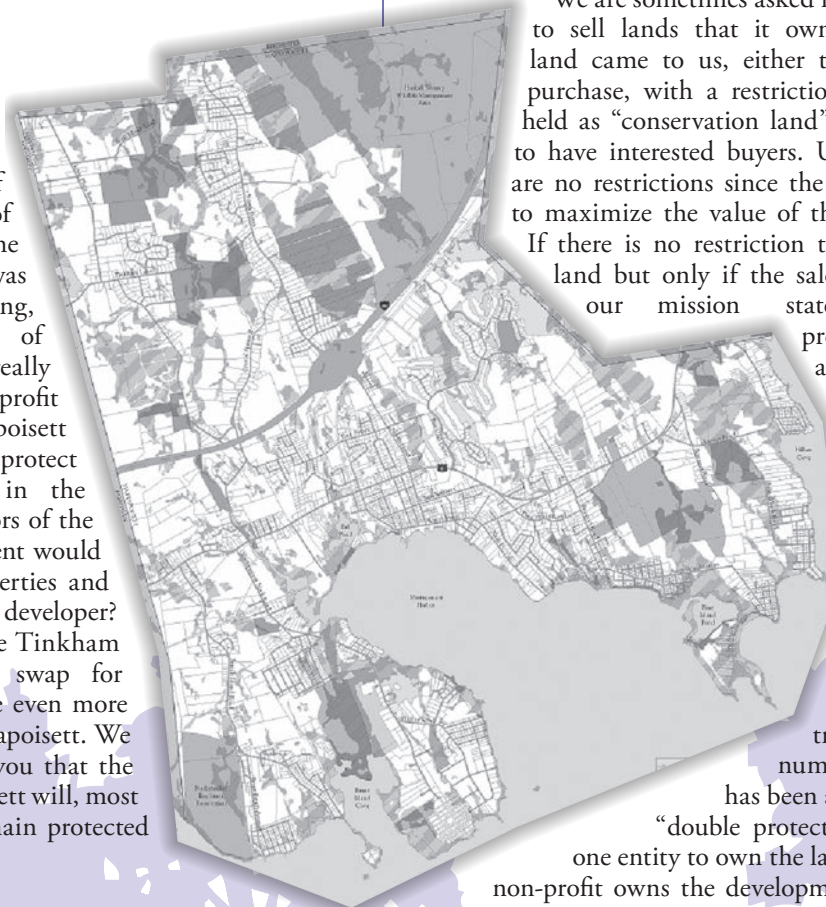
low. But we have to admit that the possibility exists.

We are sometimes asked if the MLT is permitted to sell lands that it owns. It depends. If the land came to us, either through gift or through purchase, with a restriction that it can only be held as "conservation land", then we are unlikely to have interested buyers. Usually, however, there are no restrictions since the seller or donor wishes to maximize the value of the charitable donation.

If there is no restriction the directors could sell land but only if the sale were consistent with our mission statement to "acquire and preserve natural resources and wildlife areas for the use and enjoyment of present and future generations".

The question of how a land trust can be sure that its lands won't be developed in the future has been a topic of discussion in the land trust community for a number of years and there

has been a growing trend toward "double protection", that is, allowing one entity to own the land in fee while another non-profit owns the development rights. The MLT's first "doubly protected" land was the Walega-Livingstone Preserve on Brandt Island Cove. As part of our fund raising efforts, we agreed to sell a Conservation Restriction (CR), that is, the development rights, to the Massachusetts Division of Fisheries and Wildlife. That means that even if we chose to sell the property to another entity, no development could take place on the property without the approval of Mass Wildlife.



We don't want it developed and neither do they, hence "doubly protected". We are now negotiating a similar CR with the Buzzards Bay Coalition and the Town of Mattapoisett's Conservation Commission to cover the 285 acres in the Old Aucoot district. This new CR will restrict development on lands that were purchased like the Brownell Preserve as well as lands that were acquired through gifts like the Martocci Preserve. It will nearly guarantee that this 285 acres south of Route 6 will never be developed. We will continue to work to ensure that our most sensitive and important properties get this additional layer of protection in the future.

Finally, there is the question of what happens if there is no more public support for the MLT and the corporation is liquidated. Our bylaws actually deal with that possibility: "Upon dissolution and winding up of this corporation, any remaining assets shall be transferred only to an organization having like charitable, scientific, literary and educational purposes as are permitted by section 501(c)(3) of the Internal Revenue Code of the United States. No assets shall be conveyed or distributed to any individual or any organization created or operated for profit." We believe that other environmental organizations would be willing to accept the considerable real assets that the MLT holds. And rest assured that we wouldn't be permitted to sell them to a developer.

So are MLT lands held for the benefit of the public in perpetuity? We believe that we are doing everything in our power to ensure that they are, but if you have additional ideas as to how we could do a better job, please volunteer to help. We would love to hear your ideas.

2011 Hunting Season

Be careful out there

Deer hunting season opens

October 17, and runs through December

31: for archery (Oct.

17 - Nov. 26), shotgun

(Nov. 28 - Dec. 10)

and primitive muzzle

load firearms (Dec

12 - Dec 31). You can

find more informa-

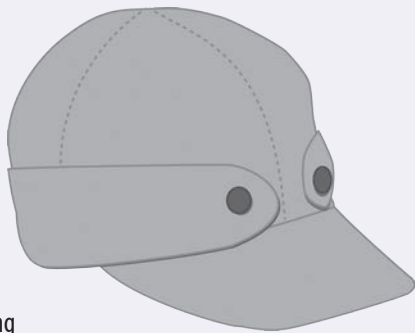
tion regarding all hunting

seasons and regulations at

<http://www.mass.gov/dfwele/dfw/> (Mattapoisett is in Zone 11)

When using your Land Trust properties, remember that hunting is allowed, and that no one form of recreation is exclusive of the other. Please be aware of and respect hunters who are legally using the land.

Dress for safety, using hats and/or vests of "Blaze Orange" to improve your visibility.



Use our website to plan and share your MLT "adventure"

by Charles Radville

If you have visited one of the MLT properties, we encourage you to give us feedback. From high praise to criticism to notes on what you saw, you are now able to share your thoughts with other site visitors. From the home page of mattlandtrust.org, hover over the "Properties" tab and click on the "stewardship log" link. You will be sent to the Stewardship Log page where you will be able to select a property and



tell us your impressions. Also, you can subscribe to our mailing list (you will not be spammed or overwhelmed with email) and tell us if you are a member.

Your comments will be reviewed prior to response or posting on the MLT blog. Let us know if you would rather not share (our eyes only).

In addition, under "Properties", there are an interactive Google map, and a printable map you can take with you.

Enjoy your MLT properties and share your experience with your fellow open space lovers.

Summer reading program raises funds for the MLT

by Don Cuddy

Showing what can be accomplished with a little imagination, the summer reading program at the Mattapoisett Library has raised over \$4,000 towards the Land Trust's fundraising effort for the acquisition of the Brownell property. Ron and Diane Merlo of Mattapoisett have supported the library's reading program every year, said children's librarian Linda Burke. "They usually provide the prizes that the children receive if they complete the program. But this year they offered a dollar for every hour that the children read, with the proceeds to be donated to the Land Trust. That was very exciting," she said.

The children of Mattapoisett rose to the challenge. One hundred and fifty-six kids completed the program. "This was a perfect link for them to the Land Trust and preserving open space for future generations," Burke said. "The kids will be able to see for years to come that they helped to contribute to the restoration of that land and those blueberry bushes. One day perhaps they will take their own kids there to pick blueberries."

The effort also provided the perfect complement to the library's theme for the summer which was called "Take a Walk on the Wild Side". Various outings were arranged taking the children around town to experience Nature firsthand. They enjoyed letterboxing on the library grounds and took a walk in the dark to experience what it might be like for a nocturnal creature. Ruth Bates led a group of children to a forested area to study trees which they then painted on canvases at the library, according to Burke. The Land Trust booth at Harbor Days also provided excellent publicity for the effort, she said.

To demonstrate how the reading program was progressing, Diane Merlo constructed a wonderful poster (right) for the children's library, displaying two children reading outdoors surrounded by blueberry bushes. When each child came in to report their hours during the six-week program another blueberry was sketched onto one of the bushes on the poster.

One day, Sharon (Brownell) Spector, who picked blueberries on her family's land as a child, was registering her granddaughter for the

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Being a child who spent much of her youth working in the "blueberry patch" as it was called, pulling out pruned branches both spring and fall, picking blueberries every sunny day of summer and packaging those berries in proper containers each night after picking for delivery to State Fruit in the city the next morning, I have a passionate interest in what happens to the place that still lives within my heart. It was not such a happy place to be when I was a child and was certainly not my choice at that time since it meant no time spent at the beach with friends and too tired at night to visit with friends but the life skills I learned and the sensitivities captured during those summers spent isolated among those blueberry bushes live on in me in remarkable ways and are a large part of who I am today.

Having said this, it is with pure delight that I offer this donation to assist in promoting the rebirth of a place so special, so interesting and so very different every day. It is my sincere hope that other children will come to know the music of crickets in the early morning, the cry of a hawk scanning it's world below, the symphony created by the many different types of trees when the wind comes up each afternoon, and the wonderful smells, some sweet some pungent, mixing together to create a perfume only nature can provide from the diverse selection of surrounding vegetation. I hope children have the opportunity to discover the many "treasures" that would suddenly appear in the form of a box turtle, an amazingly decorated butterfly or the many beautiful dragonflies that made the area their playground. These many "diversions" captured my heart back then and were the only escape I had from my daily work of picking berries alone among the acres of bushes... and they remain within me as a person that is both sensitive and thankful for all that nature has given me both past and present.

Please know how immensely grateful I am to the Mattapoisett Land Trust for their dedication and commitment in bringing this special place back to what it had been all those summers of my life.

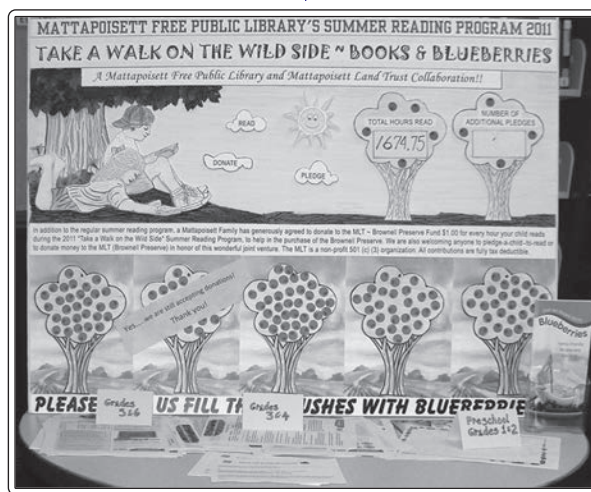
Sharon Spector
Sharon (Brownell) Spector

Personal note accompanying the generous donation by Sharon (Brownell) Spector

When she learned of the initiative she volunteered to match the Merlo's generous donation (see above). "That was huge," said Burke.

Library director Susan Pizzolato said the program was a wonderful fit for everyone involved.

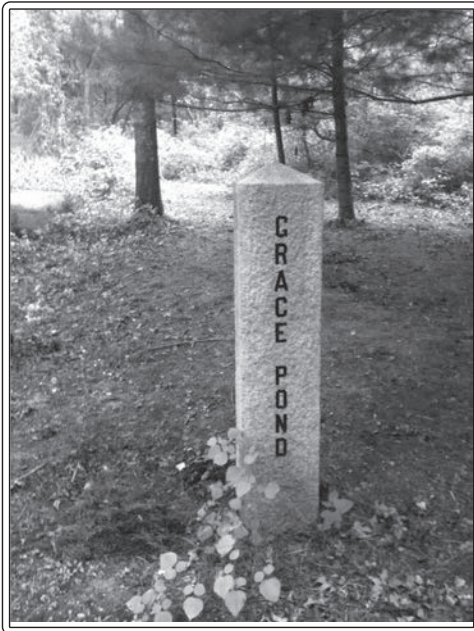
"Our emphasis on reconnecting children with Nature is a national movement. Partnering with the Land Trust was a natural for us and the Merlos suggestion stimulated reading; it helped the Land Trust and it dovetailed with our efforts to reach out of our building and be out in Nature with families," she said. "Whenever organizations look beyond their own mission and seek to find common ground then it's a win-win."



The MLT trail system is growing

by Paul Osenkowski

The Mattapoisett Land Trust has been expanding its trail system for the last eight years in order to acquaint residents with the beauty of the properties that are held for your use and enjoyment. The original trail was named the Hiller Trail and started on Route 6 across from the Friends Meeting House. A big stone marker stands at the beginning of the trail.

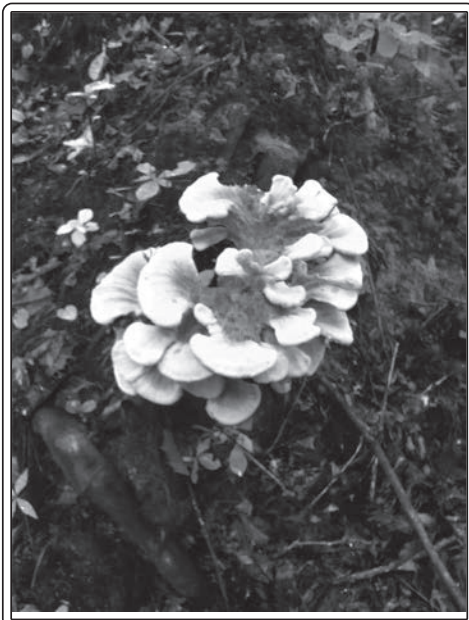


The trail system has now expanded considerably. Starting at the Hiller Trail marker you can proceed southeasterly along a well marked trail to our new bridge that crosses a perennial stream and then ends at the Grace Pond marker. This is not actually a pond

because it has been designated a vernal pool but it is filled with water this year.

There is a new trail that breaks off from this spot and goes in a southerly direction and ends at Angelica Road. It runs parallel to the Old Slough Road that some of the old timers will remember used to run from the end of Bowman Road and end at Point Connett. There are signs that designate this as the southern trail and the other as the west trail.

It is our hope that some day in the future, all of this trail system will begin at the Grace Pond location and

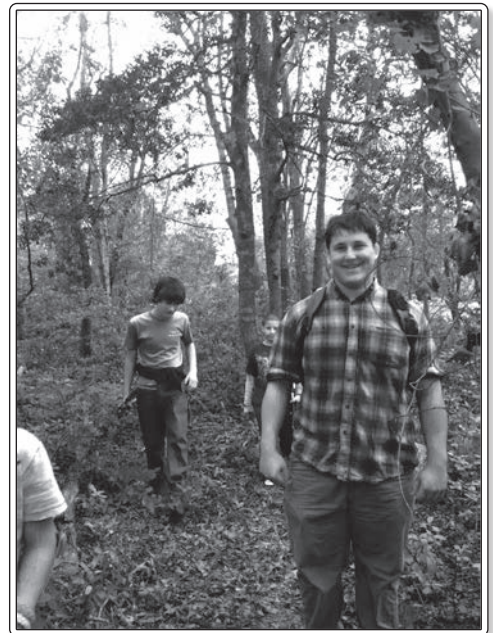


radiate out from there. Plenty of parking is available at the end of Bowman Road and there is very nice meadow to walk through to get to the pond and trail system.



A new trail has been added that starts near the Hiller trail marker and is the result of the recent Brownell Property purchase. It is located just to the west of the marker and heads in a southerly direction. Right now it ends at an old stone wall but in the near future will connect to the rest of the Hiller Trail as a loop.

Our latest trail was constructed at the end of Anchorage Way near Mattapoisett Neck Road. There is a small parking area at the end of Anchorage Way and a sign near the entrance to the trail. It proceeds in a southerly direction and ends at the northern end of Brandt Island Cove where you walk right out onto the Marsh and can observe an osprey nest on the tip of the Field's Farm across the cove.



Nearly all of these trails have been built by the Eagle Scout Candidates from Troop 53 in Mattapoisett. Other candidates have fabricated some of the structures (bridges, etc.) on them. It is with great appreciation that the Land Trust thanks the families and the Boy Scouts of America for their work and devotion to the community. On all the trails just follow the trail blazes and you'll enjoy a taste of the richness of Mattapoisett.

Kids' Corner

Raptors in Mattapoisett

The term “raptor” comes from the the Latin word *rapere* (meaning to seize or take by force) and is used to describe birds of prey. These are birds that have exceptionally good eyesight, strong feet, usually with sharp talons for holding their food and curved beaks for tearing it. Last year we described the Snowy Owl, but we have other raptors in the Land Trust’s Walega-Livingstone Preserve on Brandt Island Cove, one a long-time resident and another a recent visitor.

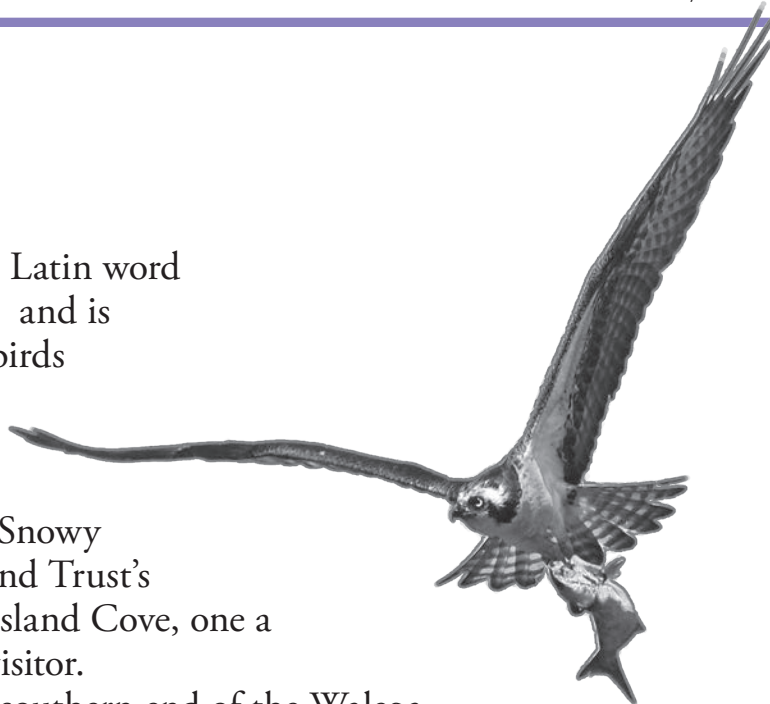
If you hike through the woods to the southern end of the Walega-Livingstone Preserve and look to the east you will see an osprey platform erected on the Field Farm. Bill and Liz Field have had a nesting pair on the platform every year for the past 20 years. Since osprey feed almost entirely on fish, Brandt Island Cove is an ideal location for a nest. Osprey migrate south early in the fall and return to Mattapoisett in mid-March. Bill says that the pair that use his platform return separately between March 22 and March 25 each year. They immediately begin to rebuild the nest and then lay 1 to 3 eggs, but not at the same time. The egg laying takes place at different times so the chicks will hatch at different times. The youngest always has a hard time getting enough to eat.

Bald eagles have been nesting in Lakeville for a number of years and have recently been spotted on Brandt Island Cove. Eagles also hunt for fish but will eat small mammals and carrion (dead animals). Since they are much larger, they will occasionally attack an osprey and steal the osprey’s catch. It was this thievery that convinced Benjamin Franklin that the eagle should not be our national symbol.

Both of these raptors have now made their fall migration.

But remember to look for their return next March. Perhaps we’ll even get lucky and find a new eagle nest on the Walega-Livingstone Preserve. There are certainly enough fish in Brandt Island Cove for both ospreys and eagles.

(Photos courtesy Bill Field)



Now! Purchase Holiday Gifts from the MLT

The Mattapoisett Land Trust is now a source for holiday gifts. If you want to help Mattapoisett preserve environmentally sensitive land, preserve open land for future generations, and help the environment, consider purchasing holiday stocking stuffers and gifts from the MLT. These are the same items which have been a big hit for the past several years at Harbor Days. They can now be purchased year-round. The items include: adult and children's tee shirts (adult sizes in short and long sleeve), adult hats, a custom made bookmark, a heron tote, an aluminum water bottle and a seahorse refrigerator magnet. The children's shirts have an em-



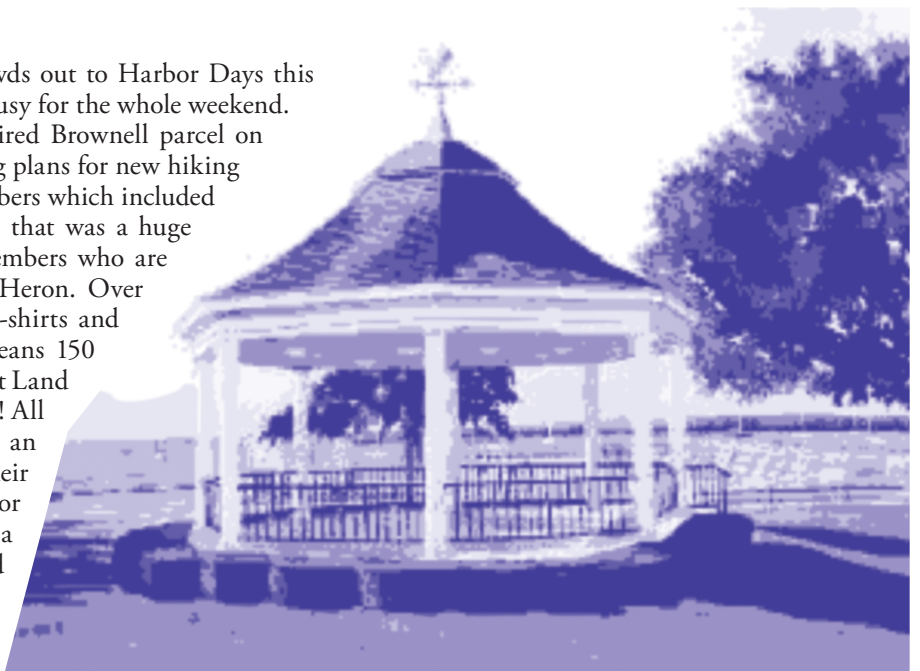
blem of Salty on the front. The adult shirts are deep navy with a light color Heron on the front and the MLT's name on the back). Finally the shirts are made from organic cotton (cotton grown using only natural fertilizers and pesticides). Baseball hats are available in two colors, red and tan. Both hats are "one size fits all" with an adjustment strap in the back. These items can be purchased at the MLT web site: www.mattlandtrust.org using the "Shop" tab. We have arranged with the Mattapoisett Free Public Library to have your order brought there for pickup at no charge.

There will be an additional charge for shipping service.

MLT's Harbor Days booth spurs interest, farmers new members and sales

by Jenny Mello

Beautiful weather brought bumper crowds out to Harbor Days this year and the Land Trust booth was very busy for the whole weekend. People were keen to see the newly acquired Brownell parcel on our large maps and hear about the exciting plans for new hiking trails. We had a special offer for new members which included a free t-shirt with each new membership that was a huge success – and we welcome those new members who are receiving this as their first copy of the *The Heron*. Over the weekend we sold over 50 children's t-shirts and over 100 for adults, which hopefully means 150 people will be thinking of the Mattapoisett Land Trust each morning when they get dressed! All this success was made possible because an enthusiastic group of volunteers donated their time to run the booth over the weekend. For their generous donation of time on such a beautiful weekend we thank Adrian and Jane Lonsdale, Luice Moncevitich, Brad Hathaway, Diane Hudis, Ellie Smith as well as members of the board of directors.



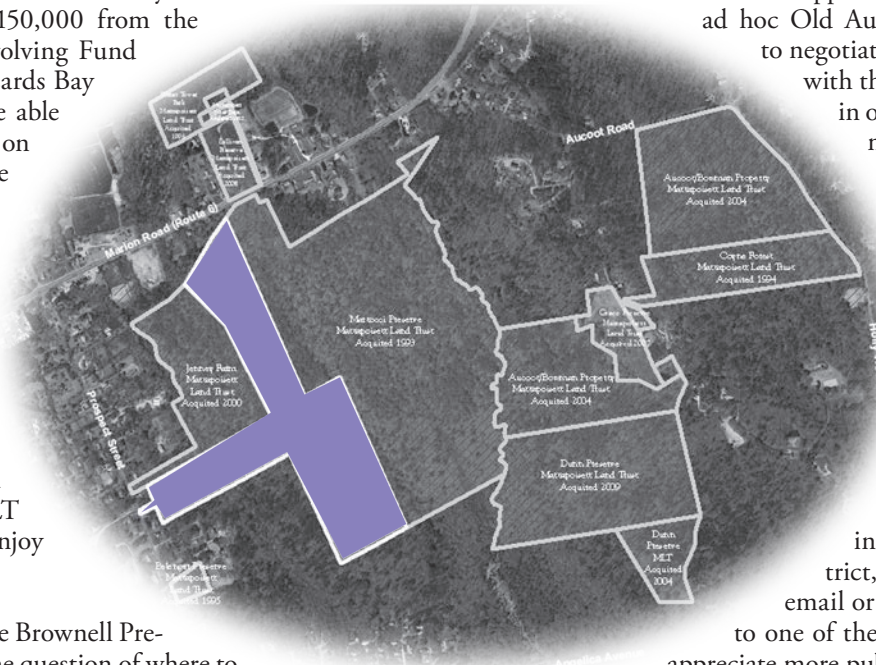
by Gary P. Johnson

While we now “own” the Brownell Preserve, we are faced with the question of where to find \$150,000 to repay the loan. To solve this financial dilemma we have once again turned to the Buzzards Bay Coalition. They have agreed to purchase a Conservation Restriction on the 300-acre Old Aucoot properties for \$170,000, conditional on their receiving a Conservation Partnership grant from the Commonwealth of Massachusetts for \$85,000. Our goal has

The Conservation Restriction that we negotiate will be held by both the BBC and the Town of Mattapoisett's Conservation Commission which will give this large tract of land the "double protection" that we have always thought is desirable for our properties. (see Can we really protect land forever?). The Board of Directors has approved the creation of an

email or pass your ideas along

It's odd for the MLT to be asking its members to give to the Buzzards Bay Coalition, but gifts to defray the cost of the CR will help us directly in our mission of protecting the lands of Mattapoisett for future generations. We hope you will be able to help with this complicated deal.



The following individuals or groups have chosen in the last six months to honor their loved ones through donations to the Mattapoisett Land Trust.

*In honor of the birthday of Gary P. Johnson:
Luana Josvold
Mattapoisett, MA*

Thank you for your generous contributions which will be used to further our mission of protecting the land and environment of Mattapoisett for generations to come.



Mattapoisett Land Trust, Inc.
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Calendar — 2011 Fall and Winter Activities

All Mattapoisett Land Trust events are free and open to the public

check www.mattlandtrust.org/calendar for up-to-date information

Oct. 16 1:30 PM Official trail opening

Guided tour of the newest MLT trail on the Walega-Livingstone Preserve .

Oct. 22 5:30 PM Salty's Silvery Moon Soirée

Our very popular annual family event!
Camp-style fires, S'mores and cider.
Songs and slightly spooky tales from Take Two Tandem Tellers.

Rain date Oct. 23 or 29. Check website for details.

Munro Waterfront: Clean up rocks and stuff with the Scouts

Date and time to be determined.

Jan. 21, 2012 MLT Social Event

Meet and greet, possible speaker, see website for updates.

THE HERON is published bi-annually by the Mattapoisett Land Trust.

The MLT, formed in 1974, is a non-profit, tax- exempt charitable organization incorporated under the laws of the Commonwealth of Massachusetts. Its purpose is to preserve open space for the enjoyment of current and future residents of Mattapoisett, as well as to educate the public about the sound use of natural resources, and to work with other organizations having the same goals.

Our membership consists of annual contributors — our primary source of revenue — and a volunteer Board of Directors: Kathy Bohan, Don Cuddy, Sandra Dawson, Ellen Flynn, Sandra Hering, Luana Marie Josvold, Elizabeth Leidhold, Louis Martin, Jenny Mello, Paul Osenkowski, Charles Radville, Donald Short, Steven Wilcox, and Gary P. Johnson, President.

The MLT is a non-profit 501 (c) (3) organization. All contributions are fully tax deductible.

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