

Littleton Conservation Trust



Newsletter

Fall 2006

Restoring an Old Grassland at Long Lake Park

by Art Lazarus

Shortly after the Town's purchase of the Frost-Whitcomb land off Newtown Road in 1997, a project was initiated to restore a 13-acre abandoned hayfield within the newly created 180-acre Long Lake Park. The formation of Long Lake Park consisted of the 103-acre Frost-Whitcomb purchase and the adjacent 77-acre forest previously acquired by tax title. The Conservation Commission administers the park. An early natural resource study led by Linda Cantillon of Littleton determined that abandoned hayfields are excellent habitat for grassland birds. The study identified over 13 types of grasses and legumes that create a highly diverse micro-environment for a wide variety of plant, bird, animal, and wildflower species. Old grasslands (old hayfields) have a dense ground cover and litter cover that is important for nesting and protection from predators.

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The Power of Lightning

by Art Lazarus

You can see the devastating effect of a direct lightning hit on several trees in our conservation areas. It is quite fascinating to see what the power of the lightning from a thunderstorm can do. At the Sarah Doublet Forest, you can follow the trail beyond the quarry to a quiet grove of pines in a small valley where a huge 80' white pine was literally blasted in half in June 2001. There is a sign on the tree. At this location, you can see how fast the tree has decomposed in the last five years. There is another huge white pine that was hit this year and is located on the short trail that leads into Sarah Doublet Forest from Fort Pond Road, near the ATT Right of Way. Another big white pine was hit last year on the Cobb Memorial Footpath between the trail and Cobb Pond. Viewing the remains of these trees closely and examining them for a while helps to add to your respect for the power of lightning. ■



Save Money and Conserve Family Lands but Act Quickly!

by Don MacIver

A new time-limited federal tax law gives substantial tax deductions for landowners of conservation-worthy lands who donate a Conservation Restriction (CR) to a qualified non-profit charitable organization or government agency.

What is a Conservation Restriction?

A CR (also known as a conservation easement) is a voluntary, legally-binding agreement between a landowner and a recipient organization or agency. By executing the CR on an identified land parcel, the landowner extinguishes the right to build there and may also grant other rights, such as public access. The CR holder organization takes on the obligation to monitor and conserve the land in perpetuity. Along with the landowner, the CR holder guarantees full compliance with the legal agreement. The landowner still retains title and other property rights, including the ability to sell the property. Since the CR agreement is permanent, it resides with the land and is maintained although property ownership will change over time.

What are some public benefits of conservation-worthy lands?

Conservation-worthy land must provide public benefits to qualify. For example, the land may provide good wildlife habitat, enhance other protected lands because there is a shared property boundary, possess unusual scenic value, provide public access for passive recreation and education, or protect an outstanding natural resource such as a pond, stream, or glacial formation.

Who locally qualifies as a CR holder?

Potential CR holders who accept the terms of the perpetual obligation must first determine that they are willing and capable to hold the proposed CR. They will assist with creating mutually-agreeable CR provisions. Qualified non-profit organizations currently

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The Littleton Conservation Trust (LCT), distinct from the Town's Conservation Commission, is a private land trust formed in 1962 to promote Littleton's rural character; to preserve its water, plant, and wildlife resources and its unique views; and to provide environmental education. The LCT is caretaker of over 300 acres of property (all gifted from far-sighted residents) on which we manage a system of trails for public use.



LCT
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Save Money and Conserve Family Lands but Act Quickly!

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holding CRs in Littleton include the Littleton Conservation Trust (LCT) and, more recently, the Sudbury Valley Trustees (SVT). Another qualified CR holder, the New England Forestry Foundation (NEFF), holds CRs in other towns but currently holds none locally. As a government agency, the municipal Conservation Commission also holds CRs. The LCT works closely with all these organizations and can help guide your CR donation appropriately.

Exactly what are the new substantial tax benefits for donated CRs?

Tax benefits come in three forms. Tax benefits include deductions for income and estate taxes. The third tax deduction is for reduced property taxes given that the CR extinguishes the right to build. Typically, a town assesses the now non-buildable land at a significantly lower value, granting even more benefit if the land is also publicly accessible.

The new tax incentives raises the deduction a donor can take for donating a CR from 30% of their adjusted gross income in any year to 50%. It also allows qualifying farmers and ranchers to deduct up to 100% of their income, provided the land remains available for agriculture production. Also significant is the new provision which increases the number of years over which a donor can take deductions from 5 years to 15 years. This extended carry-over period allows donors with average annual incomes to spread the deduction over many more years so they can take full advantage of permissible deductions.

These new tax incentives provide the greatest benefit under the conservation tax laws in the last 26 years. They provide an unprecedented opportunity to protect cherished lands for traditional conservation purposes while substantially reducing tax obligations.

How quick is quickly and what time is needed to develop a successful CR?

The Pension Protection Act of 2006, which contained these new tax provisions for donated CRs, was signed into law on August 17, 2006. It applies to any CR donated within the calendar years 2006 and 2007 only. Since these provisions "sunset" on December 31, 2007, it is critical to act quickly to complete a CR donation in a timely manner to benefit from these attractive tax incentives

The process to create, donate, and record a CR at the registry of deeds can take up to 9 months to complete. This process includes:

- Determining that the land to be conserved contains significant public benefit warranting a tax deduction.
- Finding a qualified nonprofit organization to accept the perpetual CR obligation.
- Appraising the land to determine the donated CR financial value and its corresponding tax benefit.
- Writing the CR so that it is agreeable by all parties.
- Obtaining local approval by the Conservation Commission and Board of Selectmen who verify the land's public benefit.
- Obtaining approval by the state which additionally ensures its compliance with state and federal laws.
- Recording the CR in the registry of deeds for the year the donated CR is claimed.

Although the process can be time consuming, it is well-documented and not difficult. The LCT or other qualified nonprofit organization will be glad to assist you throughout the process.

(continued on next page)

Littleton Conservation Trust Membership Form – 2006

New Renewal

Date: ___/___/___
(Date determines year of tax deduction)

Name: _____

Address: _____

Phone: _____ Email: _____

- | | |
|--|--|
| <input type="checkbox"/> Individual: \$25 | <input type="checkbox"/> Family: \$ 40 |
| <input type="checkbox"/> Friend: \$100 | <input type="checkbox"/> Supporter: \$ 250 |
| <input type="checkbox"/> Patron: \$500 | <input type="checkbox"/> Benefactor: \$1,000 |
| <input type="checkbox"/> Other: \$ _____ | |
| <input type="checkbox"/> Gift to Permanent Fund: \$ _____ | |
| <input type="checkbox"/> Please send me information about how to preserve my own land. | |

(Provide your email address if you want to receive notification of upcoming walks and conservation-related events.)

Please cut out this form and send it to:

Kathy Stevens , Treasurer
Littleton Conservation Trust
PO Box 594
Littleton, MA 01460



Save Money and Conserve Family Lands

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Where can you, your family lawyer, and your financial advisor get more information?

Because these substantial benefits focus on a specific new tax law and qualified conservation contributions, your family lawyer and financial advisor first may need to educate themselves on the exact provisions. A major resource is the content found on the website of the Land Trust Alliance, the national umbrella organization of land and conservation trusts. Their website is <http://www.lta.org>. Of particular interest is the article "The New Conservation Tax Incentives – Some Things We Know and Some Things We Don't Know". It is written by Stephen J. Small, Esquire, a former IRS tax attorney who wrote the original Federal Tax Law on Conservation Easements (CRs). It gives examples with potential tax savings itemized.

The LCT can additionally direct potential donors to lawyers, appraisers, and other professionals who have experience in CR transactions. Landowners are urged to consult with their own lawyers and financial advisors.

What are the next steps?

Don't let this unusual opportunity pass you by. With the gathering of families for the holidays, it is a perfect time to discuss family land plans for the future. Feel free to contact any of the LCT Trustees to schedule a confidential discussion or arrange a walk of your family lands to see if this program fits your needs and vision for the future. ■

Contributions to this article from the Land Trust Alliance, Doreen Morse, and Don MacIver.

What is the Permanent Fund ?

By Henry Harvey, MD

Like a firm anchor to winward, a Permanent Fund gives stability and assurance of long life to any new venture. A business needs capital to get started. A non-profit organization usually starts with ideas, but it hopes to acquire some capital as it grows. In 1962, the Trustees of the Littleton Conservation Trust (LCT) determined to have a future and solicited for immediate expenses and a Permanent Fund. All money so designated and 10% of all gifts to the Trust went into a special Permanent Fund to be conservatively-invested. In this way, the Trustees provided for future, unforeseen expenses, be they legal, land purchase, or self insurance.

Over the years, open land was given to the Trust by far-sighted donors. Even a caretaker's cottage atop the Sarah Doublet Forest came to the LCT by the will of Edith Jenkins, who, with Fanny Knapp, donated the 96 acres of the Sarah Doublet Forest. Rent paid by the caretakers covered the maintenance of the building but enlargement required capital funds. Fortunately, growth of the regular fund provided for most of the expense. Thus, the Permanent Fund was largely spared at that time.

Now that the value of open lands has greatly increased, preservation often takes the form of a conservation restriction-sometimes donated, sometimes purchased-to cover the costs of the supervision, complicated negotiation, and eventual defense of the land as open space.

When making your annual donation to the Littleton Conservation Trust, remember to designate part of your gift to the Permanent Fund. Also consider a gift of appreciated stock to the LCT or remember the LCT in your will. ■

If you'd like advance notice of Trust events emailed to you, please send your email address to: dannmorse@yahoo.com

Restoring an Old Grassland at Long Lake Park

(continued from page 1)



Since 1998, Art Lazarus, Ray Grande, and Charles Tirone have undertaken an active program to restore the grassland. Woody growth that engulfed much of the field is being removed back to the stonewall edges. The Commission hires Kevin Woolhizer who owns and operates a 48" flail mower to cut the fields and edge growth each fall. This activity is supplemented by hand cutting the woody growth and stacking and burning the piles in the winter. In the winter of 2004, Eagle Scout Robbie Loughman and his fellow Boy Scouts cut back the trees and woody growth over a wide area. Three isolated and stressed crabapple trees in the field were pruned and now produce large amounts of crabapples for wildlife consumption. Invasive Russian Olive trees were cut down and burned. About one-half dozen bluebird houses (made by Fran Meyers) have been installed. Recent activities within the last two years include:

- An experiment to control the poison ivy over a ¼ acre is being done by frequent mowing by volunteer Bill Ewing, in response to a serious poison ivy encroachment.
- Several experimental methods of killing invasive buckthorn along the field edges are underway using herbicide on intentionally scarred inner bark.
- In 2004, the U.S. Department of Agriculture Natural Resource Conservation Service granted funding to the Conservation Commission under the Wildlife Habitat Incentive Program. Under this program, the Town will be reimbursed for annual mowing and one liming of the area every other year for 10 years. Annual mowing has been done each fall since 1998. Twenty tons of lime was spread in the fall of 2006.
- Jeff Kunz led a bird survey in May 2006. A total of 23 species of birds were noted over a 4-day period. A primary focus of the survey was to observe bobolinks and eastern meadowlarks. Both relatively rare species (in serious decline in the U.S.) were observed informally at this site in prior years. During the May 2006 survey, meadowlarks were present, but bobolinks were not observed. The survey will be repeated in the spring of 2007.

You are encouraged to visit the area. The easiest access is from the end of Middlesex Drive. Be careful to stay on several well-worn trails through the fields. Although horses and dogs are allowed on town conservation land, please keep your animals under control to minimize the disturbance of wildlife in the area. Motorized vehicles are prohibited from conservation land in Littleton.

New Year's Day Walk at Fruitlands - Advance Notice

The Littleton and Harvard Conservation Trusts are sponsoring a trail walk at Fruitlands Museum in Harvard on New Year's Day, January 1, 2007. Harvard started this popular event a few years ago and each year has included a neighboring town. This year Littleton will participate. The walk starts at noon and ends at 2 PM followed by refreshments (inside) at Fruitlands. The walk will be led by Trustees of both Conservation Trusts. Final details will be forthcoming in December in the *Littleton Independent*.

This restored grassland at Long Lake Park is the only Town or Trust grassland managed specifically for wildlife in Littleton. The annual fall mowing-with no gathering of cut grass or other plant species-differentiates this grassland from active town hayfields that are managed for agricultural purposes. With the assistance of the Massachusetts Audubon Society, the Natural Resource Conservation Service, and Littleton Conservation Trust volunteers, we plan to continue these efforts to create an outstanding small grassland restoration with minimal costs and maximum natural eco-system diversity. ■

Attacking the Invasive Plants on Conservation Land

by Art Lazarus

Within the last year, the Littleton Conservation Trust has begun an initiative to substantially reduce the volume of common invasive plant species on the Town and Trust's conservation properties. Trustee Rick Findlay, a licensed pesticide and herbicide applicator, is leading the effort. About eight volunteers are active in this effort in addition to the New England Forestry Foundation staff at Prouty Woods Community Forest. The most common invasives encountered include Buckthorn, Bittersweet, Multiflora Rose, Japanese Knotweed, and Barberry. Using hand tools, herbicide applications, and mowing machines, progress is being made in several locations. Conant Park, Bumblebee Park, and Prouty Woods have received the major effort to date. Other areas where work is being done include the Hartwell Preserve, Long Lake Park, Sarah Doublet Forest, and Newtown Hill. Fortunately, several areas are relatively free of invasives, such as Cobb Memorial Land, Nashoba Wetlands, Oak Hill, and White Tail Woods. If you are interested in

This is the fifth in a series of articles intended to alert the community to the threat of invasive plants to our precious New England landscape. Previous articles covered:

- Japanese Knotweed (*Polygonum cuspidatum*)
- Burning Bush (*Euonymus alatus*)
- Oriental Bittersweet (*Celastrus orbicullatus*)
- Japanese and European Barberry (*Berberis thunbergii* and *vulgaris*)

This article focuses on Glossy and Common Buckthorn (*Frangula alnus* and *Rhamnus cathartica*). Future articles will highlight the following species:

- Multiflora Rose (*Rosa multiflora*)
- Norway Maple (*Acer platanoides*)
- Shrub Honeysuckles (*Lonicera tatarica*, *morrowii*, hybrids)
- Garlic Mustard (*Alliaria petiolata*)

All of these plants are alien or exotic to this region. They have few natural enemies to keep them in check, and most spread at a prodigious rate, often by birds. All can colonize to the exclusion of native flora, and some are extremely persistent and resistant to control.

Our goal is to make readers aware of the problem and to encourage them to participate in a solution by cleaning up their own properties and helping out in their neighborhoods. Littleton has an opportunity to set back the onslaught of invasive plants by acting now to reduce seed output. If we do not, we risk losing local biodiversity and the very ‘nature’ we take for granted.

Students and Stewards Chip In

For many years, Carl Rivenberg and his family have been stewards of Conant Park: mowing grass, cleaning up the woods, and keeping the boardwalk clear of vegetation. They have been quintessential good neighbors. This Spring, son Chris Rymer and my own neighbor, Malene Hammerich, both LHS students, helped me pull invasive plants as part of their community service. They pulled and wrenched thousands of Glossy Buckthorns that otherwise would have quietly taken over the park.

Glossy and Common Buckthorn are becoming problems throughout Littleton. They were brought to this country in the 18th century as ornamentals. They have naturalized and have now been banned in Massachusetts because of their aggressive nature. We will never get rid of them, but their success at displacing local native vegetation will depend on our efforts to limit their expansion.

Courtney Gilbert and TJ Gill, also LHS students, spent last Spring learning how to identify invasive plants as part of an AP Biology Independent Study. They then conducted an inventory of invasives in Bumblebee Park. Their map and display were in the Library this Summer. The dominant invasive was again Glossy Buckthorn. Art Lazarus and his stewards have been working with their plan to restore Bumblebee Park. For Park neighbors, Glossy Buckthorn will be a growing problem.

Buckthorns are easily spotted in the landscape, and their seedlings easily pulled. The dark bark of Glossy Buckthorn is flecked with white. Bark of Common Buckthorn often has a distinctive pewter or lead color. For those looking for more information, the internet is an excellent source of both pictures and control measures. A Google of “Invasive plants” will yield almost 2 million sites. Some of the better ones include:

- www.ontariotrees.com/index.php
- www.na.fs.fed.us/fhp/invasive_plants/index.shtm
- www.nps.gov/plants/alien/index.htm

Learning to identify the top ten invasive plants is very easy. Pulling them up when you see them is a noble act. ■



Glossy Buckthorn bark ^



Common Buckthorn leaves and berries >



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It's time to renew your membership!
(see page 3)

This newsletter is printed on recycled paper (20% post-consumer waste)

The Book Corner

This and other books donated by the LCT are available at the Reuben Hoar Public Library

Life In The Undergrowth by David Attenborough

In this companion book to the Animal Planet program of the same name, world-renowned naturalist Sir David Attenborough takes a close look at the world of invertebrates - all those bugs and things that crawl and fly that children often find fascinating (and most adults just want to get rid of or ignore!). This book offers a truly engaging view of everything from scorpions to butterflies with gorgeous, up-close photos of the subjects. The author begins with a look at the early evolutionary track of some sea creatures (such as several crab species) that were the first to adapt to life on land, as well as many other crawling earth dwellers. He then looks at those that took to flight, such as butterflies, damselflies and grasshoppers, followed by silk spinners (spiders and ants), and those that have relationships with plant life, both beneficial and exploitive. Finally, the author explores "supersocieties" in which ants, bees, beetles, and other cooperative insects live together for mutual benefit. Included is an evolutionary chart that summarizes the relationship between groups of invertebrates and their adaptation to water, land, and air.

This is a book for bug lovers and non-bug lovers alike. It is a great research tool packed with incredible photographs. Attenborough presents factual information in an engaging manner, just as he does on his shows. Check out the book and, like me, you might find yourself constantly saying, "Hey, look at this! Did you know that...?"

Review by Kathy Stevens



Make Merry on December 2 !

Come and be merry at the Holiday Bazaar on December 2nd at the Littleton High School from 10am to 4pm.

Town groups will be offering a wide variety of wonderful handmade and home-baked items to help you with your seasonal shopping.

Our Littleton Conservation Trust booth will offer our ever-popular Bird Lover Hostess Baskets, handmade glass ornaments, pinecone angels, a wonderful variety of terrariums of all sizes, planters of paperwhites, and Christmas pillows ...
to name just a few of the many treasures we will offer.

Come on down!!

