



PECONIC LAND TRUST NEWSLETTER

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Photo: Jeff Heatley

Rare White Pine Forest in Northwest Woods Protected Forever

In June, the Peconic Land Trust received a gift of a conservation easement on 22.7 woodland acres in the Northwest Woods section of East Hampton from Marillyn B. Wilson. The generous gift extinguished all 6 development rights and protects this extraordinary land in perpetuity.

The land was purchased more than 30 years ago, almost on a “whim” as Ms. Wilson describes it. “Since the land was so heavily wooded, we really didn’t know what we had. When we decided to build a house, it was our architect who opened our eyes to the beauty of the land we had acquired with its Lady Slippers, Wild Blueberry, Wild Geranium,

Mountain Laurel, Wintergreen, Sassafras, Bayberry, Blue-eyed Grass, and a beautiful White Pine forest. Our architect was brilliant—he carefully sited our house so that trees could be saved.” In 1987, Rick Whalen, a member of the East Hampton Trails Preservation Society, contacted Ms. Wilson to see if she would be willing to help them piece together the first greenbelt trail in East Hampton, the Northwest Path. By allowing a trail across her land, a link between Town-owned properties could be created. According to Mr. Whalen, “Marillyn didn’t hesitate—with tremendous grace, she agreed to let us clear a trail that is one of the most beautiful

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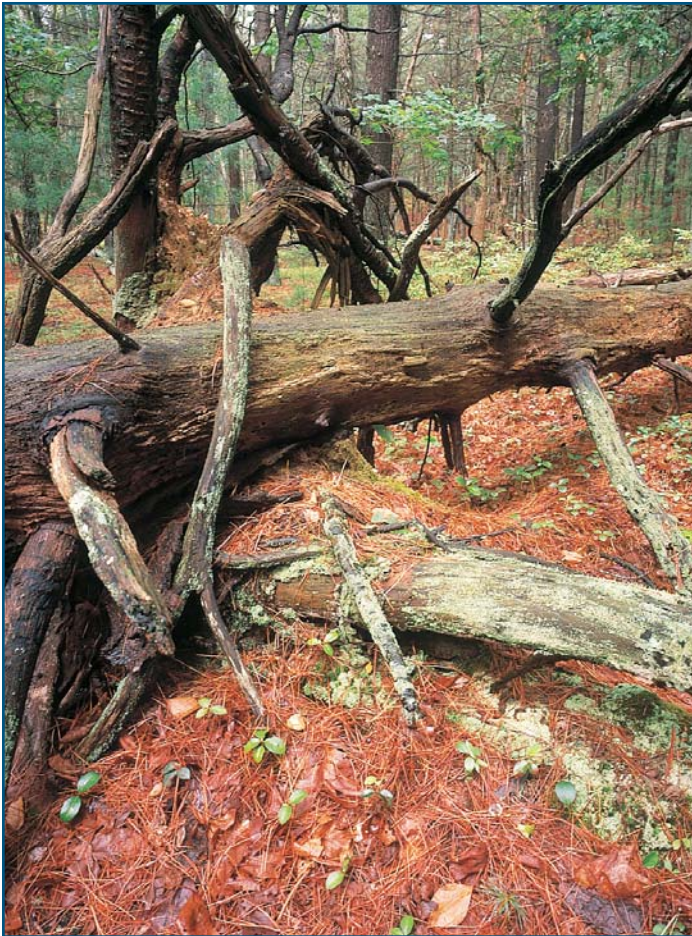
Rare White Pine Forest... (continued from front cover)

sections of the 45-mile Paumanok Path in East Hampton. She even helped us with the work.” Mr. Whalen continues, “One of the most outstanding features of this section is a White Pine hollow—named ‘Wilson’s Grove’ in her honor—you won’t come across anything like this anywhere else on Long Island. While Marillyn could have continued to enjoy the secluded quiet of her land, she chose to share it with others who would appreciate the beauty of the area—it was such a generous thing to do.”

John v.H. Halsey, Trust President agrees that Ms. Wilson’s quiet generosity has enabled the protection of so much important open space and environmentally significant land on Eastern Long Island. “As a member of the Trust’s President’s Council and a long-time supporter of our conservation work, Marillyn understands the role that careful planning and stewardship plays in the protection of our most valued resources. We are looking forward to assisting Marillyn in protecting other important acreage. We truly appreciate her vision and confidence in our work.”

All photos: Jeff Heatley





Support the “Challenge” Today

Challenge 2002 is well underway toward our ambitious goal of raising \$1.2 million by October 31, 2002. The Peconic Land Trust underwrites about 55% of its conservation work through the “Challenge,” an annual matching grant supported by Sponsors who pledge half of the total amount to be raised. This year, we must raise \$600,000 by October 31 in donations and pledges to match a \$600,000 commitment by our Sponsors. While our progress toward the match is commendable, we still have a long way to go before we reach our goal. This yearly “Challenge” is vital in supporting PLT’s mission of preserving farmland and open space on Long Island.

Since 1983, more than 250 public and private conservation projects protecting 5,100+ acres have been completed. The Peconic Land Trust works hard to implement creative alternatives to development, and frequently plays a central role in putting together public and private partnerships that result in the successful funding of land protection.

Your participation in the “Challenge” will help define the future character of the East End. Our environment is a powerful force in all of our lives and the Peconic Land Trust is taking definitive action to ensure that productive, working farms and the wealth of natural resources in the region are preserved, protected and wisely managed. Your gift will provide us with the opportunity to continue those efforts. Help us to make sure we will always be able to do so. Every dollar you give will be doubled. If you have not already made a tax-deductible donation, please contribute today using the enclosed envelope.

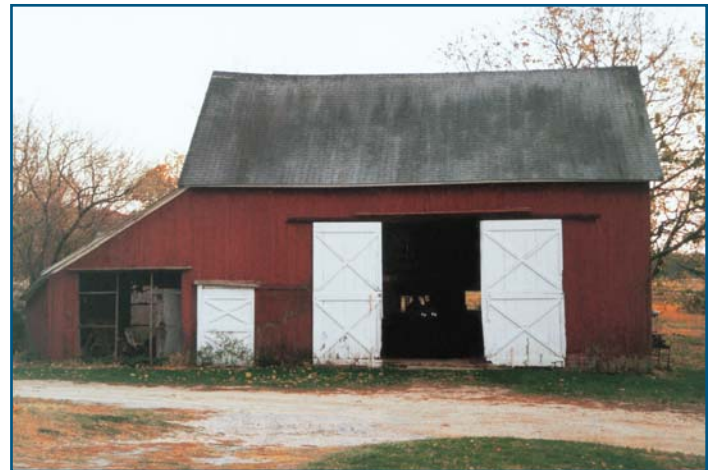


Photo: Marsha Kenny

The Trust’s historic English-style barn at the North Fork Stewardship Center will benefit from a \$25,000 matching grant from the New York State Barn Restoration and Preservation Program. The Trust’s barn was among a small number selected from over 1,200 applications statewide requesting almost \$21 million. Fundraising for the barn began in earnest with an early-summer party hosted by Debbie and Howard Wiggins at their Cutchogue home. Guests enjoyed the lovely setting while they learned more about restoration plans. A special presentation by Joe Zaykowski introduced everyone to the wide variety of antique tools that would have been used to build the barn.

2002 CONSERVATION ACCOMPLISHMENTS

TOWN OF EAST HAMPTON

Town of East Hampton Acquisition – Foster

In July, the Trust facilitated the Town's bargain sale purchase of 14.07 acres on Townline Road that lie within the Town's target area for water quality protection.

Town of East Hampton – Springs Nursery

The Trust assisted the Town's purchase of 42 acres of nursery land on Three Mile Harbor Road. The bargain sale purchase enabled the acquisition and has reduced density in the Springs community, where the school district is struggling to meet the demands of a growing year-round population. The Town has formed a committee of community members who will work together to determine the future use of the site.

Town of East Hampton Acquisition – Benson Point Realty

This 22.4-acre waterfront parcel was the former site of a sand mining operation and is situated adjacent to almost 1,500 acres of Town/County/State preserved parcels. The Town is interested in exploring the possible restoration of the site.

Town of East Hampton/Village of East Hampton – Middlefield Development LLC

Formerly the Mark R. Buick dealership, this .7-acre site in the Village was acquired by the Peconic Land Trust from Middlefield Development LLC using funds from an anonymous conservation lender. The land, adjacent to Village-owned parkland, was later purchased by the Village and the Town of East Hampton, in part with Community Preservation Funds.

Ryan Horse Farm, Shelter Island



Photo: Jeff Heatley

TOWN OF SHELTER ISLAND

Suffolk County/Town of Shelter Island PDR – Ryan Horse Farm

Dr. and Mrs. Bernard Ryan purchased an 83-acre potato farm on Shelter Island in 1964, turning the majority of the property into an equestrian center in 1987. In 2000, the Ryan family agreed to sell 76 of these acres to a group who planned to continue operating the equestrian center. As part of that agreement, the family contracted to sell the development rights on 63 acres to Suffolk County and the Town of Shelter Island. The remainder of the property will be subdivided into 6 building lots on Midway Road that range in size from 1 to 1.5 acres, a 1-acre parcel on Smith Street that will be purchased by Peconic Land Trust and a 4-acre parcel on Bowditch Road that can be further subdivided into 4 building lots. It is anticipated that the subdivision will be completed by early 2003.

TOWN OF SOUTHAMPTON

Town of Southampton/Village of Quogue Acquisition – Slevin

This bargain sale acquisition of 1+ acres protects wildlife habitat, helps to preserve the Village character and provides passive recreational opportunities to local residents.

Suffolk County/Town of Southampton PDR – Wesnofske

This bargain sale acquisition of prime agricultural soils, mostly Bridgehampton Loam, protected 10 acres of land on Scuttlehole and Brick Kiln in Bridgehampton. The Wesnofske family has protected all the land it owns through the sale of development rights.

TOWN OF SOUTHOLD

Town of Southold PDR – Schreiber

The Trust assisted with the design and facilitation of a conservation plan for Robert Schreiber that permanently protects 32+ acres of prime farmland in Southold Town's targeted farmland corridor along Oregon Road. Mr. Schreiber owns an approximately 47-acre parcel that stretches from Oregon Road to the Long Island Sound in Mattituck. The Town of Southold purchased the development rights on 32 acres and Mr. Schreiber maintains his 4-acre homestead, as well as a 9-acre development area of "unfarmed" land along the Sound.

Suffolk County PDR – Pirerra

The Trust assisted Suffolk County in purchasing 37.3 acres of open space and woodland on County Road 48 in Mattituck. The parcel has been the site of the Mattituck Strawberry Festival in the past. Acquisition funding came from the County's Greenways Fund for active parkland.

Further Conservation at Dam Pond Maritime Reserve

In a joint acquisition, Suffolk County and the Town of Southold have acquired the final 15 acres on the Dam Pond Peninsula in what has been a long-time conservation effort. Between 1989 and 2002, Peconic Land Trust, in cooperation with private

landowners, the Town of Southold and Suffolk County, helped to protect a total of approximately 140 acres in an area of Southold Town designated as the Dam Pond Maritime Reserve. The conservation of these lands was accomplished through the use of a combination of tools and programs including: gifts of private conservation easements, gifts of land, acquisition of land through the Town of Southold's Community Preservation Fund and Suffolk County Open Space Program.

In 2001, PLT assisted Suffolk County and the Town of Southold in acquiring 21.6 acres on the north side of the Orient causeway that had been divided into 4 homesites. PLT received a gift of one lot from the owners, purchased the remaining 3 lots and re-conveyed the entire piece to the Town of Southold and Suffolk County. Also in 2001, Andrew and Bernice Lettieri gave a 2.6-acre lot to Peconic Land Trust and sold an additional 13 acres plus 2 beachfront lots on the north end of Dam Pond to the Trust. The Trust, with the support of conservation-minded donors and the Peter J. Sharp Fund, held this property for 7 months and then re-conveyed this acreage to the Town of Southold and Suffolk County in July 2002.

The Dam Pond Maritime Reserve is included in the New York State Open Space Plan, and is part of the federally desig-



Photo: Marsha Kenny

nated National Estuary Program. Nine distinct ecological communities occur at this property, including the rare maritime red cedar forest, an oak-hickory forest, successional old field, successional shrubland, freshwater wetlands, coastal salt marsh, salt shrub community, maritime shrubland, and maritime beach community. Four species of extremely rare plants, one population of a carnivorous plant, and two species of native orchids have also been identified.

Scott Chaskey Honored at LongHouse Reserve



(l. to r.) Elizabeth Lear, Trust Board Chair Tom Williams, Scott Chaskey, and Matko Tomicic, Executive Director of LongHouse Reserve. Chaskey, the Trust's Quail Hill Preserve Manager, received the prestigious LongHouse Reserve Gold Medal for Distinguished Service in the field of horticulture in August. Following is an excerpt from his acceptance speech.

Here on the Eastern end of this narrow peninsula, my name is linked with the remarkable organic growth of one particular CSA. Perhaps it is natural: unscramble Scott Alan Chaskey—SAC—and there you have it, community supported agriculture, CSA. The mantra reads: the community agrees to share the risks with the farmer. And underneath, and hidden, is the resurgence of a much broader community, one that includes soils, animals and people. To quote Marty Strange, who founded the Center for Rural Affairs in the heartland of the American prairie, describ-

ing the community farming movement: "I have seen the flight of the butterfly against the gale, and her progress gives me hope."

As Quail Hill Farm has grown, my instinct and inclination has led me to inform and involve our community in social issues associated with agriculture and care of the land. For many years, as a certified organic farm, we have been part of the debate which has culminated in the first national organic standards, due to be implemented in October (the debate is far from over). Through conferences and contact with other farmers, activists, and educators, we are involved in conversations that address our seed supply, food safety, distribution equity, and the spread of GMO's. Each of these issues demands serious and sustained attention; each begins with our focus on the health of the soil. Fifty years ago, Aldo Leopold called on us to develop a land ethic; he also wrote that the ecological conscience "is an affair of the mind as well as the heart." For the farmer aware of ethical choice and ecological necessity, each flick of the hoe, each pass with the disc harrow, each disturbance of wild nature, may also be an act which "tends to support the stability, integrity, and the beauty of the biota."

It may be that, outside in the garden, whoever I am, I am closer to the energy that William Blake calls "Eternal Delight." I love the sound of this sentence, "Every

force evolves a form . . ." and it is while at work in the garden that I feel a part of such an evolution. Every step into a field has the possibility inherent in a poem, or in the capacity to question the mysteries of the self. The language of the garden and the language of poetry, for me, are inseparable.

Tying up the tomatoes twelve years ago, I did not anticipate the term of my work here, nor of our particular communication. I have been led by the words of fine poets, and the tangible aspects of reality: silt, root, bark, branch, beauty. As a steward of these local fields, I love to converse as part of the community of soil, seeds, plants, and animals, but vital also is the conversation we have created as a community of people exploring an ethic. Such action is not without risk, and need not necessarily anticipate reward. When the sun rises and a thin mist hovers over orchard grass, thrush song falls within the cedars. The star Rigel disappears, Jupiter fades from the sky, a seed germinates in the warming soil, my children rise to the day, I cultivate a story of home. And, I am reminded of this phrase by the philosopher, Henry Bugbee: "Our true home is wilderness, even the world of everyday."

Scott Chaskey,
Quail Hill Preserve Manager

Critical Open Space and Farmland Ballot Issue

Vote “Yes” on November 5, 2002

On the November 5th general election ballot, voters in all East End Towns will be asked to approve Proposition 2 that will amend the Community Preservation Fund of 1998 to extend the expiration date of the 2% real estate transfer tax from December 31, 2010 to December 31, 2020.

Farmland and open space on Eastern Long Island are being lost to development at an alarming rate. Most experts agree that in less than 10 years more than two thirds of the remaining open space and farmland will be gone. If we do not save open space and farmland on the East End now, while we have the opportunity, they will be lost forever to development.

That’s why an extensive coalition of civic, environmental, farming, and business leaders across the region worked so hard in 1998 for the creation of a Community Preservation Fund. That year, voters in the five East End towns approved a referendum that created the Community Preservation Fund, which enables the preservation of open space and farmland on the East End. This fund is financed by a 2% tax on real estate sales. This is a one-time tax that the buyer of real estate is required to pay when purchasing a new or used home, or vacant property.

This program has been highly successful over a few short years, protecting more than 3,000 acres of land that otherwise would have been lost to development. Unfortunately, with our high land values on the East End, there is not enough money to complete the job.

The same coalition of community leaders is now urging a 10-year extension of the Community Preservation Fund. This proposal is supported unanimously by New York State and local officials. **This November 5, 2002 we are asking voters to vote yes!**

Passage of the Community Preservation Fund would enable us to protect an additional 10,000 acres of open space and farmland. More specifically:

- Money from the Community Preservation Fund extension will help us implement key land protection recommendations from a 10-year study to improve and restore the Peconic Estuary.
- Money from the Community Preservation Fund has been used to purchase open space and environmentally sensitive lands as a way to protect the quality of drinking water.
- Money from the Community Preservation Fund has been used to protect the water quality in the Peconic Bay and our local harbors and bays.
- Money from the Community Preservation Fund will enable towns to purchase development rights on farmland. This will help preserve the family farms that produce fresh fruit and vegetables enjoyed by local residents, and preserve a traditional way of life on the East End.

In every way, it makes sense to extend the Community Preservation Fund now.

- If this program is extended, East End towns will be able to borrow money from a special NY State fund, at an interest rate of 2% or less, to buy land now—before it is lost to development— and pay that borrowed money back in the future, with money from the Community Preservation Fund.
- With the cost of land in our towns going up every year by at least 15%, it makes sense to borrow money at a low rate to buy and protect this land now before the price goes up even more.
- The Community Preservation Fund helps keep our taxes down in the long-run. When property is left undeveloped there is no demand for more public services such as water, police, schools and roads.
- Farmland and open space are part of our heritage and critical to our economy. We owe it to our children and grandchildren to protect it.

Important Elements of the Law:

The Community Preservation Fund 2020 Coalition was created by a coalition of farmers, business leaders, environmentalists, realtors, builders, baymen, and civic and community leaders to protect drinking water, improve and maintain water quality of our local harbors and bays, and to save threatened farmland and open space. The new CPF law is an extension of the existing law, with the same intent and almost completely the same provisions. Important elements of the law are:

- The first \$250,000*/\$150,000** of the purchase price of a house or building (\$100,000*/\$75,000** for unimproved land) is exempt from the real estate transfer fee. (*Southampton, East Hampton, Shelter Island; ** Riverhead and Southold)
- There is a new “sunset” provision, in which the tax expires in the year 2020.
- A bipartisan advisory committee, composed of citizens from each town, oversees the program.
- There are farmer-to-farmer exemptions provided for in the law.
- It is subject to a mandatory referendum before any East End town can extend the tax. This is not a new tax; it is the extension of an existing tax.
- The buyer pays the tax.
- A payment in lieu of taxes provision is being added and will help special districts maintain school and fire services for areas with large amounts of protected land, and a very small tax base, such as the Flanders fire district.
- Money stays in the town in which the real estate transfer fee is levied and is used to protect open space and farmland in that town only.

North Fork Land Tour

This September, Peconic Land Trust hosted its first-ever “Land Tour” of five protected North Fork sites, all Trust conservation projects. Stretching from Orient to Jamesport, the sites included the Dam Pond Maritime Reserve; the Trust’s Shellfisher Preserve; Fort Corchaug/Downs Farm Preserve; the Trust’s North Fork

Stewardship Center/Ginsberg Preserve; and “Wind’s Way,” the home of Nancy Gilbert and Richard Wines. Close to 200 people took a self-guided tour that ended with a wine reception at Macari Vineyards, overlooking the Thornton E. Smith Preserve. Many thanks to all the volunteers who made the day a big success!



All Photos: Marsha Kenny

Community Preservation Fund Helps Town and Village Protect “Strawberry Field” on County Road 39

Working with landowner Glena E. Jagger, the Trust facilitated the acquisition of 7.49 acres of fertile agricultural soil by the Town of Southampton and the Village of Southampton through a purchase of development rights using funds from the Community Preservation Fund. The longtime strawberry field is one of the very last parcels of undeveloped land on County Road 39. In her own words, Glena Jagger is a “farmer’s daughter.” “When it came time to plan for the future use of my family land, I could not bear to see it developed. My father grew potatoes on that land and then rented it to Charlton Halsey who wanted to grow strawberries. I’ve been leasing the land to Hank Kraszewski for 20 years, and I wanted him to continue farming the land.” The sale of development rights to the Town and the Village reduced the value of the land so that Hank Kraszewski was able to purchase fee title to the acreage. Mr. Kraszewski plants about 3 acres in strawberries, rotating the approximately 8,000 plants to the remaining acreage the following year to give the soil a rest. Now, he is also growing melons, eggplant, and peppers on the site. He farms a total of 500 acres, 110 in potatoes, on land from Tuckahoe to Bridgehampton. “The soil here—Bridgehampton

Loam—is excellent, so being able to purchase this land was very important to me. Because it is zoned ‘light industrial,’ I was afraid that it wouldn’t work out. Now, I can look forward to the day when our son, Hank, Jr., will be farming the same land.”



(l. to r.) Kathy Kennedy, Peconic Land Trust’s Program Manager; Glena E. Jagger; Hank Kraszewski; Hank Kraszewski, Jr.

Photo: Marsha Kenny

Use of a Life Estate for Personal and Charitable Benefit

By John S. Erwin, Esq.

A homeowner or the homeowner's family is often faced with the prospect that the homeowner's estate will have to sell the property to raise the money to pay the estate taxes due if the property is included in the owner's estate. By making a gift of the property to a qualified charity with a reserved "life estate," the owner of a personal residence or family farm can preserve the use of a property for the owner, spouse and/or children for an extended period of time. In addition, by making a transfer to a qualified charity during your life, rather than waiting until your death, you may be entitled to take an income tax deduction that you can enjoy while you are alive, yet still retain the ability to use the property throughout your life.

The estate tax is based on the fair market value of the property as of the owner's date of death (or the 6-month anniversary date), currently at a tax rate of up to 50%. Because it may not be possible to pay the estate taxes due from the other estate assets, it may become necessary to sell the home to pay the taxes. Although it may be financially impossible to keep the property, it may also be psychologically impossible to part with the property, whether it be the historic family farm or a beloved home.

A person who wants to leave their home to a favorite charity can, of course, do so under the person's Will. But, by making the contribution under the person's Will rather than making the contribution while the person is alive, the person will lose the opportunity to enjoy an income tax deduction and may never know the pleasure that the gift has given to the charitable beneficiaries.

For persons who wish to make a charitable contribution of their property to a nonprofit organization, wish to retain the use of the property during their lifetime, and would benefit from an income tax charitable deduction, the use of a life estate can be the perfect tool.

A life estate is created when a property owner gives the property away but reserves the right to reside in the property for the owner's life or for the lifetimes of the owner and the owner's spouse and possibly even children's lives. By making a gift of the remainder interest in your personal residence or family farm to a qualified charity and holding onto a life estate, the homeowner is entitled to take a current income tax deduction in the year of the gift (subject to certain limitations); and the value of the property will not be taxed in the owner's estate at death.

For example,¹ assume a 75-year old signs a deed to the home transferring the property to a qualified charity, but retains a life estate. In this case, the homeowner would be entitled to an income tax deduction for some or all of the value of the remainder interest, and no estate taxes would be due at the owner's death:

Full value of property	\$2,000,000
Actuarial value of life estate created for owner, age 75	\$ 800,000
Maximum current income tax deduction	\$1,200,000
Estate tax on value of home	\$0
Estate tax saved	\$1,000,000

The income tax benefit can be substantial and will benefit a charitably inclined donor during life, while the donor can experience the tax savings.

The life estate can extend to the second generation, as well. For example:

Full value of property	\$2,000,000
Estate tax at death of second parent to die if no life estate is created	\$1,000,000
* * * * *	
Life estate created for owner, spouse and 2 children ages 80, 75, 57, 55 respectively.	
Full value of property	\$2,000,000
Estate tax at death of second parent to die if life estate is created	\$787,500
Maximum current income tax deduction	\$ 425,000
Estate tax savings	\$ 212,500
Potential total income and estate/gift tax savings	<u>\$ 637,500</u>

If the life estate extends to a second generation, the parent may be making a taxable gift at the time the life estate is created. In the above example, if the parents have not made any other significant lifetime gifts, the parents will not have to pay a gift tax because the first \$1,000,000 of gifts by each parent will be shielded from the gift tax.

The longer the period of the life estate (e.g., children's or grandchildren's lives) the greater the value of the property in the parent's estate and the greater the estate tax. Incorporating life insurance in the planning can provide a source of payment of the increased estate taxes resulting from the extended life estate. Moreover, if insurance is purchased on the lives of the children, it could provide funds to purchase back the property from the charity for the benefit of the grandchildren. The cycle can begin again.

The issue of management of the property during the period of the life estate should be addressed and a Management Agreement among the family members is recommended. If the property is of large acreage, a portion could be sold or donated or a combination thereof, and the life estate can be created on the reserved residence portion.

In summary, the use of a life estate is an effective tool to significantly extend the period the family can enjoy the use of a personal residence or farm while at the same time fulfilling a charitable interest.

¹ All examples in this article assume the donor dies in 2002 and that the donor's estate is taxed at the highest marginal rate. The examples and numbers included in this article are for illustrative purposes only. A taxpayer's specific circumstances must be taken into account and analyzed individually by a qualified tax advisor.

² Including the lives of grandchildren can give rise to generation-skipping tax implications which are beyond the scope of this article.

For over 26 years, John S. Erwin, Esq. has concentrated on what he calls "waste management," or saving estate taxes and maximizing the transfer of wealth to family and other chosen recipients. He practices in New York, Water Mill, and Westchester and has acted as consultant for Peconic Land Trust on estate planning matters. His phone number is 212.682.3366 and his e-mail address is jsErwin@huelaw.com.

President's Column – John v.H. Halsey

As all of America, including myself, continues to cope with the horrific events and devastation of September, 2001, it should come as no surprise that this column is about more than tax policy and land preservation. Given this time of reflection, the fundamental values and beliefs of our society are all the more important to me, particularly the respect and tolerance of different perspectives as well as the rights of individuals versus the power of government, to name but a few.

Indeed, the ongoing debate in Southold about upzoning (the reduction in the number of potential residences allowed on land based on zoning regulations) and its impact on landowners is most relevant. To what extent should our communities infringe on the rights of individuals for a perceived public purpose? How much of one's equity (10%, 20%, 30%, 40%...) is it appropriate to take without compensation in order to fulfill a public purpose? To what extent are we obligated to fully understand the consequences of our actions before we take them?

Agriculture represents the bedrock of our East End communities. When English settlers came to Eastern Long Island in the 1600s, they escaped religious persecution and the tyranny of government to find a land of bounty and opportunity long inhabited by native peoples. Our forbears were all farmers, first supporting themselves, but later feeding a growing nation. As time passed, our communities diversified and agriculture became more efficient and our farmers became fewer.

As our communities have grown over the past 30 years, the pressures and constraints on farmers have increased as well. Development has brought many people who like open space vistas, but do not appreciate the realities of agricultural production. Escalating land values have exposed farm families and other landowners to federal estate taxes of up to 55% based on the "highest and best use" of their land, forcing its sale and conversion in order to pay the taxes. Well-intentioned zoning regulations have impacted the equity of farmers for whom their land represents, not only retirement, health care, and children's education, but also collateral for equipment, seed, etc.

If we want to preserve our agricultural heritage, indeed our national heritage, we must concern ourselves with both the protection of farmland and the business of farming in a manner consistent with our fundamental values and beliefs. There has been

an extraordinary degree of land protection on the East End over the past 6 years based on existing zoning, public acquisition, and private conservation. We must support these successes rather than undermine them, respect each other rather than polarize ourselves, build trust rather than take equity.

That being the case, we find ourselves at a crucial crossroad. Do we choose a purely regulatory path that abandons conservation methods that have demonstrated success and the very people who represent our heritage? Or do we opt to enhance existing incentives and add new ones that respect property rights and the equity of farmers and other landowners?

I hope that we choose the latter path. Make no mistake, zoning regulations are here to stay and serve an important public purpose. Significant upzoning, however, is a double-edged sword and should be implemented only as a last resort if all else fails. Upzoning engenders fear and distrust among many landowners and often prompts sales and subdivisions in an effort to secure equity. Upzoning changes the rules of the game . . . the basis on which loans are provided, purchases of land and development rights are made, and donations of land and conservation easements are offered.

Alternatively, in the spirit of fairness and respect, all of us should put pen to paper and do the following:

1. Promote and vote for the extension of the Community Preservation Fund (CPF) on November 5, 2002. Through a 2% real estate transfer tax, the CPF provides the five East End towns with funds to purchase land and development rights from willing sellers based on fair market value under existing zoning. Thus, the CPF is based upon principles of fairness and respect. By providing an additional 10 years of life for the CPF through 2020, there will be a bigger and better stream of income for our towns to protect the land that defines our East End communities. Lobby for more county, state, and federal land protection funds as well.

2. Support pending state tax incentives that provide landowners who donate land or conservation easements with a state income tax credit. The value of the credit would be equal to 50% of the fair market value of the land or easement donation with a cap of \$250,000. The credit could be spread over 11 years. Ask Governor

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Summer apprentices are a tradition at the Trust's Quail Hill Farm and the North Fork Stewardship Center. The farm was blessed with two dedicated apprentices this year, Karen Gargiulo and Jordan Serin. Usually Quail Hill has four apprentices, so it is a tribute to the hard work of Scott Chaskey, Matt Celona, Karen and Jordan that the farm looks as good as it does (some members say better than ever). Special thanks to Forrest Liss for his invaluable help early in the season. Later on, two high school students, Mike Mangieri and Andrew Birnbery joined the crew. On the North Fork, Greg Brewster and Ashlee Reiniger assisted North Fork Stewardship Manager Denise Markut with a myriad of tasks. Shown here, with Trust President John v.H. Halsey (at right), are Jordan Serin, Greg Brewster, Karen Gargiulo, and Ashlee Reiniger.



President's Column – *continued*

Pataki, Senator LaValle, and State Assemblywoman Acampora to continue to support this state income tax credit. For more information, go to the following Land Trust Alliance website: http://www.lta.org/regionalta/ny_partnership_program.htm

3. Support pending federal tax incentives that a) dramatically increase the amounts farmers and land-rich, cash-poor landowners can deduct from their income tax by donating land and conservation easements, and b) provide a 50% cut in the capital gains tax on sales of land and development rights for conservation purposes. Congress is preparing to pass a broad charities bill, H.R.7. The Senate version of H.R.7 includes these new tax incentives, but the House version does not. Ask Senators Clinton and Schumer to support the Senate version of H.R. 7. Thank Representative Felix Grucci for cosponsoring H.R. 1309 and H.R. 2290, the House bills that include tax incentives similar to those in the Senate version of H.R.7. Encourage Representatives from other districts to follow suit. For more information, go to the following Land Trust Alliance website: <http://www.lta.org/publicpolicy/taxproposalsummary.htm>

4. Ask our Senators and Representatives to sponsor new federal legislation that defers the payment of estate taxes on farmland and open space until the land is converted to residential or commercial uses. Current tax policy requires payment of most federal estate taxes on land within 9 months of death based upon the “highest and best use” of the property rather than its current use. Without sophisticated tax planning, many landowners are forced to sell their land in order to pay these taxes. Tax policy should not cause development, but rather encourage conservation.

There is no silver bullet to preserve the East End. Instead, we must use the many existing techniques, both public and private, as well as new methods and incentives that are grounded in fairness, respect, and trust. We must be patient and consistent. We must view landowners as conservation opportunities rather than as developers, and tailor our efforts to meet their needs and circumstances. If we truly want to preserve the heritage of Eastern Long Island, we must work together towards protecting both the land and those who work it within the context of our fundamental values and beliefs. We need to walk around in their shoes and be guided by the Golden Rule for one never knows when the tables will be turned on each of us.

From Quail Hill Preserve...

This year's garlic crop is the best ever according to Scott, due to Matt's mulching technique and excellent “Music” seed garlic planted last Halloween. The beans cropped heavily in July thanks to a well-timed (and unprecedented at this farm) release of eulophid wasps, which prey on the larvae of the Mexican Bean Beetle. The farm has expanded operations by a third this year despite having fewer apprentices, growing produce for 195 families (about 500 people) and wholesaling to the Ross School and local restaurants. After a nearly perfect spring, very little rain fell for the rest of the summer, so the apprentices and Matt were forced to move irrigation pipes around when they would normally have been hoeing or weeding, adding to their woes. It was a hot summer relative



Saturday morning at the apple orchard, Quail Hill Farm. The first speaker in the Farm's summer series was Deborah Ann Light who once lived at Quail Hill and donated it, along with the Deborah Ann Light Preserve to Peconic Land Trust in 1989 and 1995 respectively.

to last year, when we had no days over 90 degrees. Once again, it was a beautiful day for Quail Hill's 5th Annual Great Tomato Taste-Off on September 7. The tomatoes glittered like precious jewels, set out on five tables in the Apple Orchard. Baubles of all sizes and shapes—red, yellow, orange, pink, purple and green—42 varieties, all grown at Quail Hill Farm, were available for tasting. Around 250 people came, tasted, rated, mingled, kibitzed and laughed. “Sungold” was the winner! A great time was had by all.



Funded by a grant from the Heckscher Foundation for Children, the Trust's Quail Hill Farm hosted children from the Child Development Center of the Hamptons in a summer program that explored the beauty and complexity of the life cycle of plants and the importance of conserving our natural resources.

Leave a Legacy to Future Long Islanders . . .

If you would like to extend your support of the Trust's work in protecting farmland and open space on Long Island, you may do so in a variety of ways such as naming the Trust a beneficiary of your IRA or a life insurance policy, for example. If you would like to 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 Rebecca A. Chapman, Director of Philanthropy, at (631) 283-3195. All inquiries will be kept confidential. All gifts to Peconic Land Trust are tax-deductible. Contributions of \$250 or more will be acknowledged in our Annual Report.

Other Ways to Support Land Conservation

Matching Gifts: Many companies have matching gifts programs; some allow matches for others in addition to employees—spouses, retired employees, spouses of retired employees, widows or widowers of retired employees, and non-employee directors of the company. Please check with your employee benefits office. If your employer has a matching gifts program, your gift to the Trust can be doubled or tripled.

Scallop Shell 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. To make your gift, send your check, along with the name of the person being memorialized, to the Trust. Please indicate the name and address of a family member or friend of the deceased to whom we can send an acknowledgment 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!).

You may make a charitable gift to the Trust on our secure website www.peconiclandtrust.org.



The Trust was fortunate to have a hard-working crew from AmeriCorps with us for 6 weeks. Hailing from all over the United States, they worked with our stewardship staff on preserve lands, maintaining and clearing trails and preparing for the Trust's first North Fork Land Tour.

(l. to r.) Stewardship Coordinator Pam Greene, Vice President Tim Caufield, Ryan Iverson, Colleen Flannery, Travis Sanchez, and John v.H. Halsey; (l. to r. front row) Valerie Southwick, Camilla Grounds, Nicole Vance, and Sara Elliott.



Photo: Marsha Kenny

Special thanks to President's Council Member, Russ McCall, for hosting an afternoon of exhibition polo to benefit PLT. Polo fans were enthusiastic and the horses magnificent despite the scorching August heat. The match took place on land protected by a conservation easement held by the Trust.



The camera caught PLT Board Member/Treasurer Blair McCaslin at the Olde Towne Garden Club this past summer where the Trust's exhibit won a blue ribbon in the "Special Exhibits" division.



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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 and municipalities in the identification and implementation of alternatives to full-yield development.

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