

The Kennebec Land Trust News

No. 1

Spring 1989

Welcome

Welcome to the inaugural issue of Kennebec Land Trust News. If you are not a member of the Kennebec Land Trust, this complimentary copy is sent to you in the hope that you will join in our efforts to protect some of the special lands in our countryside. If you are already involved, this newsletter is a tribute to your efforts. Thanks — and keep up the good work.

Kennebec Land Trust Incorporated

On August 30, 1988, a group of people meeting at Maranacook Community School in Readfield voted to incorporate the Kennebec Land Trust as a nonprofit, regional land conservation organization. Just over two months later, on November 4, word came that the Secretary of State had approved the incorporation. What led to this milestone and what has been done since?

Citizens in the communities of western Kennebec County have been at work for the past several years on comprehensive plans. An important motivation for many has been an interest in finding better ways to balance residential, commercial, and industrial growth with the protection of important open space areas. In the course of this process, many people came separately to the same realization: that to accomplish this goal, our city and town governments need the support of an independent organization that is buffered from the shifting winds of local politics.

On May 13, 1988, town officials from Winthrop, Wayne, and Readfield met informally with Tom Wood, then Community Lands Coordinator of the

Maine Coast Heritage Trust, and Ira Ellis of the Cooperative Extension Service to discuss the advantages of establishing land conservation trusts in each of the towns. Out of that meeting came the idea of holding a second session, open to people from area towns, to see whether there was interest in forming a regional land trust.

Nearly fifty people showed up for the open meeting on June 14 at Maranacook Community School. That group voted overwhelmingly to establish a Steering Committee to pursue the idea of a regional land trust.

During several meetings over the next two and a half months, the Steering Committee hammered out Articles of Incorporation. By the end of August there was a strong consensus that a regional land trust offered many important advantages over separate trusts for each community.

In early October the Incorporators of the Kennebec Land Trust met to adopt bylaws and elect a Board of Directors. By the time of the Trust's second Board meeting in November, Executive, Planning, Membership/Fundraising, Finance, and Advisory Committees had been set up. Since then the Board and the Committees have been meeting to build a strong

conservation organization.

The Kennebec Land Trust has worked swiftly to accomplish significant objectives. The coming year promises further achievements in pursuit of the goal of responsible land stewardship.

Board of Directors

James "Jym" St. Pierre,	President, Readfield
Paula Thomson,	First Vice President, Fayette
W. Kenneth Foss,	Second Vice President, Wayne
Edward Hinckley,	Secretary, Vienna
Lloyd Brace,	Treasurer, Readfield
John Archard,	Vienna
Carol Brewster,	Manchester
Stephen Crockett,	Winthrop
Barbara Crowley,	Manchester
Wendy Dennis,	E. Winthrop
Hope Hilton,	Readfield
Kathleen "Katie" King,	Fayette
Robert Mohlar,	Readfield
Jeffrey Pidot,	Hallowell
Kenneth Spalding,	Wayne
Douglas Stevenson,	Wayne
Allan Toubman,	Readfield

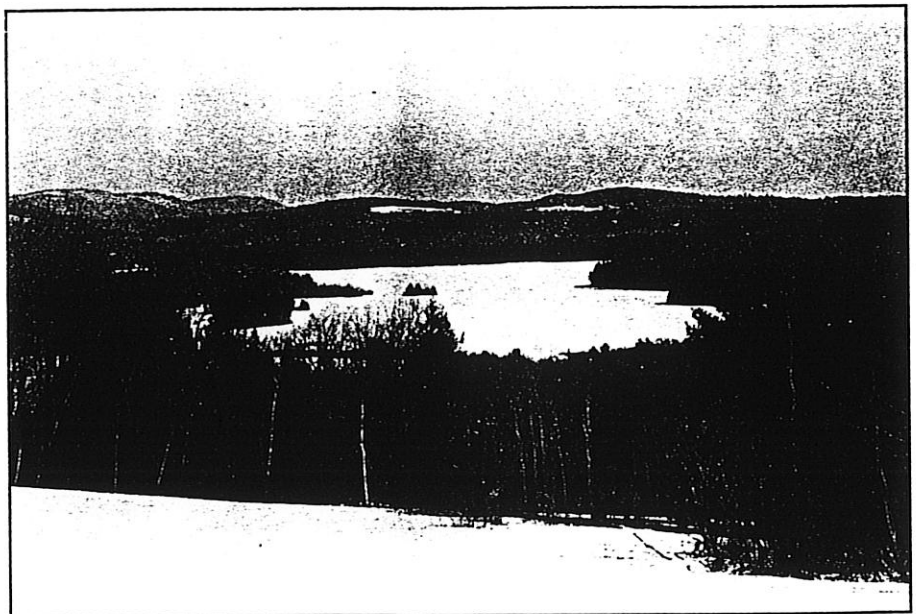


Photo by Rhett Wieland

Land Trust Questions and Answers

Q. What is the purpose of a conservation land trust?

A. Protection in perpetuity, for the public benefit, of the natural values of land. The key to this protection is either outright ownership of land or, more often, the acquisition and stewardship of deeded conservation easements that permanently limit certain uses of land. Another purpose of a land trust is to provide opportunities for education about our land resources.

Q. Whose land can a land trust protect?

A. That of any person, corporation, partnership, trust, or governmental jurisdiction desiring to conserve land that could be donated or upon which an easement could be placed.

Q. What is a land trust?

A. A not-for-profit charitable corporation under state law. With 501(c)3 status under the federal Internal Revenue Code, a land trust is tax exempt and gifts to it, when made with proper care, are charitable deductions from personal or corporate pre-tax income. A trust is "owned" by its members, but there are no shares of stock. Anyone who contributes to a land trust is a member for that year with one vote. A land trust is a private, independent, voluntary entity that exists for the public benefit.

Q. Does protection by a land trust cost anything?

A. Yes. First, the land trust must keep watch over the land and be prepared to defend the rights it has been given. To do this a trust develops a stewardship fund to pay for record keeping and the possible expense of a legal defense of its rights. Second, the "public benefit" aspect of a land trust means that the public must be able to use or visually enjoy the land's protected values. If extensive public use is indicated for a parcel, the trust may need to raise an annual maintenance and management budget.

Q. What is an easement?

A. A transfer of specific, selected rights in a piece of land from the owner to some other entity. Land ownership, the "fee" as it's legally called, is a bundle of many rights. Among these are the right to sell the land, to subdivide and sell some or all of it, to build on it, to mine, farm, or log it, to post or fence it, and so on. A typical easement is one that gives a right of movement over the land to another landowner whose property has no road access. The granting owner retains all the rest of the use and ownership rights.

Q. What is a conservation easement?

A. A voluntary agreement between a landowner and a conservation organization involving a grant of restrictive power over certain changes in the land, such as mining, subdividing, and the building of roads and structures. Because such a grant is recorded as a permanent part of the deed, a conservation easement is binding on future owners of the property.

Q. Why would an owner give a conservation easement to a land trust?

A. Usually for a combination of reasons. As part of a recorded deed, an easement secures protective power over land that can outlast zoning or other land use ordinances that express the current political will of the community. Looking forward, owners concerned that the natural values of their land might not be retained beyond their tenure would have reason to consider granting conservation easements. If the IRS rules are carefully followed, the difference in the value of the land before and after the granting of the easement constitutes a charitable deduction that can produce significant savings for as long as six years. A conservation easement may also cut the size of a person's estate and thereby reduce or eliminate the need to sell land to pay estate taxes.

Q. This sounds like it's only for rich people with huge tracts.

A. Not at all. At today's land values even a few acres can be a significant asset, while defining the character of much of the surrounding terrain. The tax effects on a larger property may make the difference between having to sell to pay death taxes and keeping the land in a family that does not have other wealth.

Q. What are the objectives of the Kennebec Land Trust?

A. The Planning Committee is developing a plan for active solicitation of easements and fee lands. In general, we hope to protect land whose features and resources define the character of our countryside. Since we cannot and would not protect all land, we will be adopting criteria for the most meaningful stewardships we can find. We will consider carefully every proposal that comes to us.

Manchester, Fayette Join KLT

In their town meetings during March, 1989, voters in two communities made their governments members of the Trust. Manchester appropriated \$250 for a regular Municipal membership, and Fayette raised \$50 to become a Supporting member. Other communities will be welcomed.

1989 Objectives

During its first full calendar year the Kennebec Land Trust will focus on several major objectives, including:

- setting criteria for evaluating land protection proposals,
- bringing the first lands under protective stewardship,
- gathering natural resource and land use data as the basis for formulating an active, regional land conservation strategy,
- broadening membership support, and
- holding the first annual meeting and electing directors.

Projects in the Works

Several proposals have already come before KLT for consideration, and over a dozen more have been suggested. These represent a variety of land features — from woodlands to shorelands, islands to wetlands, farmlands to ridgetops — scattered throughout the region. Many cross town lines.

The Planning Committee is preparing a policy statement to guide the Trust in evaluating proposals. For now, potential projects are being handled on a case by case basis with the stated purposes of the Trust serving as guidelines for evaluation.

Negotiations with landowners will, of course, be confidential. As soon as conservation agreements are reached, the exciting news will be announced. Stay tuned!

Board Activities

During the past six months the KLT Board of Directors has:

- adopted a logo and a membership dues schedule,
- secured bulk mailing privileges,
- screened a new video on growth issues in Maine towns,
- applied to the Internal Revenue Service for federal tax exemption,
- started preparation of a land trust directors' handbook,
- initiated a membership solicitation campaign,
- listened to a presentation by Jack Alley, Executive Director of the Brunswick-Topsham Land Trust,
- issued several news releases on KLT activities,
- joined the Maine Land Trust Group and the national Land Trust Exchange,
- participated in the annual Maine Land Trust Conference,
- discussed criteria for establishing land protection priorities, and
- contacted the Maine Natural Heritage Program to obtain information on significant natural features in our region.

Committees

The committees established by the Board of Directors are hard at work building a strong foundation for KLT.

The Executive Committee handles business between Board meetings.

The Planning Committee sets organizational priorities and is working to define criteria for land selection.

The Membership/Fundraising Committee runs the membership campaign and other KLT programs.

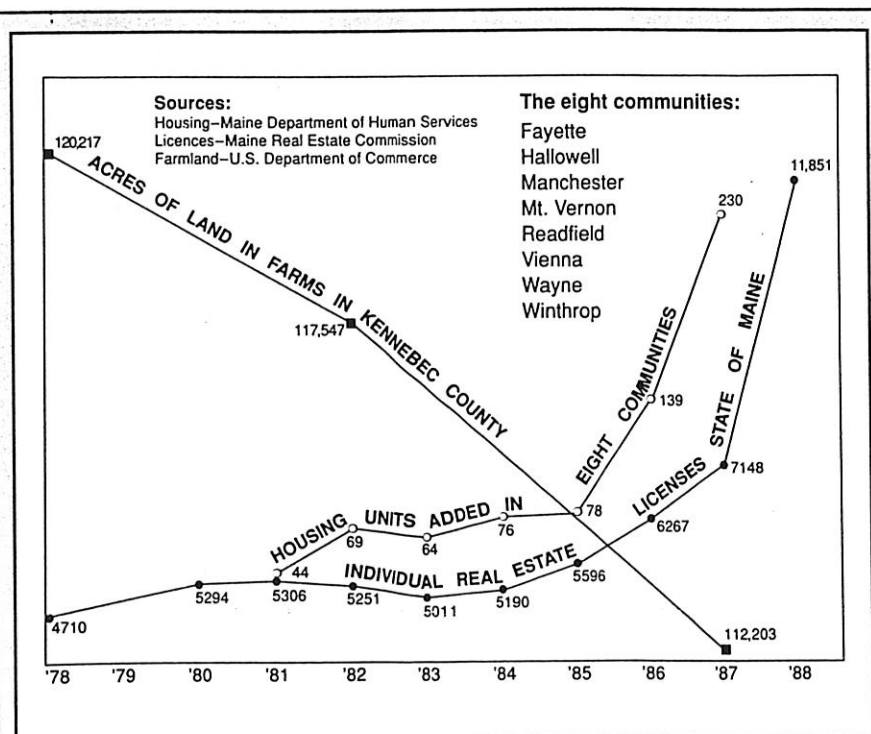
The Finance Committee handles accounting, budgeting, and funds management.

The Newsletter Committee produces Kennebec Land Trust News.

Advisory Committee

The Advisory Committee is a talent pool. Experts in forestry, surveying, property law, real estate, and other areas important to the work of a land trust have signed up to contribute their special abilities to KLT on an ad hoc basis. If you have a special skill and would like to get involved, call one of the Directors. The advisors do not meet as a group.

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Recent Developments: The Numbers Behind the Scenes

Along the roads we usually travel, it's easy to spot this year's land use changes. It's not so easy to recognize what has changed over the course of several years, or what's different a few miles away. Some state and federal agencies supplied us with data that provide a broader perspective. We have superimposed charts of three trends (on different scales) whose directions seem more than coincidental.

Wayne Featured in Article

The April *New England Monthly* magazine displays the countryside and character of the town of Wayne in a feature article. Anyone not familiar

with that community will learn from the article why Wayne was one of the towns where the KLT idea was first voiced.

President's Message

It would take all four pages of this first newsletter to cover everything I would like to say. But there is space only for a few abbreviated points.

First and above all I want to acknowledge the many people who have tirelessly volunteered time, money, inspiration, and energy to make the Kennebec Land Trust a reality in a few brief months. Sincere thanks to Tom Wood, Ira Ellis, and all our incorporators, directors, and advisors.

The Kennebec Land Trust has been organized to promote the long term protection of the hills and lakes region of western Kennebec County, an area of surpassing beauty. As a local organization dedicated to the conservation of our rural landscapes, the Trust occupies a niche that the national and statewide organizations with which it cooperates cannot fill.

Development in our region over the next few years will affect the look and character of our communities for generations. The Trust is ready to

work with conservation-minded landowners, developers, and local officials to avoid some of the downside impacts of random development — scattered housing, expanding high density traffic corridors, destruction of critical habitats, loss of farmlands, blocked access to traditional recreation areas, and ruined views.

At the same time, we are pragmatic. We recognize the need to make development a partner rather than an adversary in our efforts for land conservation.

As individuals concerned about the future of our region, we have chosen to lay claim to the destiny of our countryside. I invite you to join us, to become personally involved. A grassroots land ethic will evolve only when issues of growth and conservation are addressed directly by individuals. And as caring individuals speaking together, we will give to the land a voice that must be heard.

Happy Spring!

Jym St. Pierre

How You Can Help

Whether it's day-to-day paperwork or a once in a lifetime land acquisition, accomplishing the goals of the Trust takes work. If you would like to help, here are some job openings. Please contact the Trust if you would like to volunteer for one of them.

■ **FIELD TRIPS** (lead or coordinate)

■ **SLIDE SHOW or VIDEO** (take, gather, and organize pictures of our countryside)

■ **ARTICLES** (write for the newsletter)

■ **MEMBERSHIP** (help spread the word)

■ **FUNDRAISING** (raise funds for land stewardship and operations)

■ **NATURAL RESOURCES INVENTORY** (walk, canoe, read, write)

■ **VISUAL RESOURCES INVENTORY** (drive, take pictures, write)

■ **SPEAKERS BUREAU** (outreach to clubs and community groups)

■ **IDENTIFICATION OF LANDS FOR PROTECTION** (let us know about lands that are special to the people who live and visit here)

Membership in the Kennebec Land Trust, which includes a subscription to this newsletter, is available at the following suggested deductible dues levels.

Charter	\$200	(open until the first membership meeting)	
Individual	\$15	Family	\$25
Sustaining	\$100	Supporting	\$50
		Sponsoring	\$250



THE KENNEBEC LAND TRUST

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