



SACO VALLEY LAND TRUST

2017

PRESERVING LAND IN THE SACO RIVER VALLEY SINCE 1988
sacovalleylandtrust.org

Officers:

Chair: Richard Rhames

Vice Chair: Nicol Tift

Secretary: Sue Littlefield

Treasurer: Debra Hilton

Board of Directors:

Denis Rioux

Chris DiMatteo

Advisory Board:

Mike Brennan

Nan Cone

Dan Dallaire

Tamara Gallagher

Jim & Edna Leary

Annica McGuirk

Sue Sladen

Meetings are held on the
first Thursday monthly,
7 pm, Saco City Hall.

Annual meeting: May 4

Website:

sacovalleylandtrust.org:

For information and maps

[Facebook.com/sacovalleylandtrust](https://www.facebook.com/sacovalleylandtrust):

Contact us:

sacovalleymaine@gmail.com

P.O. Box 1581

Saco, ME 04072

The purpose of the Saco Valley Land Trust shall be to promote for the benefit of the general public the preservation of natural resources in Biddeford, Saco, and Old Orchard Beach. These resources shall include land and water resources, plant and animal life thereon, and unique, scenic, agricultural, natural, and historic sites.

Maine Supreme Court Weighs in on Trusts and Easements

Maine's Supreme Court recently issued a narrow 3-2 ruling in the case: Estate of Robbins v. Chebeague and Cumberland Land Trust. In 1997, the late Marion Payson placed an easement on 100 acres of coastal land in Cumberland. The Trust holding the easement subsequently decided that developing a public beach on the property with various facilities would NOT be a violation of the easement's terms. Payson's heirs disagreed and brought suit. Ultimately the courts denied the Payson heirs "standing" to challenge the Trust's judgment and simply never got to the merits of their case. The two dissenting justices' sardonic review of the majority decision makes interesting reading.

In baseball the saying goes, "A dribbler through the infield looks like a line drive in the record books." In "Robbins," the appellant was denied because the Court was *not persuaded that the Legislature intended to hinder the easement holder's ability to carry out its responsibilities by authorizing expensive and complicated enforcement lawsuits.....*

Citing a previous case the Court stressed that Trusts should be shielded from the burden of being forced to spend [unknown sums of money] on legal fees rather than on land conservation activities.

The Court reviewed the history and public purpose of conservation easements as a tool to secure open spaces in an urbanizing America, and thus advance numerous public benefits including watershed protection, agricultural land conservation, limited recreational use, control of urban sprawl and the reservation of future options for the use of those open spaces that are protected.

Several of the easements held by SVLT have already required legal defense at some considerable cost to our all-volunteer organization. We continue to discover the challenging meaning of Trust and "In Perpetuity." We deeply appreciate the support of our long-term members and more recent donors.

Editor's Thoughts:

Baxter State Park contains over 200,000 acres, the new Katahdin Woods and Waters National Monument contains 87,563 acres. So what is the value of conserving 100 or 40 or even 5 acres within our hometowns?

A healthy community has been described as a town where each one of us should be no more than a 5 minute walk from a natural place. somewhere we can listen to birdsong, watch plants grow, see the seasons change, build a fairy house or play in the woods. And while we are doing those things, that small slice of the natural world will be storing carbon, cleaning our air, filtering our drinking water, providing habitat for everything from soil microbes to eagles, and possibly providing the Trust with a small income from managed harvesting. Large contiguous areas are more efficient at providing these benefits, but we also benefit from that daily dose of nature, no matter how small.

Local land trusts such as SVLT play an important role here. We can't save acres by the thousands, but we can attempt to conserve small, but highly significant parcels that become more valuable as the decades go by. Please consider what you can do to save a natural space for your neighbors and future generations.





With a little help from our friends....

If you're an amateur user of GPS, or have a tracking app on your cell phone, or are good at map reading, you, too, can have fun in the woods. We would especially like to have neighbors of our parcels who can commit to getting out a few times per year and checking that boundaries are still marked clearly and that no disrespectful use is occurring. Look for animal signs, disease problems, invasive plant species. Most parcels are conducive to creating casual trails to make it easier to get around, once you are familiar with the property boundaries.



YEAR-END: 2016 was a year of highly mixed results for our organization. Our energy was refocused all too often on our current legal defense of an easement against proposed uses which we found to be clearly incompatible with the donor's goals. We were also disappointed to miss qualifying for a grant to purchase three Biddeford wetland parcels.

On the other hand, the tribulations have been great team-building experiences, and we will use what we have learned about federal grants to re-apply for funding in 2018.

Accomplishments include many positives. Our forestry management planning has moved slowly forward. We also were fortunate to have much volunteer labor given by former Board member Annica McGuirk and her husband Tom Iannello to find a new web host and work toward an improved website. Nearly completed is an archive of minutes from our establishment in 1988 to the present, which was the result of many years of volunteer effort. We are making use of our new Garmin GPS and other tools while monitoring, which is improving the quality of information about our parcels. Our Saco volunteer monitor, Board member Nicol Tifft, has been diligent as usual with yearly visits, while we have kept up our steady progress with monitoring in Biddeford.

With 2016 behind us, we look forward to meeting old responsibilities and new challenges in 2017!



ADVENTURES IN MONITORING...

Although most of us on the Board joined with visions of monthly tromps through the forest, checking in on our many parcels, it seems that the talking/negotiating/writing/studying/communicating part of land trust work tends to keep us more frequently occupied with the less outdoorsy parts of land conservation. Which leads me to describe some recent "adventures in monitoring."

Early fall led us to the **Moreau Donation** at the end of Benson Rd., where we traveled along the Moreau easterly line to meet up with a common line with a proposed sale parcel; said line being in the middle of a swamp, of course. We were lucky to be accompanied by two surveyors who work with us on projects, Guy Casavant and Paul Gadbois, who pointed out flagging they had put up previously, and guided us by experience and GPS. It will take several more visits to familiarize ourselves with all the lines, and possibly look for connected up-land for a potential trail. On our way back out, we stopped at the Moreau field that a few years ago was a beaver pond covering several acres. Then on across the abandoned part of Benson/Foxfarm Rd. where the back line of **Davis Farm Donation** abuts the road. More brush, more swamp, looking for old fenceposts (found some). Then we connected to a woods road that was wet, but fairly open, that led us along the property line towards Smithfield Drive. A little more bushwhacking along a field as we found many small stone markers. One PM already?? Time to head out; enough fun for one day!

Photos: Above Moreau, beaver pond, 2014, right, Nov. 2016

ANNUAL MEMBERSHIP

We greatly appreciate your support each year!
We use your annual membership dues for our general operating expenses.

Name _____

Address(if new member, or change of address):

We occasionally send out pertinent information by email.
If interested, please fill in your email

I would like to receive my newsletter by email only: Yes No

Membership Level:
\$25 \$50 \$100 \$ _____ (any amount)

Please return to:

**Saco Valley Land Trust
P.O. Box 1581
Saco, ME 04072**

**THANK YOU FOR
YOUR CONTINUED
SUPPORT!**

The Invasives: To fight, or go-with-the-flow?

“In perpetuity” is a long time, and in the stewardship of our holdings the SVLT Directors try to make decisions today that will look prudent decades from now. Which brings us to the common dandelion (*Taraxacum officinale*). Who knew that the plant was “brought-over” by the Puritans, long used in England as a diuretic or diabetes treatment? Now the bitter green populates lawns and run-out hay fields everywhere and is taken as part of the local color of spring.

Common and “Glossy” Buckthorn which increasingly form impenetrable thickets in southern Maine forestland were likewise imported and planted purposely as hedges and midwestern windbreaks during the 20th century. Alas, the berries they produced were spread by birds and seeded into other locations where their aggressive growth often out-competes native plant species.

In partnership with the Natural Resources Conservation Service, SVLT made an initial attempt to control a Buckthorn infestation on one of our properties in 2016. These plants-out-of-place were discovered by a forester developing a long-term management plan. The recommendation was to remove the invasives. We’ll see how effective the management effort proves to be.

In the short-term, success seems likely as the plants, though very numerous, had not yet begun flowering and building up a “seed bank” in the soil. But we’ll see.

Dealing (or not dealing?) with invasive species is an area of emerging concern for local land trusts. We’re learning.

For more information: <https://www.na.fs.fed.us/spfo/invasiveplants/factsheets/pdf/common-and-glossy-buckthorn.pdf>



Farming in Saco c. 1900