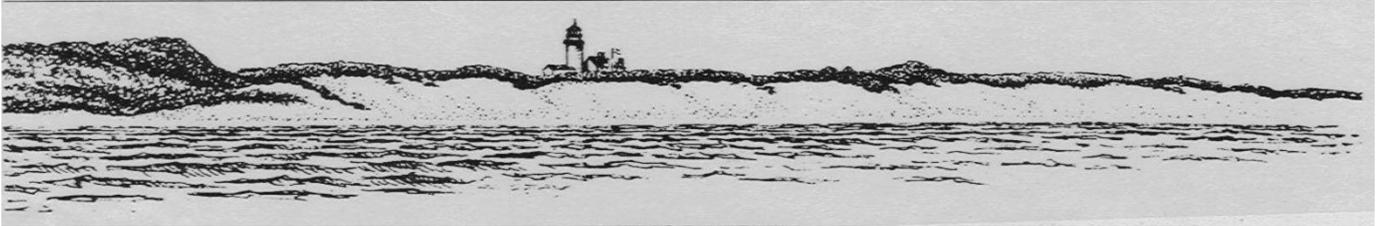


# TRURO CONSERVATION TRUST



Volume 7 No. 2

NEWSLETTER

December 10, 2007

## LAND ACQUISITION

### *The Bounty of Generosity*

For generations Truro families have treasured the view *west* over the freshwater marsh and shrub swamp at the corner of Old County Road and Ryder Beach Road. Known as the “Oriental Carpet” for its fall colors, it explodes into crimson and gold each autumn, transforming the landscape.

Held by the same family since the days of the Plymouth Colony, the land is as environmentally significant as it is visually arresting. Worked as “Lewis Farm” until the late 1940s, it abuts both town conservation wetland and the Old Colony railway bed, another TCT property, providing a greenbelt linkage with the protected lands of the CCNS. As coastal heathland, it is a rare example of a globally imperiled wildlife habitat, an MNHESP Priority Habitat for Rare Species, a State BioMap Core Habitat area, and part of the Wellfleet Harbor Area of Critical Environmental Concern.

As of this November, thanks to the generosity of Franja Sanders, future generations are guaranteed the same opportunity to enjoy that habitat and viewshed. By giving a Conservation Restriction to the TCT on two parcels totaling 12.45 acres, the Sanders family has ensured that the “Oriental Carpet” will remain unspoiled, thereby, maintaining the integrity of the natural landform and the broad open vista from the road.



This past fall has been an extraordinary time for the Trust’s acquisition efforts. Five new parcels of land totaling over 20 acres have been brought under Trust protection through gifts from Truro families like the Sanders. Three parcels came as Conservation Restrictions, two as gifts outright, bringing the Trust’s total holdings to 93 properties and almost 300 acres.

Like the “Oriental Carpet”, the newly acquired acre parcel on the west side of Castle Road donated as a CR to the Trust by Miriam and Ralph Freidin combines natural beauty and environmental import. A pitch pine forest which serves as the upland buffer to adjoining wetlands, it, too, abuts a parcel already contributed to the Trust by the Freidin family and is prominently visible from both Castle Road and Cape Cod Bay. Designated a Noteworthy landscape by the Commonwealth, it is cited specifically in the Statewide Land Conservation Plan as a critical habitat for rare wildlife. For those with the legs to climb up the steep slope to the hilltop the land offers a dramatic view across Cape Cod Bay -- an opportunity that will be preserved as well, with public access for passive recreation guaranteed by the terms of the Freidin donation.

For Anne and Howard Irwin, putting a Conservation Restriction on their 3-acre Pamet River homestead inside the Cape Cod National Seashore was a way to preserve the best of Outer Cape life as it once was.

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Purchased by Anne's grandparents 87 years ago, the land is a mixture of woodland, shrub swamp, and freshwater wetland at the Head O' Pamet. It, too, is a Noteworthy landscape and a priority habitat for rare wildlife, as well as a critical part of the region's watershed.

The Irwins have lived lightly on their land. There's a small house, and an even smaller cottage and shed, plus a large flower and vegetable garden, fenced with wire to keep out the deer. Of course, Howard's fame as a master gardener is grounded in that veggie plot. A narrow footpath leads down to the headwaters of the Pamet River. Their CR guarantees that those acres will remain in their natural scenic and open condition, and keeps future owners from building anything larger than what is already in place. A flock of wild turkeys comes almost daily to browse along the driveway.



Until this year, no one saw any need to worry about conservation with properties like the Irwin's, located inside the Seashore. The existence of the Seashore itself was thought to be sufficient protection. But that is no longer true. A changing interpretation of Truro's Zoning Laws by town officials now permits new residential construction inside the Park. (See "Is the Park Open for Development?" page 3). The Irwin CR addressed the issue explicitly. "Although located within the CCNS boundaries, and bordered by protected federal CCNS properties, the 3 acre parcel is a privately held property and is not protected from development," it explained.

That same concern drove the gift of a second 3-acre parcel within the Seashore, this one a piece of woodland fronting on Old County Road north from Lewis Farm. Three acres is the minimum lot size for residential construction inside the Seashore; with her gift, Susan London-Payne has turned a buildable lot into a parcel guaranteed protection as undeveloped conservation land.

The TCT's final gift of the fall likewise removed a potentially buildable lot from the Town's maps. Donated by Irma Ruckstuhl the 1-acre parcel on Bayview Road in North Truro features pine, oak, beach plum, and bearberry heathland. "I know it's a buildable lot; people stop and ask about it all the time." Ruckstuhl explains. She's glad to say she has foreclosed that possibility.

## TRURO TREASURES

### ***Bringing Poor's Hill to the People***

TCT Trustee Brenda Boleyn has been the Trust's public face over Truro Treasures weekend for the past two years, combining infectious enthusiasm with a master educator's knowledge and skills. Last year she led "Truro's Conservation Treasures," a guided visit to 6 different Trust properties. This year she offered "A Naturalist's Tour of Poor's Hill."

No one knows Poor's Hill better. As chair of the Town's Open Space Committee, she was the driving force behind the campaign to purchase the site, the last remaining wild hill on Pamet Harbor. She has led scores of visitors around the 3.5-acre sand dome, from school children through seniors. All were continually delighted by the bearberry, locally known as "hog cranberry" that blankets the hillside. Instrumental in developing the plan for public access to the site, she will be equally responsible for the land management plan that must be developed to keep the bearberry, lichens and low bush blueberry from being overrun by pine.

"The Truro Treasures walk was a total pleasure," she remembers. "I love showing people Truro's special places. Most of the 35 or so people who came had never been to Poor's Hill, and they had no idea what the property was like. So we started down at the harbor, looking at it from the north, before we went to the site. Once we got to Poor's Hill and started walking people were full of questions. They wanted to know the story of how we acquired the property, and all about the history. We talked about the heathland, too, growing in sandy soil, stunted by the wind off the bay,"

This year's "Naturalist's Tour" marked a valedictory of sorts for Boleyn. After two years of extraordinary service, she will be stepping off the TCT board at the end of 2007. She will be greatly missed.

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"I just found that I was getting overextended," she explains. The Town's Open Space Committee will continue to work closely with the Trust, she says, and she plans to continue her work on the advisory commission of the Cape Cod National Seashore. But she needs more time to work on the two efforts nearest to her heart, as chair of the Cape & Islands Lyme Disease Task Force and of the Committee for the Conservation of Horseshoe Crabs.

## TRURO ZONING

### ***Is the Cape Cod National Seashore "Open for Development"?***

While the on-going Cape Cod Commission review of the "Hopper Landscape" captured the regional headlines this past fall, it was not the only land use issue to shake Truro's conservation community. News that new residential construction would be permitted inside the Cape Cod National Seashore (CCNS) came as a shock to many, raising concerns about new threats to the Park's traditional rural character, scale, and charm. The immediate issue was a building permit granted for a new house at 29 Old Outermost Road, deep in the Seashore near the Highland Center. But the larger question was how to interpret Truro's existing zoning bylaws, and if those bylaws put any restrictions on development of the estimated 211 private properties inside Truro's acreage in the Park.

Many in Truro continued to believe that the CCNS "Guidelines" were the relevant authority. Established with the creation of the park in 1961, the guidelines limited expansion to no more than 50% of the pre-existing footprint. Property owners who built more could lose their Certificate of Non-Condensation, the Federal promise not to seize their land. No Certificate meant no clear title, and no possibility of a bank loan.

The CCNS Guidelines have never had the force of law, however. The only property regulations that matter in all of the Seashore towns have always been the zoning bylaws set up by each town individually. And in Truro, where the Seashore District bylaws never mention new construction, as of last winter the building inspector saw no cause to deny a new construction building permit.

The rising value of the properties in the Park has made the loss of a Certificate of Non-Condensation less threatening at the same time. At the \$1 million + price point, many buyers are past the days when they need a mortgage. Nor is federal land seizure much of a worry any longer. By definition it requires fair market value compensation. That would mean a big payday for the landowner, an expense the impoverished Park Service could ill afford.

Initially it seemed that CCNS Superintendent George Price would lead a charge against the new order. Working with his regional solicitor and local volunteer counsel, he built a case opposing the building permit with the Truro Zoning Board of Appeals. This November, however, on the advice of the Department of the Interior's Solicitor General, he withdrew his appeal, removing the final roadblock to construction. While Park officials reiterated their willingness to condemn and seize properties, the fact remains that no Certificate has ever been withdrawn in the 56-year history of the CCNS.

Any limits on development in the park in the future, then, will probably depend on reform of the Town's existing zoning bylaws, the sole relevant authority. Calls for change have been widespread, and the Planning Board is currently at work on possible bylaw revisions, either with a new lot or site coverage law or with a re-vamp of the existing site plan review procedure. But the future remains cloudy. Zoning bylaws are devilishly hard to write and even more difficult to pass by the necessary 2/3rd's vote of Town Meeting, particularly if they challenge individual property rights.

## ANNIVERSARY WRAP UP

### ***Launching Next Generation Stewardship***

For the 150 or so members and friends who gathered for the Trust's 25<sup>th</sup> birthday party last August, the event was more than a celebration of the accomplishments of the past. It was a chance to lay the foundation for the next 25 years, too, marked by the launch of the Trust's "Next Generation Stewardship Fund," designed to expand management and protection of the TCT's growing number of holdings.

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Truro was at its festive best that late-August afternoon. A light breeze off the Bay kept Castle Hill cool. Trust members wandered through the gallery space or mingled around tables filled with “A Taste of Truro,” while the TCT trustees served as hosts, wait staff, and bartenders. Sketches from the nature journals created by the Truro Central School fourth grade class graced the walls, the fruit of the Trust-sponsored “Drawing From Nature,” program. (See: “Teaching Children to See,” below)

TCT Chair John Marksbury kept the formal program short, paying tribute in his welcoming remarks to Betsey Brown and Ansel Chaplin, the Trust’s two surviving founding Trustees. Next, Truro-based author Sebastian Junger, Honorary Chair of the celebration, spoke of his love of Truro as the foremost preserver of the Cape’s diminished wildlands. Then Junger picked up his harmonica and the informal part of the festivities began, with the sun setting to “Willie and the Po’ Boys” playing rock ‘n roll.

There are many to thank for the evening’s success. Indefatigable TCT trustee Carol Green served as Event Chair, pulling together all the details necessary to make a large event *run* smoothly after Ann and Mary Keenan laid the initial ground work. Francie Randolph designed the handsome invitation. Castle Hill executive director Cherie Mittenthal and her staff made sure that the Truro Center for the Arts was at its best. The “Taste of Truro” came from two exceptional local restaurants, Montano’s and the Black Fish. Tom Kane donated the flowers that adorned the tables.

Thanks are particularly due to the members who donated to the Next Generation Land Stewardship Fund as part of the birthday celebration. Through their generosity, \$42,675 was raised for the Fund’s launch, money that will let the Trust improve management standards and practices for the 300 acres it protects.

\$10,000 from the Next Generation Fund paid for modifications to the deeds for all TCT-owned properties. As a result, all these properties became protected for conservation in perpetuity. “The Next Generation Fund was a terrific birthday present for the Trust,” TCT treasurer Fred Gaechter explains. “It sets a very strong course for the future, and guarantees that TCT-owned land will be kept in an open and natural condition exclusively for conservation purposes forever.”

## CONSERVATION EDUCATION

### ***Teaching Children to See***

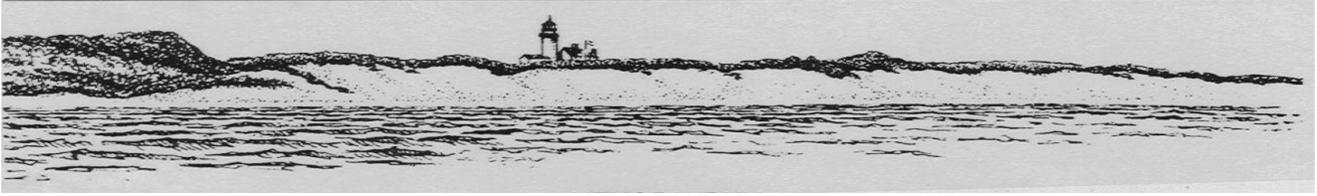
The black and white drawings of shells and plants that hung on the walls at the TCT birthday party were eloquent testament to the success of the Truro Central School’s “Drawing from Nature” program, lead by TCS art teacher Kim Posse and co-sponsored by the Trust. Clearly observed and sharply drawn, they showed the benefit of a fresh eye and a steady hand, and of months of study and practice.

For much of the last school year Truro’s 14 fourth graders worked with Posse to learn to see and capture the natural world around them. Each student kept a journal in pictures and words, working with drawing portfolios and sketching pencils from the Trust. They learned about local topography, geology, and botany in the process, through a coordinated science curriculum developed by 4<sup>th</sup> grade teacher Mary Hutchings. Then the Trust helped sponsor a June field trip to Poor’s Hill, a chance for the children to spend an afternoon exploring Truro’s most celebrated piece of conservation land, sketch books and pencils in hand.

For this school year, thanks to the enthusiasm of Posse, the Drawing from Nature program has expanded. The new fourth grade students got their portfolios and drawing pencils before the leaves fell, and will be at work this winter, learning to look more closely at the world around them. Meanwhile, last year’s fourth graders are back at work on their journals, too, Posse reports, expanding their collection of drawing and writing with fresh images and insights.

“We had a great time last year, exploring and recording drawings and ideas in our nature journals,” she remembers. “Drawing with children is a fun activity -- and it lures students in. They want to improve their skills.”

# THE TRURO CONSERVATION TRUST



*Preserving Truro for Generations to Come*

## *A Letter from the Chair*

Dear Fellow Member of the Trust,

Will you please help us with a contribution to the Truro Conservation Trust? This is the time of year that we seek your assistance to fund our 2008 program.

If you already have made a gift in response to our spring mailing or to our special Birthday appeal for the Next Generation Land Stewardship Fund, we send our warmest thanks. We hope that you will continue to support the Trust.

Reading this and previous Newsletters, I hope conveys some of the many dimensions of our important work and the exceptional people, both donors and volunteers, who are involved in the Trust's success. Preserving Truro's natural heritage and engaging in activities that bring its resources closer to our lives, whether young or old, can only happen with your help.

If you have not given yet this year we need your support once again, and we hope you will be generous. If you wish to consider an additional gift at this time, we would be extremely grateful. These funds will sustain the Trust's work throughout 2008.

On behalf of every Trustee, please accept our best wishes for the holiday season and the New Year.

Yours,

John C. Marksbury  
Chair

## ***Notice of Annual Meeting/Election of Trustees***

The Annual Meeting of the Board of Trustees of the Truro Conservation Trust will be held on Saturday, January 12 at 9 a.m. at 15 Union Field Road, Truro for the purpose of electing new trustees and officers. Any ten members of the Truro Conservation Trust may nominate candidates to fill the three open seats on the current Board.

Nominations for election to a 5-year term, beginning this coming January, are due by December 31, 2007. Please provide contact information and a short summary of qualifications for any potential trustee.

Nominations can be filed at our website, [www.truroconservationtrust.org](http://www.truroconservationtrust.org), or by mail, to P.O. Box 327, North Truro, MA. 02652.

### **The Truro Conservation Trust**

*Preserving Truro for Generations to Come*

The trustees:

John Marksbury, chair,  
Brenda Boleyn, vice-chair,  
Fred Gaechter, treasurer,  
Robert Bednarek, Betsey Brown, Carol Green,  
Curtis Hartman, Howard Irwin, Joel Searcy.

To learn more about the work and workings of the TCT,  
visit at our website at [www.truroconservationtrust.org](http://www.truroconservationtrust.org),  
or contact us by phone, at 508-487-1190.

Truro Conservation Trust  
P. O. Box 327  
North Truro, MA 02652

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Summer Mailing Address  
(if different): \_\_\_\_\_

My check for \$ \_\_\_\_\_ (payable to the Truro Conservation Trust) is enclosed.

I pledge a contribution of \$ \_\_\_\_\_ to the Truro Conservation Trust, to be paid by \_\_\_\_\_, 2008.

Enclosed is my first payment of \$ \_\_\_\_\_.

Please also contact me with more information about how to:

- Volunteer with TCT
- Donate land
- Protect my land with a conservation restriction

*Gifts to the Truro Conservation Trust are tax deductible to the full extent of the law.*

Truro Conservation Trust  
P. O. Box 327  
North Truro, MA 02652

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