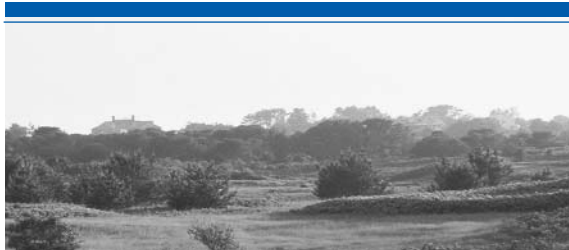




The NLC NEWS

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The Loring land is a biological jewel, which provides habitat for a number of endangered species. The varied 270 acre tract, shown below outlined in white, includes vernal pools, grasslands, pine forests, and wetlands around the Head of Long Pond.

Land Council Gains Extra Year to Complete Loring Campaign



► In a last minute arrangement to avoid a January 31, 2006 deadline, the Land Council gained another year to raise a total of \$14 million to buy conservation restrictions on 270 acres which stretch from Madaket Road to Eel Point Road and around most of the Head of Long Pond.

The NLC exercised a provision of its binding Option Agreements with Linda Loring and the Linda Loring Nature Foundation and paid a second non-refundable \$500,000 toward purchase of the conservation restrictions to gain one final year to raise the funds.

Land Council President Larry Breakiron explained that the not-for-profit has raised over \$9 million from more than 650 contributors since the campaign began in June of 2004. "We are extremely grateful to all our wonderful donors who convinced us that this project now will not fail, and gave us the faith to part with a second half million dollar non-refundable payment," said Breakiron. "On the other hand, we have nearly \$5 million more to raise in the coming year," he added. "We will need very strong community support to bring this conservation campaign—a must-do for the island of Nantucket—to a successful conclusion by January 2007."

The nine Loring parcels off Eel Point Road are the largest remaining privately-held tract of land on Nantucket, and the property is valued at far more than the \$14 million price the Land Council is paying to buy permanent conservation restrictions. "This property is considered the most ecologically important land to preserve on the western side of the island," emphasized Land Council Executive Director Cormac Collier. "If not saved, more than 45 lots could be subdivided from the tract with a total of 90 new houses. Numerous rare and endangered plants and animals would be destroyed, a significant amount of septic system effluent would enter and pollute Long Pond and Madaket Harbor, and outstanding public scenic views from both Eel Point Road and Madaket Road would be forever lost."

To find out more about this extraordinary Nantucket land conservation project or to make a tax-deductible donation visit the Land Council's office at 6 Ash Lane or its website at www.nantucketlandcouncil.org or contact Development Director Linda Holland at 508-228-2818.

► **New Master Plan In The Works—Again**

Check It Out: <http://www.ackmasterplan.org/>

The Town of Nantucket is once again writing a long-term plan that addresses open space, transportation, affordable housing, natural and cultural resources, and economic development. Under Massachusetts statute 41-81D, the Town through its Planning Board is formulating a new Master Plan that will refine overall community goals, dictate future changes for zoning, and provide policy directives to all town boards.

This may seem redundant because an exhaustive series of community forums were held five years ago creating *The Nantucket Comprehensive Community Plan*. However, unfortunately, Town Counsel recommended the Plan be voted on during a Town Meeting recess, and, therefore, its approval was “unofficial.” Now, five years later, the Planning Board is again considering these same issues, and the NLC applauds them for this. The Board held public hearings last fall to solicit input from citizens, but, public participation was low, perhaps because people feel poorly served by the planning process just five years ago.

Nevertheless, one thing is certain. People on Nantucket are concerned about the effects of rapid growth on their daily lives. The NLC will advocate that the new Plan preserve open space and limit future growth. Please visit the above website and provide comments to Town Planner Andrew Vorce at 508-228-7237.

► **McIntoshes Donate Surfside Restriction**

At the end of 2005, more than an acre of open land along well-traveled Pequot Street in Surfside was permanently preserved by owners Deborah and Jim McIntosh, who generously donated a Conservation Restriction (CR) to the NLC. “This is the Land Council’s 60th Conservation Restriction since our program started in 1985,” said Lynn Zimmerman, NLC Associate Executive Director, who heads the CR Program. “The CR’s we enforce now preserve more than 733 acres, from Wauwinet to Tuckernuck, including 104 acres at Bartlett’s Farm.”

This Conservation Restriction provides fine public scenic views and protects indigenous natural habitat. CR’s are a cost effective tool for Towns to use to set aside open space. We applaud Debby and Jim McIntosh for their beautiful conservation gift. To learn how to donate a CR on your open land please contact Lynn Zimmerman at lynn@nantucketlandcouncil.org or 508-228-2818.

► **New Issues Arise at Great Harbor Yacht Club**

The NLC is carefully monitoring recent developments in GHYC’s application process to build a yacht club and related facilities on the old site of Grey Lady Marine Boatyard. In November 2004, the NLC along with several citizens, most of whom are commercial scallopers, appealed the Conservation Commission’s decision to permit docks, piers and dredging in eelgrass habitat, because it failed to minimize and mitigate the project’s impacts to eelgrass beds and shellfish habitat as required by state and local laws. (Incidentally, the NLC did not appeal GHYC’s permits from either the Planning Board or Conservation Commission for upland activities.)

Last fall, based on information provided by an ad hoc local group called Save Our Waterfront, the Department of Environmental Protection determined that the historic high water mark was farther landward than the application of the new yacht club had indicated. This issue will be resolved by the court, and the lawsuit to which the Land Council is a party will be affected by the determination. In addition, recent claims of property ownership by the Town of Nantucket in and around the boatyard site may affect GHYC’s existing permits and several state and federal permits which have yet to be obtained. If the Town’s claims are upheld, it will have a legitimate voice in where docks, piers and the travel lift are to be located.

► **NLC Warmly Welcomes Elisabeth Hazell**

We are fortunate to have Elisabeth Hazell as the NLC’s new Administrative Assistant/Membership Coordinator. In September she replaced Kate Shanaphy, who moved off island. Elisabeth jumped effectively and energetically into her new job. If you have questions about your membership, please contact Ms. Hazell 508-228-2818.



Children netting Monarch butterflies (See article page 3)

► NLC Takes Students “Monarch Tagging”

As summer ends in eastern North America, Monarch butterflies, *Danaus plexippus*, begin their annual migration from Canada and the United States to central Mexico. They have been recorded to travel up to 3,000 miles. Last September, with migration at its peak, NLC Resource Conservationist, Emily Molden, organized a wonderful outdoor experience for students, who not only observed the migration but tagged individual Monarch butterflies before they flew south off the coast of Nantucket. With the help of Lloyd Center for the Environment’s Research Director Mark Mello of Dartmouth, MA, Molden and the students and teachers contributed their field experience to the national effort to monitor Monarch butterflies.

Students from the Lighthouse School and the New School participated. Each butterfly was tagged with a round, 3/8” sticker, which contains an identification number, phone number and an email address where recaptured butterflies can be reported. Tags are placed on the discal cell of the hind wing (see sketch below by Emily Molden showing the sticker) and the insect is released immediately. After the butterfly is tagged, the information is sent to **Monarch Watch**, a group dedicated to Monarch research, and added to a national database. If a tagged butterfly is recaptured or found dead, researchers learn about its life including its flight path, distance traveled, and life span.

The study of Monarchs is interdisciplinary, combining biology, geography, and anatomy. Monarch tagging allows students to develop knowledge in these areas while enjoying hands-on field experiences that contribute to real-life research. The NLC hopes to make Monarch tagging a tradition for schools in the years to come.



Mikayla Molta and Livvy Campochario of the Lighthouse School concentrate while applying a tiny sticky tag to a Monarch butterfly’s wing.

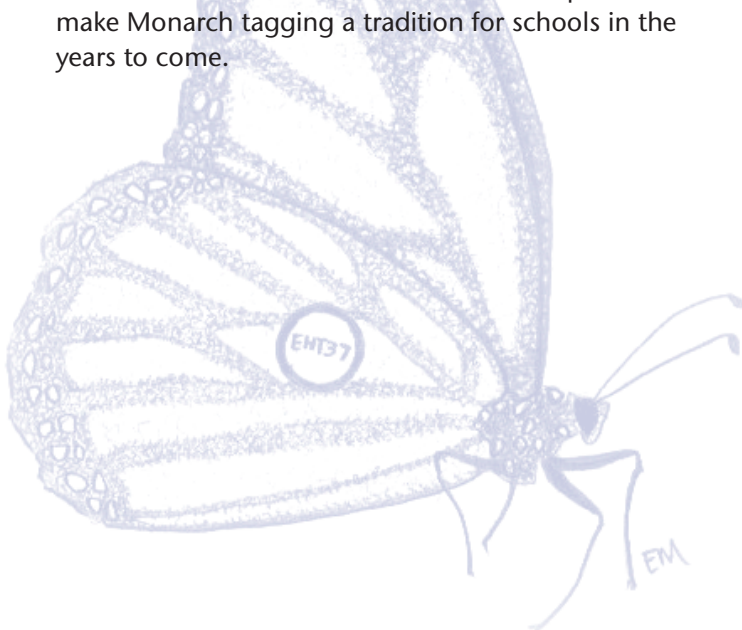
► Biodiversity Talk Inspires Annual Meeting

Professor of Biology and Environmental Studies at Middlebury College, Dr. Stephen Trombulak delivered an inspiring message to NLC members at the August 2005 Annual Meeting. His speech, “*Preserving Biodiversity: From a Global Perspective to Local Action*,” provided a fascinating insight into conserving the biological integrity of earth’s flora and fauna. He explained that most conservation work is performed by thousands of local grass roots environmental groups such as the NLC. Our local action to preserve Nantucket’s natural resources should be viewed as part of a much larger global picture.

The Biodiversity Initiative, a collaborative project of island environmental organizations (see next article), and the NLC’s local conservation restriction program are two vivid examples of how local action on Nantucket is conserving habitat and species which is in turn framed by a worldwide network of biodiversity.

► ‘05 Biodiversity Conference—Excellent!

On Saturday, September 24th the Nantucket Biodiversity Initiative (NBI) held its first one-day conference at the Coffin School. NBI is an island partnership dedicated to documenting, monitoring and conserving biodiversity of the islands and adjacent waters. Twenty-five presentations—including five posters—were made by researchers from on and off-island. The five sessions were Vertebrates, Plants, Ecosystem Management, Terrestrial Vertebrates and Marine Invertebrates/Ecosystems. The NLC helped organize the conference and participated by giving a poster presentation on a Spotted Turtle (*Clemmys guttata*) study it began last summer with the Nantucket Conservation Foundation. The conference was open to the public and was a wonderful success. Next year, NBI plans Biodiversity Assessment Week September 10-16, 2006.



► School Grants 05-06 Awarded

Every fall the NLC accepts applications for its small grants program, which funds environmental awareness and science projects of local students and teachers. This, the NLC's 13th year, was its most successful. Ten applicants received a total of \$7,456.33, doubling the number of applicants and the money given in prior years.



Projects included: the High School and the Cyrus-Peirce Middle School science fairs run by Kelly Konvicka and Kathy Benson respectively; a study of the Osphradium in Bay Scallops coordinated by Dr. Stephen Estabrooks and continuing histology work on the reproductive system in the Bay Scallop overseen by Valerie Hall; construction of a topographical landform for Mike Girvin's Nantucket Elementary School students; a taxonomy kit and dissection software for Irene Egan's Cyrus-Peirce Middle School students; a study of balance and motion headed by Betsy Mann of the Elementary School for about 120 second graders; Strong Wings' seasonal after-school programs; a study and book production on Nantucket's endangered plants coordinated by Lizbet Carol-Fuller for Lighthouse School students; and a new ecology course for Chris Getoor's students at the New School. The small grants program is one way the NLC successfully reaches out to the Nantucket community. For information and applications, contact Emily Molden at 508-228-2818.

Clockwise from the top left photo: Ellen Roman and Bob Griffin; Linda Taylor, Lee Black, and Barbara Griffin; Ken Roman and Lynn Nicholas; Bottom photo from left: Rina and Don McCouch, Elly Foley, George Thomas, and Kim and Lori Preston; Tommy Taylor and Heidi Cox.

► NLC Membership Grows Thanks to YOU!

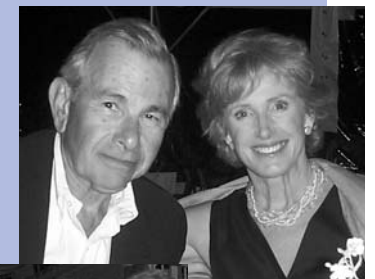
As the size of the Land Council's campaigns has increased, so has our membership. 556 *new* donors contributed to protect Bartlett Farm. Now, 265 *new* donors have given to the Loring Campaign thus far. While we are grateful for so many new supporters, it is important to remember that the NLC is still strongly supported by long-time members. In fact, over 400 currently active members have supported us for more than 15 years. **Thanks again for all your support!**

► Galley Dinner Raises Over \$90,000

The Land Council's annual Galley dinner was a huge success raising just under \$100,000 for our Loring Conservation Restriction Campaign. Guests were treated to a beautiful evening of delicious food and the jazz music of Board Member and New York musician Peter Watrous and his friends. Many thanks to Jeffrey Silva, his staff and to all the generous patrons. The Land Council looks forward to hosting a victory celebration next fall as we wrap up our Loring fundraising campaign.



Donors enjoyed a fabulous sunset and a delicious dinner while contributing to the Loring Campaign.



► **40B Lawsuit Settled By Abutters and NLC**

In May 2004, after months of hearings, the Nantucket Zoning Board of Appeals approved a 40 unit development applied for under Massachusetts' Laws, Chapter 40B. The provisions allow a developer to bypass all local zoning requirements if one quarter of the housing meets affordable or low income guidelines. The site in this case, is ten acres on Rugged Road that under zoning could have been subdivided into only 5 lots. Originally, 72 units were proposed, but the ZBA approved only 40. The NLC along with some neighbors appealed the ZBA decision, opposed to such dense housing in the wellhead protection district.

Mr. Josh Posner, the developer, also appealed the decision to protect his own interests. Disappointingly, the ZBA discussed settling with him by agreeing to 44 units. Understanding the uphill battle the abutters then faced (only a few of several hundred 40B appeals have been overturned), the parties, including the NLC, agreed to a settlement that allows the 40 units with strict conditions on vegetated buffers, preservation of large specimen trees, and additional stormwater infrastructure.

The driving force behind 40B developments is profit. Affordable housing is being used to disguise the huge profits to be made via 40B developments at the expense of local neighborhoods. No matter what your position is regarding environmental protection vs. housing, most people agree that housing density is best determined by a local vote, not by a state law which benefits developers by allowing them to build and sell more units than would otherwise be permitted. On a positive note, Nantucket has worked so hard locally to create affordable housing it is nearing a threshold which would allow it to reject future 40B proposals. The NLC applauds the integrity and hard work of the people in the Rugged Road neighborhood to oppose this extremely dense housing proposal.

► **NLC Staff Attend National Land Trust Rally**

In Mid-October, Cormac Collier, Emily Molden and Lynn Zimmerman attended the national meeting of land trust professionals held by the Land Trust Alliance in Madison, WI. Workshop sessions were excellent and ranged from fund raising and habitat protection, to board development and membership software. Networking with others and sharing professional experiences as well as hearing several very inspiring speakers, including Bruce Babbitt and Robert Kennedy Jr., made the trip very worthwhile.

► **Why Protect Wetlands?**

Vegetated wetlands are protected by state and local regulations for good reasons. **In addition to providing habitat for rare and significant species, wetlands function to remove pollutants from surrounding groundwater and to prevent flooding.** Typically, wetlands are found in low-lying, relatively flat areas. During heavy rains, wetlands greatly reduce flooding by physically slowing water movement and temporarily storing excess water. Water then is lost to evaporation and transpiration. Where wetlands lie above pervious soils, surface runoff can recharge directly to underlying groundwater. Wetlands, therefore, attenuate flooding, which reduces erosion and prevents property damage.

Precipitation and surface run-off are two prime pathways by which pollutants (such as heavy metals) and nutrients (such as nitrogen and phosphorus) enter surface and ground water bodies, including Nantucket's drinking water supply. When surface water runoff is slowed by a wetland, the sediments and attached pollutants settle to the bottom. Many pollutants are trapped with sediments in vegetative root systems, slowing their release over time. Wetland plants often absorb pollutants directly into their tissues where they remain until the plants decay. Wetlands are by no means the only solution to water pollution or a complete flood prevention tool, but they contribute invaluable to the maintenance and protection of healthy water resources.

► **Con Com Protects Potential Vernal Pool**

Last year, when the Nantucket Conservation Commission amended the local Wetland Protection Regulations, they revised definitions, performance standards, waivers, and procedures. At the NLC's suggestion vernal pool habitat was redefined to include wetlands that qualify as vernal pools based on criteria established by the Mass. Natural Heritage and Endangered Species Program, whether or not they have been officially certified. This past fall, a Polpis Road property owner applied to construct a single-family dwelling and driveway adjacent to a wetland, which the NLC thought may be a vernal pool. After a biologist surveyed the site, the Conservation Commission determined that this area should be protected as vernal pool habitat based on survey findings and the revised definition. This finding increased setbacks with larger buffer zones, and it better protected critical habitat.

► **In Memory of NLC's Professor Don Harleman**

The NLC lost one of its most dedicated directors when Professor Donald Harleman passed away last October. He was a long time supporter of the Nantucket Land Council and an incredible asset to the Board. A Professor Emeritus at Massachusetts Institute of Technology, Harleman was a world-renowned expert on wastewater treatment systems and he helped facilitate the clean up of Boston Harbor, Tokyo Harbor and Chesapeake Bay. His knowledge and leadership on the Board anchored the NLC's positions on ground water and harbor issues. His wisdom, tenacity, and dedication will be sorely missed.

► **Pia Murphy and Bruce Perry Join NLC Board as Franklin Schultz and Neil Paterson Retire**

In August at the Annual Meeting, Franklin Schultz and Neil Paterson stepped down as directors when their terms expired. The Land Council is very grateful to them for their many years of dedicated service and direction. The NLC welcomes Pia Murphy and Bruce Perry, who joined the Board, and looks forward to their guiding leadership.

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OF COUNSEL
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SAVE THIS DATE

AUGUST 10th—NLC's 32nd Annual Meeting

The year in review, a look ahead, and guest speaker Biologist Dr. Jim Levitt, 5:30PM at the Coffin School, Winter Street.

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