



# CONSERVATION NEWS

Protecting Open Space on Long Island's North Shore

## NORTH SHORE LAND ALLIANCE

VOLUME 2, ISSUE 4



*Pulling Estate, Oyster Bay*

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## LOCAL LANDS PROTECTED FOREVER

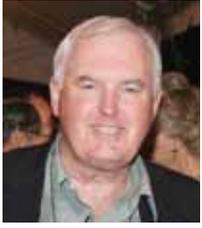
### NASSAU COUNTY

**June 19, Mineola** - As of this writing, the Nassau County Legislature is scheduled to meet to authorize the purchase of the first properties in the Environmental Bond Program. Acquisition of these particular North Shore properties was prioritized due to imminent threat of development.

**PULLING ESTATE, OYSTER BAY COVE** - Acquisition of 16 acres of fields located in the Oyster Bay Special Groundwater Protection area. This parcel, at the intersection of Route 25A and Yellow Cote Road, provides a scenic corridor for local residents and passers-by. It will be open to the public for passive use.

**BOEGNER ESTATE, OLD WESTBURY** - Acquisition of 25 acres in partnership with Old Westbury Gardens. This property, also within the Oyster Bay Special Groundwater Protection Area, will be incorporated into Old Westbury Gardens public programs and may be used to illustrate the history of the Long Island Quaker farm. In addition to the County purchase, the family has agreed to place a conservation easement on an additional parcel.

*continued on page 3*



**TO OUR SUPPORTERS,**

**Thanks to runaway development on Long Island, our drinking water supply is in rapid decline and increasingly at risk of pollution from salt water invasion and household pollutants.**

The ongoing process of cutting down trees, bulldozing hills and filling in wet spots, building over-sized houses and paving over everything with cement and asphalt is using up our water supply and preventing it from being recharged through rainwater seepage.

**What is amazing is that no single governmental agency is accountable for ensuring the quantity and quality of our drinking water,** even though all Long Island drinking water comes from a single supply: the Long Island aquifers.

Nassau County, for example, has two *Special Groundwater Protection Areas*: North Hills and Oyster Bay. All of Nassau County depends on these areas for drinking water. North Hills open land surface is almost gone and with new developments, like Ritz Carlton and Chatham II, not only will a vital recharge area disappear but large amounts of additional water will be drawn from the aquifer. At a recent North Hills village meeting, one water expert predicted a 60-million gallon deficit will be created by the Ritz Carlton condo development alone.

**Today, most remaining open land in Western Long Island is located on the North Shore. Its hilly, sloping terrain acts as a “pump” to push drinking water from the North Shore to the South Shore. As a result, these last remaining open spaces are critically important to the future of all of Western Long Island’s drinking water.**

As a consequence, it is essential that we protect as much as possible of remaining open space on the North Shore from housing and commercial development. And, as a consequence, it is essential that we press our town, county and state governments to rationalize water management on Long Island, so long-term provision of fresh water takes precedence over short-term housing development.

**Water is both our most precious resource and our most endangered resource. And conservation is the best way to safeguard our water supply.**

In conservation,

Carter F. Bales

Recent municipal open space purchases are so exciting that we decided to celebrate by printing our first color issue. Color costs only a little more and we felt it important to celebrate these beautiful springtime acquisitions in the most exuberant of ways!



*Boegner Estate, Od Westbury*

Landscape Photo Credit: Archie Rinaldini

**MEYER'S FARM, WOODBURY** - Acquisition of development rights on this 8-acre local working farm will ensure that the rural character once so prevalent in Nassau County will continue. The Meyer family will continue to run their farm as they always have and the sale of development rights will ensure that it is protected forever.



*Meyer's Farm - Woodbury*



*Northwoods Estate, Oyster Bay Cove*

**NORTHWOOD ESTATE, OYSTER BAY COVE**

Acquisition of 33 acres adjacent to Nassau County's Tiffany Creek Preserve. This wooded property, located in the deep water recharge zone of the Oyster Bay Special Groundwater Protection Area, will expand an existing County preserve, creating additional trails for passive public use.



*Gordon Allan and Liz Remsen at Red Spring Woods, Glen Cove*

**RED SPRING WOODS, GLEN COVE** - Acquisition of 11 acres of rare trees and wildlife sanctuary. This deeply sloping terrain provides an important groundwater recharge area for this densely populated community. This property will be open to the public for passive use.

**TOWN OF OYSTER BAY**

**April 19, Oyster Bay** - Town Supervisor John Venditto and the Town Board announced the acquisition of the Mill Pond Overlook property.

**MILL POND OVERLOOK** - This 4.7-acre property, where the construction of a 68 unit senior housing community had been proposed, is adjacent to the Oyster Bay Mill Pond, which is part of the Oyster Bay National Wildlife Refuge, considered one of America's Ten Most Endangered National Wildlife Refuges. The Town, in conjunction with local environmental groups, is in the process of putting together a plan for the best use of this scenic gateway.



*Mill Pond, Oyster Bay*

# Newsday.com

## Nassau's '04 bond act

### Legislature shouldn't rock the boat

May 3, 2006

Implementation of Nassau's Environmental Bond Act of 2004 has been moving along smoothly and deliberately, like a kayacker on a quiet river. Now, close to the end of its journey, it must navigate the perilous rapids of the Nassau Legislature, where the meritorious plan to preserve open space and clean up pollution is at risk of breaking into pieces.

Environmental reviews of the \$50 million project are done, and now County Executive Tom Suozzi should quickly finalize the list of sites for the Legislature's approval. He should knock off that list a \$1 million proposal for the demolition of an incinerator in his home town of Glen Cove, which was added late and is not considered a priority.

Although the environmental community wants the whole package approved at one time, that is not a realistic approach. A little horse-trading on some projects that weren't included is likely to happen. The risk, however, is that the back-room negotiating will break down into irresolvable bickering. Leg. David Denenberg (D-Merrick), chairman of the environmental committee and gatekeeper of the approval process, pledges it will be speedy and flexible. But he and others are already making demagogic noises that the North Shore is getting too much of the pie.

This is unfair. The projects were carefully selected for geographic balance - including brownfield cleanup as well as parks and storm-water improvement where there wasn't open space to save. Long Island is one delicately connected ecosystem. The bond act was approved by 77 percent of the voters; a few pet ponds here and there shouldn't stand in their way.

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We currently have about 20% of our members e-mail addresses. If you would like to help us in the future with similar mailings, please send your e-mail address to [info@northshorelandalliance.org](mailto:info@northshorelandalliance.org). Your e-mail address will not be shared with any other organization.

## YOUR E-MAILS AND POSTCARDS WORKED!

In late March, NSLA began to hear rumblings of the "Bond Acquisition List" being torn apart by the Nassau County Legislature. As those rumblings became louder and more threatening, we asked you, our members and friends, to speak out in support of recommended open space acquisitions. At a recent meeting of the Nassau County Legislature, Majority Leader Judy Jacobs waved a thick stack of multicolored postcards as she explained the importance of moving this program along quickly. Many thanks to those of you who sent e-mails, made calls and mailed postcards. Numbers speak!

Judy Jacobs  
Presiding Officer  
One West Street  
Mineola, NY 11501

**Important** - Please attend Nassau County Legislature on Monday, June 19 at 10:00 am, 1 West St., Mineola for the Open Space Properties vote.

# HISTORIC DAY FOR NASSAU COUNTY LAND CONSERVATION



*l to r: Peach Schnier, NSLA; Alpa Pandya, The Nature Conservancy; Liz Remsen; Minority Leader Peter J. Schmitt; Presiding Officer Judith A. Jacobs*

**March 6, 2006 – Mineola, NY.** The list of recommended properties for open space acquisition, parks improvements, storm water management and brownfield remediation was presented to the Nassau County Legislature, Planning Commission and Open Space and Parks Advisory Committee (OSPAC).

An advisory committee composed of conservationists and representatives from various county agencies was appointed by County Executive Tom Suozzi to make recommendations on the most effective use of proceeds from the \$50 Million Environmental Program Bond Act. Nassau County voters approved this program with an enthusiastic 77% majority in November 2004.

The Advisory Committee established selection criteria and met for one year to review the 262 nominations that were received from residents throughout the County. Priority was given to properties for which there were financial partners, significant ecological resources, (including groundwater and surface water), preservation of farmland, proximity to existing conserved land, and accessibility to the public.

The committee recommended that 76% of the bond monies be allocated for open space preservation, 11% for parks improvement, 9% for storm water management and 4% for brownfield remediation.

It is interesting to note that, through financial partnerships with municipalities and the willingness of generous landowners to donate additional lands, the group was able to leverage the \$50 million into approximately \$84 million in value.



*l to r: Lisa Ott, NSLA; Marcy Borland, The Nature Conservancy; Tom Suozzi, County Executive; Erik Kulleseid, Trust for Public Land*

## KNOW YOUR LOCAL LEGISLATORS

### NASSAU COUNTY

**Tom Suozzi**, County Executive, [tsuozzi@nassaucountyny.gov](mailto:tsuozzi@nassaucountyny.gov)

**Judy Jacobs**, Majority Leader, [jjacobs@nassaucountyny.gov](mailto:jjacobs@nassaucountyny.gov), District 16, Bethpage, East Norwich, Jericho, Laurel Hollow, Muttontown, Oyster Bay, Oyster Bay Cove, Plainview, Woodbury.

**Diane Yatauro**, [dyatauro@nassaucountyny.gov](mailto:dyatauro@nassaucountyny.gov), District 18, Bayville, Brookville, Centre Island, Glen Cove, Glen Head, Lattingtown, Locust Valley, Mattinecock, Mill Neck, Old Brookville, Old Westbury.

**Lisanne Altman**, [laltmann@nassaucountyny.gov](mailto:laltmann@nassaucountyny.gov) District 10, Manhasset, Plandome, Lake Success, Great Neck, Kings Point, North Hills.  
For more information go to [www.nassaucountyny.gov](http://www.nassaucountyny.gov)

### SUFFOLK COUNTY

**Steve Levy**, County Executive, [county.executive@suffolkcountyny.gov](mailto:county.executive@suffolkcountyny.gov)

**Jon Cooper**, Majority Leader, [Jon.Cooper@co.suffolk.ny.us](mailto:Jon.Cooper@co.suffolk.ny.us), District 18, Lloyd Neck, Lloyd Harbor, Cold Spring Harbor, Huntington, Centerport, Eaton's Neck, Greenlawn, East Northport, Northport, Asharoken.

**Louis D'Amaro**, [lou.damaro@suffolkcountyny.gov](mailto:lou.damaro@suffolkcountyny.gov), District 17, Huntington, Huntington Station, Dix Hills, West Hills, Melville.

**Lynne C. Nowick**, [LynneC.Nowick@suffolkcountyny.gov](mailto:LynneC.Nowick@suffolkcountyny.gov), District 13, Smithtown and a portion of the Town of Huntington.  
For more information, go to [www.co.suffolk.ny.us](http://www.co.suffolk.ny.us)

## NORTH HILLS AND DEEPDALE GOLF CLUB UPDATE

The Board of Trustees of the Village of North Hills recently voted to overturn a conservation easement intended to preserve in perpetuity an 18.4 acre parcel known as Grace Forest and to allow a high density



condominium project to be built there. Grace Forest was home to ecologically important wetlands, rare species of tulip, red oak, and beech trees and many species of birds and wildlife. Grace Forest, one of the last parcels of open space in North Hills, was on the New York State Open Space Plan and on the Nassau County Open Space Plan as a priority property to preserve.

In return for allowing this development, known as Chatham II, the village is to receive a large cash payment from the developer. The cash payment from the developer is earmarked for the fund the village plans to use in its well-publicized bid to take over the privately owned Deepdale Golf Club.



Despite strong public opposition to the Chatham II development, the village trustees voted to allow it.

The North Shore Land Alliance, The Pine Barrens Society and several other conservation groups challenged the action of the village overturning the easement in court and succeeded in halting the immediate destruction of the forest. However, in mid-December, the Temporary Restraining Order was



lifted, and the bulldozers immediately went to work destroying the forest.

Despite that legal setback, the court action continues and the court may ultimately order the developer to reforest the area or may require the village to forfeit all or part of its cash incentive payment.

Sadly, it is not only the residents of North Hills who are impacted by the failure of village officials to properly steward the natural resources of the village, but all of Long Island. These high density developments are located in one of only two state-designated *Special Groundwater Protection Areas* (SGPAs) in Nassau County.

SGPAs are defined in *The Long Island Comprehensive Special Groundwater Protection Area Plan, 1992*, “as



recharge watershed area within a designated sole source area contained within counties having a population of one million or more which is particularly important for the maintenance of large volumes of high quality groundwater for long periods of time.” Open space that exists in these designated areas must be left undeveloped in order to protect the quantity and quality of the drinking water of all of Long Island.

Now, the village trustees are considering an even larger high density condominium project, known as The Residences at North Hills, which would add 244 additional condominiums to the North Hills Special Groundwater Protection Area (SGPA). Opponents to this development are concerned that the village is failing to give this development the requisite “hard look” at the environmental impact posed by the project and have filed a lawsuit in State Supreme



Court to stop work at the site. The Court issued a Temporary Restraining Order which prevents the village from

issuing permits or approving site plans and stops the developer from cutting trees or otherwise preparing the site. The TRO remains in effect until a court hearing scheduled for June 22nd.

In spite of the critical need to preserve existing open space in the North Hills SGPA, the Village Board of Trustees continues to ignore the expert advice of those who have become increasingly alarmed at the continued degradation of the aquifer by the siting of high density developments in the Special Groundwater Protection Area.

# NORTH SHORE LAND ALLIANCE 2006

## LAND CONSERVATION GOALS

**Government Funding** – NSLA realized early on that many people could not afford to donate their land for conservation purposes. As a result, we worked hard in 2004 to get the Nassau County Environmental Bond Program on the ballot and passed.

It is time again to raise public money to protect our open spaces. The quality and quantity of all of Nassau County's drinking water depends on it. We are currently working with the County and the Town of Oyster Bay to place new open space funding measures on the November 2006 Ballot.

**Private Conservation** – With the help of NSLA's GREENPRINT,\* we are able to identify all 5+ acre properties in our designated area. With the help of local board members, NSLA will be contacting all eligible property owners to introduce ourselves and open a dialogue about the advantages of conservation.

**Municipal Lands** – Also with help from the GREENPRINT, NSLA has been able to identify 22,000 acres of municipal lands from government owned lands to golf courses, cemeteries, and schools. It is our goal to determine the conservation status of these lands and do everything possible to ensure that they remain undeveloped.

**Model Ordinances** - NSLA has prepared a guide to Model Ordinances which have been implemented by various municipalities as a way to protect natural resources and open space. NSLA will be contacting additional local governments to encourage them to protect important acreage and counter the negative effects of haphazard development by updating their master plans and zoning codes to include stronger environmental laws.

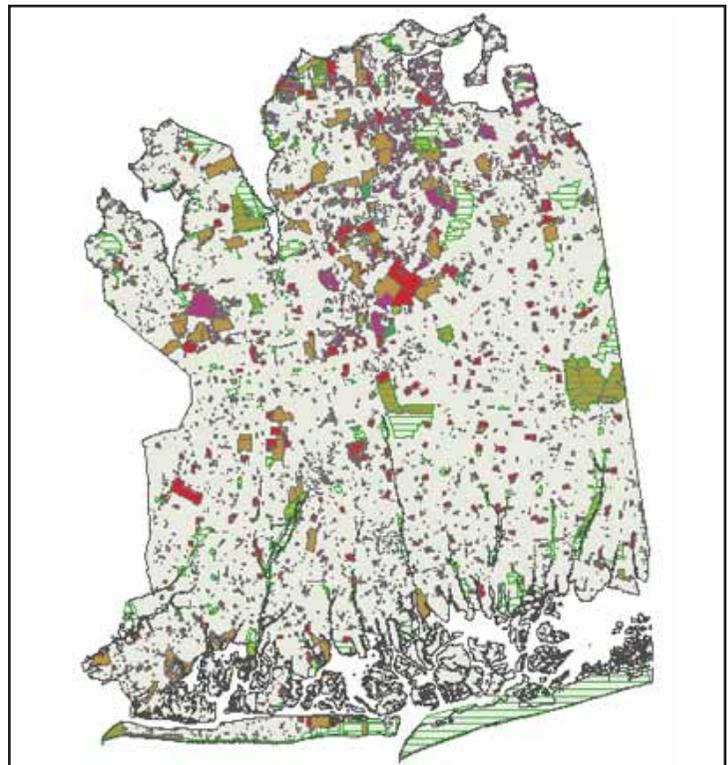
## CONSERVATION EASEMENTS FOR 2005

A conservation easement is an effective tool for landowners who want to preserve the natural beauty of their property in perpetuity. A conservation easement is a legal agreement by which the landowner voluntarily restricts some of the uses or development of the property. Generally, easements limit or prohibit subdivision of a property, commercial and industrial activity, and any activities that might disturb wildlife habitat. The terms of the easement are recorded in a deed, and the land trust becomes the "holder" or "grantee" of the easement and assumes responsibility for monitoring the property to preserve its natural values.

The owners retain all rights of ownership that have not been transferred to the land trust. The conservation easement does not restrict the owners' right to sell the property or leave it to their heirs in a will or trust.

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NSLA "Greenprint"



\* The Greenprint was developed for NSLA by The Trust for Public Land with help from the Nassau and Suffolk County Planning Departments.

## CONSERVATION EASEMENTS FOR 2005 *continued from page 7*

When the property is sold, the new owners are bound by the original restrictions placed on the use of the land.

The landowner decides whether or not to allow public access. If a landowner permits public access, it is usually only for a specific area of the property. Conservation easements qualify as charitable deductions from income taxes if certain IRS rules and criteria are met.

To be deductible, an easement must serve conservation purposes by preserving natural habitat, historic sites, unique scenic landscapes, wildlife corridors or connections to other protected parcels, areas of concern for public education or recreation, or open spaces in the vicinity of intense land development.

### NSLA IS PLEASED TO SPOTLIGHT EASEMENTS DONATED IN 2005 MOST SINCERE THANKS TO THE FAMILIES WHO HAVE MADE THESE GENEROUS CONTRIBUTIONS TO OUR WORLD.

#### DUBOIS EASEMENT

Carol M. Dubois donated an easement on her 4.3 acre property located on Cove Road in Oyster Bay Cove. The property is bounded on both sides by the overflow spring-fed streams of the historic Fleet Grist Mill Pond built in approximately 1740, owned by Michael Held. These streams are part of the Tiffany Creek watershed which supplies flowing fresh water, through groundwater springs, ponds, and brooks, to the Oyster Bay - Cold Spring Harbor estuary, and the Oyster Bay National Wildlife Refuge and New York's largest oyster industry, which is dependent on clean water. The Oyster Bay refuge was recently named as one of the top ten endangered refuges due to the environmental hazard posed by storm water runoff, sewage discharge from boats, and inadequate septic systems. Protecting land in this critical area from further development helps to minimize these environmental threats.



*l to r: Lisa Ott, NSLA; Caroline Dubois, Carol Dubois, Peach Schneur, NSLA*

#### FRIEDLANDER EASEMENT

Eric and Julie Friedlander donated an easement on their eight acre estate known as "Harewood", located on Moore's Hill Road in the Village of Laurel Hollow. This easement will ensure that the property is never subdivided or further developed. The property sits at the headwaters of Tiffany Creek and contains steep slopes forested with mixed hardwoods which prevent erosion and protect the water quality of Tiffany Creek. The property is adjacent to a county-owned stormwater recharge basin, and is located in the Oyster Bay Special Groundwater Protection Area, a state-designated Critical Environmental Area pursuant to New York Environmental Conservation law, Article 55. The mixed hardwood forests on the property contain many rare native species and provide habitat to a diverse wildlife population, including many species of birds. In addition, the property's forested slopes provide wonderful scenic views from both Moore's Hill Road and Cove Road.



*l to r: Eric Friedlander, Lisa Ott, NSLA; Peach Schmier, NSLA*

These two conservation easements will help to protect Long Island's water supply as well as our environment as a whole. And isn't it wonderful to know that the beauty of these properties will be ours to enjoy in perpetuity. The Dubois and Friedlander families have shown generosity and vision in leading the way with conservation easements.

## LOCAL INVOLVEMENT PAYS OFF

**NSLA** spends hours each week advising local residents who are concerned about development activities in their respective communities. Such advice includes examples of model ordinances that might address particular issues and explanation of process and terms that are often used in relation to subdivision applications. But, most of all, we encourage local residents to be watchful of happenings in their communities and to get involved. Local governments control zoning and subdivision laws, so it is important to participate in local elections and meetings. Three examples include:

### RED SPRING WOODS, GLEN COVE

NSLA was called this past January by a concerned citizen from Glen Cove to ask for advice and support in trying to save 11 acres of pristine forest, Red Spring Woods, from development. After visiting the site, it was clear to NSLA staff that this property represented more than just beautiful open space. This special land has been revered by local residents for generations as a home for wildlife and a vital recharge area for Long Island's aquifers. This same concerned citizen put together a very effective coalition of friends and neighbors and local organizations to rally support. They launched an informational website, piqued the interest of local and state politicians and generated considerable media attention. They also studied their Glen Cove laws to understand what level of protection was possible and encouraged the owner of the property to consider conservation options.

Red Spring Woods, at the suggestion

of NSLA, was nominated for the Nassau County Environmental Bond Act Program by its previous owner. The implementation of the Bond Act Program took longer than he could wait and he was forced to sell. The new owner, who had bought the land to develop, initially declined interest in selling his property's development rights. After listening to pleas for preservation and considering the newly enacted building moratorium in Glen Cove, the owner became much more interested in a conservation solution.

### OYSTER BAY HAMLET

*Save the Jewel by the Bay* was formed when a group of Oyster Bay residents became concerned about the subdivision of lots, the demolition of older homes and the construction of oversized houses out of character with the neighborhood.

After construction began on three new houses on a plot of land located at the corner of Burtis Avenue and Kellogg Street where there had previously been only one house, *Save the Jewel* brought a petition signed by 1,300 residents to the town board. In October, the Town of Oyster Bay established a residential moratorium on the demolition of houses and the subdivision of houses in the hamlet.

"The moratorium gave us the opportunity to educate our community on zoning and preservation," said Kathy Prinz, co-founder, *Save the Jewel*. "We have been able to get accurate information to the community about what options are available for

the preservation of existing buildings, as well as planning for the future."

NSLA provided the group with information about the "costs of community services" and encouraged them in their effort. *Save the Jewel* lobbied the Town of Oyster Bay and appealed to the Nassau County Planning Commission, but unfortunately did not win this fight. Lewis Yevoli, chairman of the Nassau County Planning Commission, sympathized with this well-organized group and advised them to go back home and work to amend laws so that community character such as theirs could be protected in the future.

They may have lost this battle, but not the war! Numerous tools are available to preserve historic buildings and neighborhood character but the community needs to come together in order to make anything happen. Both *Save the Jewel* and the *Coalition to Save Red Spring Woods* have made valuable contributions to their communities. Thank you!

### SOCCER TRUMPS BUS DEPOT

The controversy surrounding the bid by the South Huntington School District to purchase the former Mohlenhoff Nursery for use as a bus depot has been settled. The property is under contract and is to be purchased jointly by the Town of Huntington and Suffolk County for approximately \$4 million using funds earmarked for open space preservation.

*continued on page 13*

# LONG ISLAND'S LAST STAND

## PROTECT IT NOW ... OR NEVER

January 11, 2006 - Over 100 environmental groups, politicians and concerned citizens gathered at the Huntington Hilton to launch *Long Island's Last Stand*, a comprehensive land and water preservation, management and restoration program with the following goals:

- Protecting the most important remaining 25,000 acres of open space
- Protecting 10,000 agricultural acres to preserve farming
- Managing and restoring tens of thousands of acres of parks, open space, harbors, bays and farms for our sustainable future...while we still can.

*Long Island's Last Stand* supports management and restoration projects led by counties and towns to reverse the accumulated impacts of environmental damage to our lands and waters. This plan represents an opportunity for New York State, Nassau and Suffolk Counties, and towns and villages to work together in a coordinated way to generate funding and develop policy and strategies.

In order to accomplish these ambitious goals, it is imperative that these groups work together to do the following:

1. Increase Long Island's share of state funding by \$85 million a year for land and water preservation, management and restoration across Long Island.
2. Expand local funding sources by:
  - Extending the ¼ cent Suffolk County Sales Tax with a reconfigured allocation scheme that favors land preservation programs
  - Investigating real estate transfer taxes like those that have been successful in the Five East End towns.
  - Exploring additional bonding at the town and county levels.
  - Creating a new, permanent Nassau County Land and Waters Trust Fund to provide enhanced parks and natural land and marine areas at a level similar to Suffolk County.



*l to r: Assemblyman Rob Walker, Lisa Ott, Executive Director North Shore Land Alliance, Frank Scaler, Town of Oyster Bay Attorney*

A long-term diversified financial commitment from **all** levels of government at acceptable cost to the taxpayer sets the stage now for public health, environmental and economic sustainability through the 21<sup>st</sup> century and beyond. With strategic land purchases and targeted management and restoration activities, we can ensure that our lands, our waters, and our way of life will remain for the benefit of our children and future generations.

## QUESTIONS AND ANSWERS

### *Why now?*

Because we are running out of time, a successful outcome requires that we stand together - citizens, farmers, environmentalists, businessmen, and all levels of government - to make it happen.

The public is concerned about Long Island's drinking water and the quality of water in our bays (causing loss of shellfish) and, therefore, supports efforts that can ensure their protection. *Long Island's Last Stand* (LILS) is a 10-year plan for strategic action which will benefit Long Islanders 100+ years from now.

If we think back to the 19<sup>th</sup> Century debate about whether Central Park should be created, virtually any New Yorker would now agree that it was a wise decision for the city. In the same way, *Long Island's Last Stand* honors our obligation to future residents of Long Island. Our children and their children will look back and judge us on how well we protected their quality of life when we had the chance.

# LONG ISLAND'S LAST STAND

***What's New about This?***

Over the last 20 years, considerable land protection has occurred on Long Island. Even so, since 1980, Long Island has lost 40 percent of its open space and 30 percent of its farmland. For every acre of farmland being protected each year, nearly 2.5 acres are lost.

***What makes LILS different from past efforts? LILS does the following:***

- Targets a specific number of acres as a final preservation goal on an Island-wide scale, and spans a specific period of time
- It requires a coordinated government effort from the state, county, towns, federal governments
- Addresses the fact that we have less time than ever before. Long Island WILL be fully built out in the next 10 years.
- Underscores the fact that implementation is important to our economy and critical to our quality of life
- Emphasizes the need for habitat restoration and sustainable management of our natural areas

***Compared to local County and Town efforts, is the State doing its share to protect the best of what remains on Long Island?***

We have had success in the past, with the help of the State and others. However, going forward, all levels of

government will have to do more to succeed in preserving and protecting our most critical lands and waters.

There is no place else in New York State where build-out is more imminent, or where local governments are doing more to protect open space and our quality of life.

We need this multi-governmental agency partnership in order to move forward because real estate is so expensive on Long Island. It is too expensive for any single level of government to do all the needed work of preservation and restoration. *continued on page 16*



## Pesticide-Free Lawn and Garden Management

**Pesticide-Free Lawn and Garden Management**

Now that the spring rains have receded and the summer lawns and flowers are blooming, please be aware of the very serious health threats posed by pesticide use in landscape maintenance. Not only is there evidence linking pesticide use to several forms of cancer, neurological and reproductive disorders, and birth defects, but also, the damage to our



groundwater continues for many years into the future. For information on pesticide-free gardening, please check the Neighborhood Network's website at [www.longislandnn.org](http://www.longislandnn.org) or Citizen's Campaign For the Environment at

[www.citizenscampaign.org/PDFs/Flyer\\_2004.pdf](http://www.citizenscampaign.org/PDFs/Flyer_2004.pdf). The Cornell Cooperative Extension also has great information on organic gardening on its website [www.gardening.cornell.edu](http://www.gardening.cornell.edu); or you can call their hotline at (516) 228-0426 for information.

## STATE ENVIRONMENTAL NEWS

### NEW YORK STATE TAX CREDIT - GREAT NEWS FOR LOCAL LAND CONSERVATION!

Legislation has recently been enacted that allows property owners who have a permanent conservation easement on their property to take an annual, refundable income tax credit equivalent to 25% of the combined town, county and school taxes paid on the property during the previous tax year. This credit is capped at \$5,000 per year. Local municipal revenues are not affected, since taxpayers continue to pay their local property and school taxes. This program is expected to go into effect early next year.

### ENVIRONMENTAL PROTECTION FUND (EPF) - TROUBLE BREWING

The EPF is a legally dedicated trust fund created to protect the environment, safeguard public health and enhance the quality of life in suburban, rural and urban communities across New York. The EPF is largely funded by the real estate transfer tax.

As of this writing, \$200 million for the EPF is being blocked by legislative leaders as part of their continuing budget dispute with the governor. Governor Pataki, who originally proposed a \$180 million EPF in this year's budget, recently agreed to raise it to the \$200 million figure sought by environmental groups and the Legislature. The differences that remain are over where the money would go.

The Governor and Legislature have wide-ranging disputes on other budget matters, which legislative leaders want to tie to the EPF. Pataki vetoed much of the budget passed by the Legislature, which overrode most of his vetoes.

However, the Governor says he will not be bound by many of the overrides because the Legislature acted unconstitutionally in changing his budget language. Accordingly, he is choosing not to act on crucial overrides, not spending money the Legislature wants spent on hospitals and nursing homes, and not agreeing to send out property tax rebates. Monies from the EPF have funded grants that NSLA has received from the Land Trust Alliance and, this

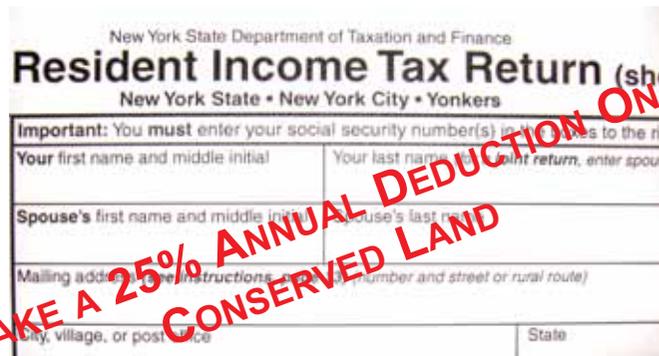
year, both the County and Town are looking to the State for EPF money to fund local open space acquisition.

### COMMUNITY PRESERVATION ACT (CPA) - A MUCH NEEDED TOOL FOR LOCAL CONSERVATION

Sponsored by our own Senator Marcellino and Assemblyman DiNapoli, the CPA would amend town law, authorizing towns to establish, through local referendum, a fund to preserve natural areas and water resources, working farms, and historic architecture. CPAs can be financed by a small real estate transfer fee, other gifts and interest. The fee could be no higher than 2%, and would apply only to the amount of a real estate transfer above the median household price for that particular county. The tax would be paid by the buyer, **not the seller**. The median HH price in Nassau County is \$477,000.

In 1998, five eastern Long Island towns pioneered the use of CPAs. Voters in East Hampton, Riverhead, Shelter Island, Southampton, and Southold approved the creation of these dedicated funds by wide margins. Supported by locally generated revenue from a modest real estate transfer tax, the towns have generated more than \$300 million to protect natural areas, working farms and historic heritage. In 2002, residents voted by more than 2 to 1 to extend the program another 10 years.

CPA legislation has been stalled again this year. It has passed the Assembly but not the Senate. If the legislation is not passed this year, Towns may petition the legislature for this authority. NSLA is hopeful that at least one local town will do that this year.



**THE BIGGER BETTER BOTTLE BILL - ELLIOT SPITZER'S FAVORITE ENVIRONMENTAL TOOL**

The Bottle Bill is New York's most effective litter prevention and recycling program. As soon as the law went into effect, New Yorkers could see the difference - fewer bottles and cans along roadside, less broken glass in the street and playgrounds, cleaner beaches and parks. Under the bottle bill, New York consumers pay a 5-cent deposit on beer and soda containers, and return empty containers, to stores or redemption centers to get their deposit back. The stores are then reimbursed by beverage companies for the deposit, plus an additional 2-cent handling fee per container.

The proposed 'Bigger, Better Bottle Bill', introduced by Assemblyman Thomas P. DiNapoli and Senator Kenneth LaValle, would include water sports drinks, iced tea, and other non-carbonated beverages. The unclaimed deposits - currently kept by the beer and soda companies - would go to the state's Environmental Protection Fund. This could generate as much as \$179 million a year to help protect New York's environment.



The bill has been passed by the Assembly by a bipartisan vote of 92 to 45. As of this writing, we are encouraging Senator Marcellino to consider the 'Bottle Bill' in the Environmental Conservation Committee so that it can be taken to the Senate for a vote. For more information please visit [www.nybottlebill.org](http://www.nybottlebill.org).

**VOLUNTEERS NEEDED:**

**THE NORTH SHORE LAND ALLIANCE NEEDS SEVERAL GOOD MEN AND WOMEN TO:**

**PROVIDE STEWARDSHIP SERVICES IN OUR PRESERVES**

**PARTICIPATE IN CAMPAIGNS FOR NEW OPEN SPACE FUNDING**

**PREPARE MAILINGS**

**PICK UP "YARD SALE" ITEMS**

**WORK AT EVENTS**

**FOR MORE INFORMATION OR TO VOLUNTEER PLEASE CALL US AT 516-626-0908 OR E-MAIL AT [INFO@NORTHSHORELANDALLIANCE.ORG](mailto:INFO@NORTHSHORELANDALLIANCE.ORG)**

**LOCAL INVOLVEMENT PAYS OFF** *continued from page 9*

The deal has not been made final, but the plan is to turn the management of the property over to the Cold Spring Harbor/Huntington Soccer Club. The Club hopes to put in athletic fields, walking trails and possibly a meditation garden. Ideally, the Soccer Club would like to develop the park to include access to the walking trails of the Froelich preserve, and hopes to use organic methods of maintenance.

Froelich Farms, the Huntington Breast Cancer Action Coalition and the Sierra Club lobbied town officials to stop the bus depot from being relocated in the ecologically sensitive area. The Cold Spring Harbor/Huntington Soccer Club worked with town and county officials to convince them that soccer fields for all residents would provide a welcome alternative.

The property, an 11-acre parcel adjoining the 300-acre county-owned Froelich-Wicks Farm Nature Preserve, is located in the state-designated West Hills Special Groundwater Protection Area. The School District withdrew its bid amid great opposition from the town and the community, due to the sensitive location of the property. Civic groups, led by the Stewards of



## AS LONG ISLAND CONTINUES TO GROW, WHERE WILL THE PEOPLE GO?

Experts predict that Nassau County will be home to 250,000 more people by 2020. With environmental threats to our drinking water, air and overall quality of life already present, it becomes more and more important to plan where our newest residents will live.

The North Shore Land Alliance is part of a committee of Island-wide business leaders and environmental groups who are working together to create a comprehensive economic development plan for Long Island. Called the “*Long Island Visioning Initiative*,” the committee’s purpose is to support local and regional planning efforts by providing visual and statistical evidence for growing in a way that is environmentally responsible and equitable, and that builds communities. This initiative will build support for investments and policies that support balanced and sustainable growth on Long Island.



The *L.I. Visioning Initiative* is modeled after an innovative plan developed by the Southern California Association of Governments (SCAG). Having come to the conclusion that they absolutely had to change the way they grow and develop their region, over 200 of Los Angeles’s leading stakeholders came together

to create a vision they now call “the 2% Strategy”- the startling realization that only 2% of the land use in their area had to change substantially for the entire region to reap the resulting transportation and environmental benefits.

By promoting sustainable development, supporting existing communities, and maximizing public participation, *L.I. Visioning Initiative* hopes to nurture innovation and prosperity while promoting livability and protecting the natural environment.

### ENVIRONMENTAL BOND PROGRAM QUESTION AND ANSWERS

**A CONCERNED CITIZEN ASKS:**

**“If my friend’s property is on the Nassau County Environmental Bond acquisition list, does that mean that she will have to sell her property to the county?”**

Of course not. The county will purchase a property only if the landowner is interested in selling.

**How is the price determined?**

Two professional appraisals, for “highest and best use,” are done of the property. In this context, the term “best” refers to the financial outcome.

## TNC AND NSLA COLLABORATE ON THE PROTECTION OF SIXTY FIVE ACRES OF LOCAL PRESERVES

The Nature Conservancy (TNC) and NSLA have entered into an agreement whereby NSLA will manage and eventually take over four Nassau County nature preserves owned by TNC. The four preserves are:

### THE BERTHA AND REGINALD ROSE REFUGE

Located on Mill River Road opposite the Mill River Country Club and near Planting Fields Arboretum, the Rose Preserve comprises 15 acres of northern hardwood forest. Oaks are the predominant species, but there are many other trees such as gray and black birch, black cherry, sassafras, white pines, and American chestnut suckers. Bird life abounds and includes, jays, woodpeckers, titmice, thrushes and vireos.

### THE LOUIS C. CLARK SANCTUARY

The 9-acre sanctuary is located on Valentine Lane in Old Brookville just north of C.W. Post. This preserve is characterized by a parcel of cattail, buttonwood and red maple/tupelo and has valuable wetlands communities along Cedar Brook, an important stream that runs through the area into Glen Cove. There is a great variety of plant life and over 150 wildflower species and 25 species of shrubs and vines that have been identified along with 100 different species of birds, and many species of moths and butterflies.

### CORDELIA HEPBURN CUSHMAN PRESERVE

This 15-acre mature hardwood forest is located on Route 25-A, just west of White Oak Road in Oyster Bay Cove. Primarily an oak, beech, birch and tulip tree forest, it has a beautiful understory of Mountain Laurel and a large variety of woodland plants, such

as Pink Lady Slippers, which are protected by New York State.

### FOX HOLLOW PRESERVE

This 26 acre mature oak forest is located on 25-A just east of White Oak Road on the north side. It consists mostly of black, red, white and chestnut oaks with a stand of white pines along with many hickory, black birch, red maple and beech trees. A number of wintering birds flock to the bird feeding station, and red-tailed hawks and broad-winged



hawks are often sighted. There are foot trails and excellent birding.

These preserves are open to the public with prior permission. Please contact NSLA for more information.





*continued from page 11*

*Long Island's Last Stand* paints a picture of the last places, landscapes and waters that require multi-governmental partnerships in order to be protected and restored before they are lost forever to development.

### ***Won't Saving More Open Space on Long Island Prevent Affordable Housing?***

Protection of open space has nothing to do with the affordable housing crisis:

1. There has never been an affordable housing project derailed due to open space protection.
2. Affordable housing projects have not been proposed in any of the parcels of open space that are most in need of preservation.

In fact, *Long Island's Last Stand* encourages the redevelopment of downtown areas - such as disinvested hamlet centers - with workforce housing, a central concept of the Smart Growth movement. Rebuilding our hamlet centers means that we can save undeveloped lands and waters for our children and grandchildren.

We also believe that the quality of life provided by open space makes Long Island an enjoyable place to live, with clean air and clean water. Nature provides most of these priceless benefits. Without them, we would have the worst of both worlds - a traffic riddled, suburban nightmare, and no parks and open spaces to escape from it.

### ***Can we Afford to Take Open Space Off of Our Tax Roles?***

Residential development actually causes tax increases. Planners and economic analysts tell us that residential development means more government services and infrastructure that are paid for by increases in property tax rates on all residents.

Virtually all "suburban sprawl" fails to pay for itself. On Long Island, we have the highest taxes in the nation and we are close to being "built out." **If residential development did pay for itself, we would have the lowest taxes in the nation.**

Economic analysis shows that the cost for supplying government services to a residential subdivision here on Long Island is 125% of the tax income that the new development generates. This means that each time new residential housing is built in our neighborhoods, the rest of us have to pay more in our taxes to cover the cost of government services for the new development.

Open space and farmland demand few services, largely because **"deer don't go to school"** and **"row crops don't call the police to settle their arguments."** Finally, the direct benefits of open space are the natural resources it protects, such as clean air and clean drinking water.

### ***Won't this Initiative Mean New Taxes?***

Expanding the *Environmental Protection Fund* is not a new tax, nor

is reconfiguring the Suffolk County sales tax program. If you are concerned about long-term tax stability, then supporting this initiative is the surest way to control taxes through better management of residential development and protection of open space.

Unlike many other government initiatives, environmental programs have been consistently supported by the public. These funding proposals regularly go to the voters for their approval. No matter how over-taxed voters may feel, they have repeatedly supported well-presented environmental propositions because of the value of these programs to their lives and the lives of their families.

### ***This is an expensive plan - is it worth it?***

The quality of life that this plan helps to preserve is, quite literally, priceless. Long Island voters consistently say that they want more open space. *Long Island's Last Stand* is a 10-year action plan which is our *last chance* to make an investment that must be made before fast-paced development accomplishes **total build-out**.

*Thanks to Richard Amper, Long Island Pine Barrens, and Kevin McDonald, The Nature Conservancy, who prepared these questions to help the LILS Steering Committee respond to press inquiries. We thought they were worth passing along to you.*

## NSLA HOLDS 3<sup>RD</sup> ANNUAL PICNIC

NSLA held its third annual Family Picnic on Sunday, June 4<sup>th</sup> at The Nature Conservancy's Upland Farms in Cold Spring Harbor. Families from all over the North Shore enjoyed a beautiful afternoon of music, games, crafts, and delicious food by Bernard's of Glen Head.



This year's activities included a butterfly release, tree climbing, a hot air balloon, as well as special presentations on Long Island's drinking water by Dr. Sarah Meyland of the New York Institute of Technology, and on beneficial insects and organic gardening techniques. Uplands Farms was the perfect



setting to talk with families about land preservation and how NSLA is working with landowners and public officials to preserve open space.



*children holding butterflies before release*

### TREASURE HUNT

**NSLA, WITH HELP FROM OUR VOLUNTEERS AND FRIENDS, IS LAUNCHING A NEW FUNDRAISING EFFORT: A CONTINUAL YARD SALE.**

**WE WILL PICK UP YOUR GENTLY USED ITEMS SUCH AS RUGS, LAMPS, PILLOWS, CHINA, SILVER, LINENS, PRINTS, PAINTINGS, SCONCES AND SMALL FURNITURE AS WELL AS DESIGNER CLOTHING, HANDBAGS, JEWELRY, FURS & SPORTING GOODS SUCH AS GOLF CLUBS, TENNIS RACQUETS, ETC. AND SELL THEM WITH PROCEEDS GOING TO NSLA.**

**PLEASE CALL FOR A PICK-UP AT 516-626-0908**

**(IF YOU WOULD LIKE TO PREVIEW THE ITEMS WE WILL BE SELLING, PLEASE VISIT OUR WEB-SITE AT WWW.NORTHSHORELANDALLIANCE.ORG)**

### MANY THANKS TO OUR GENEROUS FRIENDS WHO HAVE UNDERWRITTEN FAMILY PICNIC ACTIVITIES

Those wonderful people are as follows:

Andrew Maier, Inc.	The Nesi Family
The Bahr Family	The O'Connell Family
The Banker Family	Barry Osborn
The Bartley Family	The Ott Family
The Bostwick Family	RE/MAX Prime Real Estate
Rosemary Bourne	Elizabeth E. Roosevelt
Helen Casey	Lisa Marie Roth
Commerce Bank	Patricia Sands
The De Rothschild Family	Sam Ash Music
The Douglas Family	The Scalamandre Family
The Green Family	The Schmitz Family
The Ireland Family	The Stebbins Family
Ireland-Gannon, Inc.	Stop and Shop of Oyster Bay
The Jones Family	Syosset Car Wash
The Maier Family	Nancy Taylor
The Macy Family	The Thatcher Family
Martin Viette Nurseries	The Viener Family
The Merritt Family	Waste Management, Inc.
The Napoli Family	The Weir Family
The Nature Conservancy	The Wilpon Family

## NSLA NEW HIRES



**Dorothy S. Ireland** joined the NSLA staff in January. Formerly of Ridgewood, NJ, Dorothy was Executive Director of the Ridgewood Chamber of Commerce before becoming Director of Corporate and Community Relations for Holy Name Hospital. Her most recent position was Vice President of Bergen County Economic Development.

At NSLA, Dorothy is responsible for corporate development and special events. Her first project was the Third Annual Family Picnic, which she spearheaded with admirable results.

Dorothy lives in Muttontown, with her husband, Russ, and two children.



**Carol S. Schmidlapp** joined the NSLA staff as an Associate Director in April of this year. Her focus will be on providing timely and updated information to individuals and local villages about the importance of protecting open space. She will also streamline existing systems and develop new systems to track land parcels, membership, and other topics.

Carol worked at PepsiCo as a Corporate Recruiter and Colgate-Palmolive as a Human Resource Analyst in past years. In recent years, she has worked as a marketing consultant to businesses on the North Shore.

Carol lives on Centre Island with her husband, Larry, and three children.

## SOME INTERESTING FACTS AND FIGURES

Approximately 67,000 acres of open space are left on Long Island that could be developed, less than 10% of Long Island's total. By 2020, over half of this land is likely to be built out. By 2050, only 6,000 acres will remain.

The U.S. Department of Parks and Recreation recommends that a healthy community set aside 25% of its land as parkland and open space. To accomplish that goal, Nassau County would need to set aside 48,000 acres. Unfortunately, it is too late to achieve that end. To date, 22,000 acres have been preserved, including parkland, preserves, schools, cemeteries, and sewer districts. Nine thousand four hundred (9,400) acres remain, of which 5,400 are golf courses.

The Regional Plan Association predicts that 3,000 new acres in Nassau County will be developed by the year 2020, and that 75% will be in the Town of Oyster Bay. They also predict that by the year 2050, only 42 acres of undeveloped land will be left in the Town of Oyster Bay.

According to the Rauch Foundation's recent *Long Island Index* Land Use Survey, 60% of Nassau residents and 65% of Suffolk residents believe that the need for open space preservation is a "very" to "extremely" serious problem. An overwhelming 90% believe that it is important for government to purchase more open land in order to protect the region's drinking water.

In fact, there is broad support (roughly 70%) for an increase of

\$30 a year in property taxes to purchase open space. Even when the proposed tax jumps to \$60 a year, it still garners majority support, with 57% in favor. Nevertheless, Long Island residents were eager to avoid a property tax increase if possible, and supported alternative taxes to fund the purchase of open space.

- 61% preferred a real estate transfer tax (applied to homes above the median \$477,000)

- 55% supported a ¼ penny sales tax

The more mature and educated the respondent, the more they were in favor of such measures.

## OPEN SPACE SOCIETY' DINNER

The inaugural dinner of the North Shore Open Space Society was held on Friday evening, May 12, at "Old Orchard", home of NSLA trustee Virginia Mailman and her family.

The North Shore Open Space Society is a group of approximately 100 avid conservationists actively supporting NSLA's mission to preserve and protect the last remaining open space on Long Island's North Shore.

After dinner, NSLA Chair Carter Bales introduced guest speaker, Peter C. Goldmark, past President of the Rockefeller Foundation. An expert on global climate change, Mr. Goldmark gave a special presentation on global warming and spoke of how the crisis may yet be averted.



*l to r: Simone, Christopher and Virginia Mailman*



*l to r: Peter Goldmark, Jim Watson, Abbey and George O'Neill*

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## SANDS POINT "FRIENDRAISER"



On Sunday, May 7<sup>th</sup>, Anne and Vincent Mai hosted an NSLA "friendraiser" at their beautiful Sands Point home. The purpose of the event was to introduce the North Shore Land Alliance and its mission to protect open space to friends and neighbors in the Port Washington/Sands Point area.

NSLA Chair, Carter Bales, applauded attendees' interest in conservation and spoke of the urgent need for open space preservation throughout the North Shore and, in particular, its importance to Nassau County's drinking water supply. NSLA's goal is to help communities work together to protect their lands. The perfect weather enhanced the natural beauty of the area and lent poignancy to the occasion.



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The Board of Trustees of the  
**NORTH SHORE LAND ALLIANCE**  
Cordially invite members and guests to the  
**3<sup>RD</sup> ANNUAL MEMBER'S MEETING**  
on Saturday, November 4th at 11:00 am  
at The Nature Conservancy's  
Upland's Farm Nature Sanctuary  
Cold Spring Harbor  
RSVP by e-mail at [info@northshorelandalliance.org](mailto:info@northshorelandalliance.org) or  
by telephone 516-626-0908

**MISSION STATEMENT**  
The North Shore Land Alliance, Inc. (NSLA)  
is a land trust formed to protect and  
preserve, in perpetuity, the green spaces,  
wetlands and historical sites of Long Island's  
North Shore for the enjoyment and benefit  
of future generations and the protection and  
enhancement of homeowner quality of life.

**SAVE THE DATE**

Please Join Us For The



**2006**

**Party**

NSLA's 3<sup>rd</sup> Annual Dinner and Wine Auction  
Featuring the finest wines from California, France and  
other great regions.

Saturday, September 30, 2006  
7:00 pm at the Barn

To receive an invitation, please call us at 516-626-0908  
or e-mail us at [info@northshorelandalliance.org](mailto:info@northshorelandalliance.org)