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Manhan River on the rebound

Pascommuck Conservation Trust working to preserve its beauty

By ANN HARRISON
Gazette Staff

EASTHAMPTON — The forested banks of the Manhan River are turning green once again, and the members of the Pascommuck Conservation Trust are working to make sure they always will.

The conservation organization, which seeks to preserve open land in Easthampton, plans to create a "greenbelt" of protected acreage on both sides of the river.

Since 1979, eight individual parcels of land have been added to the trust's holdings through purchase or donation, said former Trust Chairman William Carroll. Some property owners have donated entire lots, while others have chosen to donate just the development rights to their land, he said.

Carroll said the group's members hope to acquire enough contiguous parcels to construct an 11-mile public footpath along the banks of the river. "It's the type of thing that takes quite a while to accomplish," Carroll said.

According to Carroll, the idea of a greenbelt through town was included in the 1971 Master Plan of the town and in the Easthampton Open Space plan in 1984. A swath of open land in this area makes sense since much of the riverbank is located on a floodplain, which is not suitable for building lots, Carroll said.

Although the state's Wetland Protection Act protects some wetlands from development, Carroll said the trust can offer more conservation controls as a private organization. "We are looking for more permanent protections not based on the whims of state legislation," he

said. "Any law is subject to repeal and change."

Carroll said that of the 14 miles of the Manhan riverbank located in Easthampton, two miles now have conservation restrictions or are protected by trust ownership. One to two miles of riverbank now are being preserved by other conservation organizations, two miles are developed and 10 to 12 miles still need protection from development, Carroll said.

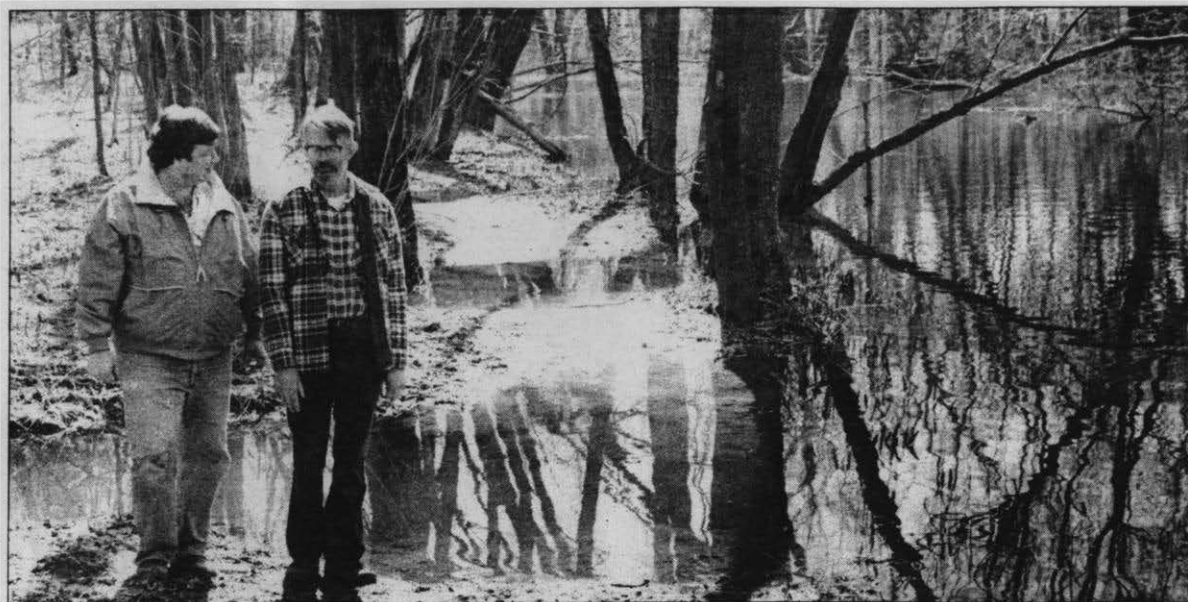
Current Trust Chairman Kenneth Larsen said members of the trust approach individual landowners with the idea of donating development rights to their land. Even when initially rebuffed, Larsen said, members keep asking. "You knock on the door and keep knocking," he said.

Larsen noted that donating development rights to a conservation organization can make the property more appealing to those who are worried about encroaching development and who enjoy the wildlife. "With increased environmental awareness, it can enhance the value," Larsen said of the arrangement.

The first piece of land the trust acquired was a 5-acre parcel on River Street known as the Old Pascommuck Conservation Area. The site includes 610 feet of riverbank path, which is part of the E. Florence Smith Memorial Nature Trail.

To save it from becoming the home of an asphalt plant, the acreage was bought in 1983 by the Connecticut River Watershed Council, then sold to the trust in 1985.

Carroll and Larsen, who visited the site two weeks ago, noted that the riverbanks offer a wide variety of terrain and support richly diverse plant life. Wildflowers such as blood root, pur-



ANN HARRISON/Gazette Staff

Ken Larsen, chairman of Easthampton's Pascommuck Conservation Trust, and William Carroll, former chair-

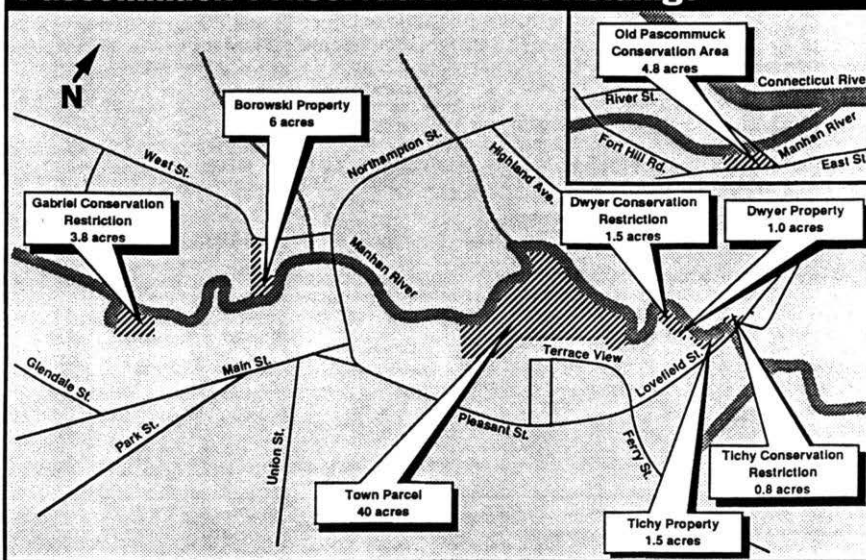
man, tour the trust's largest holding, the Old Pascommuck Conservation Area on River Street.

ple trillium, violets and trout lilies are beginning to make their appearance, as are an array of wild creatures. During their walk, Carroll and Larsen happened upon a non-poisonous garter snake who was celebrating Earth Week by napping in the sun.

Larsen said members of the organization maintain the land entrusted to them by building trails to discourage erosion and by cleaning up litter left by spring flooding. The trust also tries to promote more environmental awareness among people who visit undeveloped land and waterways.

Observing that the number of discarded Styrofoam cups washed up on trust land seems to be lower this year than in the past, Larsen wondered about the change in people's attitudes toward conservation. "Maybe they're not drinking as much coffee on the Oxbow these days," said Larsen, "or maybe they're just hanging onto their cups. I'd like to think that's what it is."

Pascommuck Conservation Trust Holdings



Gazette Graphics

Neighborhood's help asked in averting illegal dumping

By KATHRYN CRAWFORD
Special to the Gazette

EASTHAMPTON — The Pascommuck Conservation Trust is working to enlist help from the Terrace View neighborhood to keep an area along the Manhan River free of trash.

Volunteers and inmates from the Hampshire County House of Correction have cleaned about two thirds of the area, after Health Inspector Charles Kaniecki cited the trust and other property owners last May.

Over the years, the area had become, in effect, an illegal landfill.

Now, having tidied up the area in a community effort in June, the trust plans to combine continued volunteer efforts with strict law enforcement to prevent dumpers from discarding refuse.

Debra Davis, the president of the trust, said that increased public awareness of the problem is the first step to deter the dumping. She said she hopes that interest in protecting the land will

spread by word-of-mouth, and that people will keep an eye on the area.

"It's your land too," Davis told residents at a community meeting this month. In the session, held at the American Legion hall on Ferry Street, she and others from the trust urged residents to make an investment in the public use of the trust land to keep it a clean, safe place.

Barbed-wire fences will be erected around the land most exposed to the dumping.

"It is unfortunate that fences are needed, because they limit public access to the land," Davis said. A hiking trail that runs along the Manhan still will be accessible.

Further, the trust plans to post signs prohibiting dumping and to offer a reward for catching a dumper who is successfully prosecuted.

"We are all interested in making people who do stuff like that pay for it. It's not fair," said John Watling, a member of the trust's board of directors.

Children who play in the area will be encouraged to write down and give to police the license plate numbers of cars dumping on the land.

"Kids should act as watchdogs," said Watling. "If people are dumping on their playground, the kids are going to get hurt."

Children in the neighborhood admit the trash became a hazard.

"You had to pick up your bike and move it over the garbage," said Corey Savoie, a 14-year-old Easthampton resident who lives on Arlington Street.

The trust plans a final cleanup of the area on Aug. 10 — after which the land will be covered with soil and seeded. Once the land has stabilized, the trust hopes to organize regular cleanup drives.

"The seed has been planted," said Carol Watling, a member of the trust. "A lot of people are really relieved to see the area cleaned up. And maybe it will deter people from doing it again."

10/15/1992

Dear Member,

Your Board of Directors has met on several occasions and discussed a pressing issue which must be resolved soon.

The Board remains split over the issue and has therefore decided to be bound by the vote of the membership of the Trust.

THE ISSUE: Crown Meadow Estates

The State Department of Agriculture has approached us to accept between 50 and 60 acres of land under their Agricultural Protection Restriction (APR) on a large tract of land owned by Bernard Gawle who wishes to develop it into single family residential dwellings, in excess of 115 houses are projected.

Mr. Gawle is offering the Trust two parcels on either end of this property, each of which is 25 to 30 acres for a total of 50 to 60 acres. Apparently, Mr. Gawle cannot begin to proceed further with his development project for Crown Estates unless some body such as a non-profit land trust or a conservation committee be used in junction with the APR program.

The reasons for the split over the issue by the Board Directors are many but can be encapsulated as follows:

(1) We are a Land Trust. As such, we should preserve land and block large residential development projects (CON).

(2) We are a Land Trust. As such, we should work with developers toward cluster development concepts and preserve open space such as these two parcels (PRO).

(3) As the Pascommuck Conservation Trust, if we do not accept this free offering, someone else will, and we will miss the opportunity to maintain these parcels unaltered(no liability)(PRO).

(4) After 12 years, as owner of these parcels, we will have the option of reaping any profit from the exclusive use of farming the land only(PRO).

(5) Despite generally being held harmless on unimproved land, courts have found , by exception, in favor of plaintiffs in the past. We would incur additional public liability exposure by accepting these parcels(CON).

(6) If we do not accept this land, Bernard Gawle is free to develop and incorporate his own non-profit land trust as are others: Development would proceed with or without our endorsement(PRO).

(7) The land is beautiful...high aesthetic value(PRO).

(8) The land does not fit into our overall land acquisition plan to develop a green belt along the Manhan River(CON).

How do YOU VOTE? Thank you for your important vote.

(Please check only one. Return to Pascommuck Cons.Trust-P.O. Box 806- Easthampton, MA 01027

-----Yes. THE TRUST SHOULD ACCEPT THIS LAND.

-----No. THE TRUST SHOULD NOT ACCEPT THIS LAND.

Saving for the future

Easthampton keeps some land for farming

By JOHN RILEY

Staff Writer
Gazette Nov. 7, 1992

EASTHAMPTON — When Michael Pewatka sold farm machinery for a living 30 years ago, Easthampton was a good town in which to do business.

"Gosh, we used to sell lots of equipment there," the former salesman from Hadley says.

Now Easthampton has only a handful of working farms left. The swap of farms for houses has left only two parcels of farmland totaling 100 acres or more in town.

Compared to Northampton, Hadley and Amherst, Easthampton has only a fraction of the open land dedicated to farming and conservation.

But responding to concerns over strained town services and dwindling open space, a compromise has been struck to help save the last of Easthampton's largest tracts.

In a compromise that allows Bernard and Anthony Gawle to build homes on 75 acres of their 137-acre Strong Street family farm, the Gawles will deed to a local land trust 44

Anthony Gawle has agreed to continue farming the land, where his family has raised pigs and beef cattle for about 100 years

acres of their farmland.

Four years after they first approached town boards with drawings that would have sliced their fields with ribbons of asphalt, the Gawles now are planning to cluster the proposed 118 homes of Crown Meadow Estates to create two large fields of about 15 and 30 acres each.

And Anthony Gawle has agreed to continue farming the land, where his family has raised pigs and beef cattle for about 100 years.

What's at stake

From Park Street near the

corner of Strong, the view south is of fields of corn and alfalfa. The only interruptions are the blue silos and farm barns, then the homes of Hendricks Estates that climb into the slope of Mount Tom.

"It's a beautiful piece of land and it sits right over the aquifer recharge area. That's our reason for keeping it as open space," William Berkhart, president of the Pascommuck Land Trust, said this week.

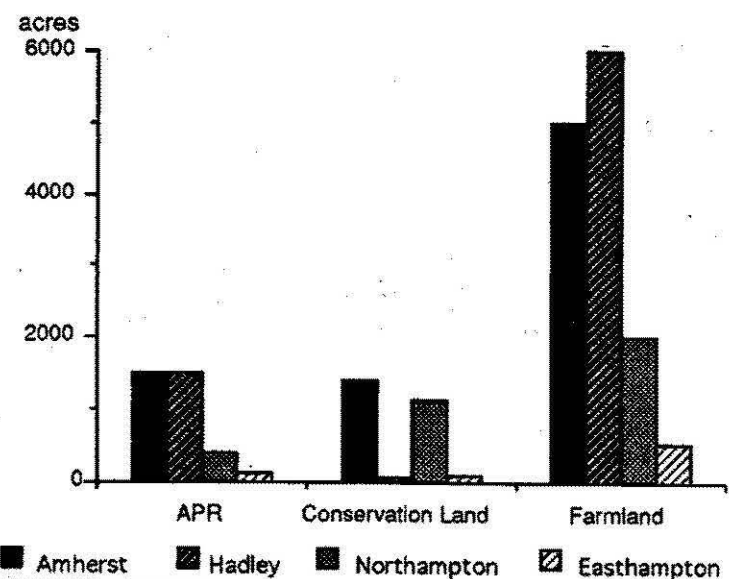
Pending review of liability issues that go along with ownership, the trust will formally take ownership within the coming months.

"We feel safe doing it," Berkhart said.

The town and the state Department of Food and Agriculture will share an agricultural restriction on the land, preventing further development.

Bernard Gawle has been a major developer of residential property in Easthampton for more than 20 years, and has had a part in building up much of the southern part of town. But this is his first cluster

Land preservation by town



Gazette Graphic / Eileen Slattery-Rood

A comparison of land in four Hampshire County towns shows Easthampton ranks last in land with Agricultural Preservation Restrictions. The restriction designates land as conservation areas and describes it as farmland.

development.

"We encouraged him to consider it, he's more agreeable to change than some of the other developers," said Thomas Kowal, now an Easthampton selectman, who was chairman of the Planning Board when Gawle first came forward with

his plan.

"Because the area is in the aquifer recharge area, we wanted to preserve as much open space as possible," Kowal said.

Under the town's cluster or

■ See SAVING/Back of section

WEEKEND GAZETTE

Saving Easthampton lands

■ Continued from Page 1

"open space residential development" bylaw, developers are required to set aside 50 percent of a project's land as open space.

Because more than 1,000 feet of sewer pipe would be laid to hook up the new homes, state agencies also oversaw the project through the Massachusetts Environmental Protection Act or MEPA.

When the state agriculture officials studied the Gawles' plans, they insisted most of the open space be set aside as farmland.

"We're interested in a commitment to agricultural preservation as opposed to general open space," said Marcia Starkey of the department's Environmental Review Program.

Though the town has so little land — 140 acres — in the state Agricultural Preservation Restriction program, officials hope to build on their work to secure additional property.

"Sometimes there's a metamorphosis that goes on in these towns. All of a sudden they wake up and realize it's all going," said Rich Hubbard, the state's APR program director.

A farming legacy

So much of its identity comes from the looming downtown mills that few think of Easthampton as a once thriving farming community. But it was.

"There were a lot of vegetable farms at one time, now Underwood Farms is the only one left of any size," said Roger Harrington, a retired agriculture specialist for the University of Massachusetts Cooperative Extension.

Where once there were eight dairy farms there are now only two.

The forgotten village of Mount Tom was once all farmland, but now is woven into the fabric of streets that has given parts of Easthampton the flavor of suburban sprawl.

"There are such strong ties to industry and using land for that purpose that there's been only a small interest in conserving open space," said Stuart Beckley, the town's planner and acting town administrator.

"There is a feeling for preserving what's left, but it is a minority of the people," he said.

Easthampton has been for so long a town that welcomed development that only now is it understanding the problems that go with it.

"The key is to have a mix. You can't save everything, but you can't develop everything either," said Pete Westover, Amherst's conservation director.

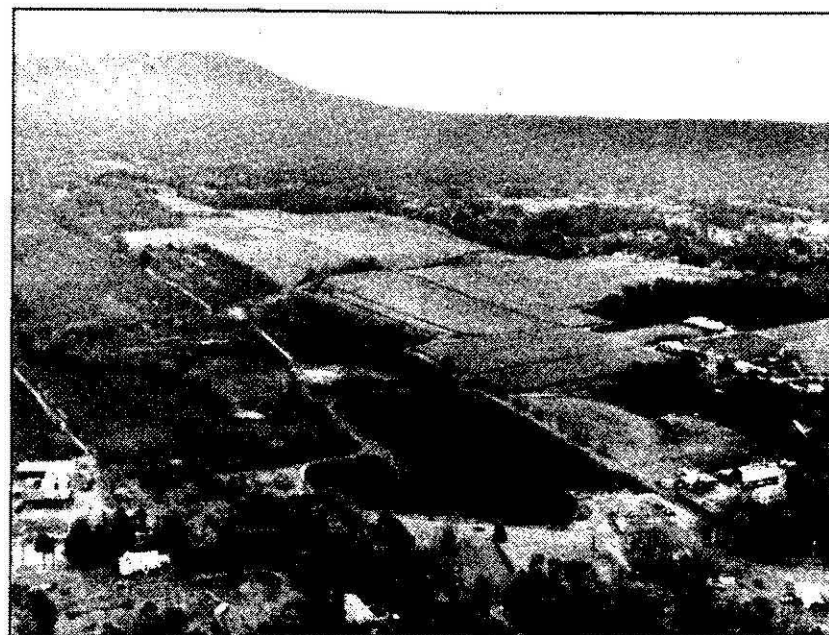
Beckley calls the town's conservation efforts "backwards."

A moratorium on residential building was announced in the late 1980s because town services such as schools, fire and police protection, water and sewer were woefully inadequate for new families making a home here.

The freeze was lifted in 1988 but services are still below par.

And while services are rationed and a budget crisis promises more cutting, development continues to eat up farmland.

For their part the Gawles have been shy to speak publicly about their plan. Anthony Gawle declined comment. Bernard Gawle did not return repeated calls to his South Street home.



GORDON DANIELS

An aerial view of the Gawle Farm off Park and Strong Streets where a pact by owners Anthony and Bernard Gawle will preserve 44 acres of farmland in return for developing 75 of the farm's 137 acres.

28 Cottage Street
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Easthampton area

Finding critters galore at Arcadia

EASTHAMPTON

PLEASE don't kill the mosquitoes.

Elizabeth French, a teacher-naturalist from the Arcadia Wildlife Sanctuary, issued this plea for insect amnesty to the fourth-graders in Nancy Strouse's class at Center School this week, the day before their visit to the refuge, where all creatures are cherished, even bloodsuckers.

"They're an important part of the food chain," French said. "Remember the ecology of the pond."

French promised that there would be swarms of them around the ponds at Arcadia. She advised the students to brush them away, not swat them, and to wear long sleeves, long pants and old shoes, even though she expected the weather to be hot.

Now, asking children not to kill mosquitoes is like telling them not to scratch. But her breath seemed less wasted after they got a close look at some fresh pond water, which French brought in a big jug and ladled out into small plastic cups. She also handed out a sheet of paper with sketches of the animals they might find, many of them with names unpronounceable to

Chris
Yurko



The Learning Curve

fourth-graders.

"Tadpole" is easy though, and these youngster's favorite critters, it seems. They're huge, compared to daphnia (water fleas), phantom midges, isopods, water beetles and the other microfauna found swimming in their cups.

"There were more things in here earlier," French apologized. "The tadpoles have been eating them."

Tadpoles, which they know grow into bigger and more fascinating animals, also eat mosquito larvae, which live in ponds, they are told.

Save a mosquito. Feed a frog.

Jellyfish and jumping mice

Despite French's caveats from the previous afternoon, Kristen

Joyce arrived at Arcadia Thursday morning in shorts, short sleeves and clean white sneakers, which were not to remain so.

"We have some mosquitoes at our house," Joyce said. "My mother and my brother get bit, but I never do."

Joyce and the rest of her class were joined at Arcadia by another fourth-grade class from Center School, for an exploration of pond life. The field trip was funded by the Pascommuck Conservation Trust, which each year provides money so every fourth-grade class in Easthampton — public and parochial — can study ponds.

The classes were split into manageable groups, which were lead by volunteers and Arcadia staff.

French had the students choose new names for themselves, which they used for the rest of the day — names of animals that live at the sanctuary, or reasonable fascimilies thereof.

Thus, Abby, Josh, Jeff, Timmy, Lee, Peter, Monica, Raul, Kristen, Tiffany and Mrs. Strouse became: Amphi (short for Amphipod), Jellyfish, Jumping mouse, Trout, Lizard, Pickerel weed, Mayfly, Rainbow fish, Katydid, Toad and Snake. French

dubbed herself Electric eel.

On their first excursion French lead her group to a vernal pond behind the visitors center, where several other groups had already been collecting samples.

Each student, armed with a small net and aluminum pan, combed the edge of the pond for some of the same animals they saw in their classroom the previous day.

In half an hour, the group of seven students collected 11 tadpoles, three diving beetles, 20 phantom midges, 30 daphnia, two isopods, and one dragonfly nymph, about 2 inches long.

All of which they carefully returned to the pond.

They also found two salamander larvae, much to her surprise.

"We almost never find them," she said. "Look at this. I'm so excited."

Volunteer Ralph Creran, 70, the guide for another group, said he has been leading children on tours of the sanctuary for seven years, every since he retired as a supervisor from United Technologies.

"It's great to see the kids experience the outdoors, and this is the way it has to be done," said Creran, who leads both summer and winter hikes at Arcadia. "You can see their

exuberance. It's great."

"I always had an interest in nature," Creran said. "I decided that when I retired I was going to do something I'd enjoy, so I took up nature walking with kids."

After the pond, French's group walked down Woodcock trail, past some turtle nests, which had apparently been ravaged by racoons, French said, to a small creek where they again searched for life.

The collecting wasn't as great there: a minnow, some water striders. One boy allegedly saw a yellow perch. But, after three wet feet and three previously unsuccessful attempts, one student, Monica Bergman, who is a language tutor from the high school who accompanied the class, captured the most elusive and favored prize of all — a frog, which they fawned over and then released.

"I want you to come back to Arcadia," French said as the class was about to depart. "Bring your parents. Show them what you saw. I hope you remember it."

And maybe they will — the next time they scratch a mosquito bite.

Chris Yurko is a Gazette reporter based in Easthampton. His column appears Saturdays.

[summer 1994 newsletter]

AT LAKE STREET

by Stella Wiernasz

While strolling through the Lake Street Park recently, I met people whose property borders the park. They praised the work of the young men from the Trust who work so hard to maintain the shrubs, flowers and trees. They commented on the attractiveness of the new benches and remarked how good it was to see the park being used for an art show and craft fair. They asked if these activities would continue through the summer. I told them that for now we only have plans to use the park during the Easthampton Fall Festival, but the public is welcome to use the park meanwhile.

BAKE AND SEEDLING SALE

by Stella Wiernasz.

A variety of breads, cakes, cookies, pies, and pastry of assorted kinds filled the tables of the Bake and Seedling Sale on Saturday, April 24, at the BIG E'S Supermarket on Union Street, all donated by the busy members of the Pascommuck Conservation Trust. This assortment provided shoppers an opportunity to meet their dessert items while completing their banking at Fleet or their grocery shopping at BIG E'S.

At a table close by, John Bator, our master gardner, had a wide variety of iris and bulbs, along with an assortment of seedlings including Blue Spruce, Concolor Fir, Redbud, and Kousa Dogwood, from which gardeners were able to select a good assortment for their spring planting.

Although the combination may seem rather unusual, the bake sale was part of the annual fund raiser and the seedlings followed the theme 'Keep Easthampton Green'.

It is interesting to note that during the sale, a young man stopped by to tell us that a dogwood seedling, which he purchased at our first "Keep Easthampton Green" program, now stands nearly seven feet tall.

To all of the generous members who so graciously supported this annual event, the Board of Directors of the Trust are most grateful. Additional funds came in as cash donations bringing the total funds raised this year to \$303.88.

BATHOUSES

Once again the Trust is selling bathouses to help offset the cost of the Arcadia Pond Study. We are looking forward to another successful year. If you would be interested in purchasing a bathouse, please call Bob Banas 527-9711, or Bill Burgart at 5279080. The cost is \$15.00. Remember, bats eat mosquitoes.

ARCADIA POND LIFE STUDY FUND DRIVE.

by Stella Wiernasz

Perhaps the incentive was the spring field trip to Arcadia Wildlife Sanctuary, or maybe it was the outstanding prizes which were to be presented to the top salesperson. Whatever the

incentive, the fourth grade students of the Easthampton Public Schools and the Notre Dame Immaculate Conception School exhibited a great deal of enthusiasm during the week of April 18 through April 27. The participating students raised a total of \$3,844.79 in gross sales of Stanley Home products, with net profit (Trust's share) of \$1,278.39. The Trust feels that local industries, which support our schools with their tax dollars, should be supported in fund raising projects such as this one. Congratulations to these future executives who did an outstanding job!

The funds will be used to pay for instructors from the Arcadia Wildlife Sanctuary. These instructors come into the classroom to prepare students for the field trip to Arcadia. Funds are also used to pay for transporting students to and from Arcadia.

This outdoor classroom session is one of the Pascommuck Conservation Trust's goals of teaching the youth of this community the importance of natural waterways and ponds. Hopefully, this will instill in the young people the importance of their role in protecting the environment.

THE BROCHURE IS READY!

The re-designed brochure has been completed after many hours of hard work. This new brochure lists:

Who we are

Our Purpose

What We Are Doing

Our Goals

What You Can Do To Help.

The Trust would like to acknowledge Debra Davis for her fine art work on this brochure.

Anyone interested in a copy should call Bob Banas at 527-9711.

TRAIL MAINTENANCE REPORT

by John Bator

After a long hard winter and a wet cold beginning to the spring season, our volunteers were eager to take on some serious trail work.

OLD PASCOMMUCK CONSERVATION AREA

To our great disappointment, a cement post was placed in the middle of the entrance to the Old County Road off East Street. Since this abandoned dirt road is our only access for vehicles to transport heavy equipment and materials to the trails below, we must resolve the problem. I have contacted Michael O'Brien, who is a County Commissioner. He promised to find out who currently owns the road, and what rights we have, if any.

Saturday morning, May 8, was our official annual spring work party. Although not as many volunteers showed up as expected, (seven adults and three youngsters), we nevertheless accomplished a great deal. Bob Banas and Ed Dwyer replaced the old rotted timbers at the base of the flower planters; Donald Polonis and his three young helpers cleared the trails and helped repair bridges; Mike Tautznik, Dave Poulin and I repaired and replaced bridges along the lower trails. Mike provided soda to help us keep going, along with nails and metal strapping to secure planks and pallets in place. Stella Wiernasz came along at the last minute, toting a bag of substantial liquid refreshment.....

Bob later filled in the washed out area beside the fire hydrant with crushed stone, stained the

posts anchoring the 'Welcome to Easthampton' sign, and has been keeping the grass cut. As usual, Bob and his wife Agnes have planted a lovely arrangement of annuals in the planter. John Watling has again donated bark mulch for the trees, shrubs and flowers, doing much of the mulching himself before the work party. Sometime this summer I'll try to lime and fertilize the lawn. Perhaps we'll even get to repair the vandalized picnic table, which has been patiently waiting for our attention for quite some time now

LAKE STREET AREA

On Saturday afternoon, April 3, Bob Banas, Dave Poulin, Ed Dwyer, and I started the season off with a variety of chores. We raked the lawn, cleaned the flower beds, and thinned out the brush and trees along the shore and nature trail. Then, we cut the old stump that protruded at the base of the telephone pole guide wire even with the ground. At a later date, we re-edged the area, mounded it with fresh soil, and planted annuals. Regrettably, we also collected the usual amount of trash thrown about over the winter by a pesky minority of little piggies!

Later on in the season we planted lilies and clematis vine (ordered from the Hampshire Conservation District), created an iris/fern bed at the entrance to the nature trail, weeded flower beds. Along Lake Street, we planted blackwalnut, hickory, and flowering crab. We also planted a number of perennials and annuals, including purple salvia, canna lilies, everblooming yellow daylily, morning glory, dahlia, datura, boltonia, and castor bean. The tulips and daffodils which were planted last fall, flowered nicely this spring.

Gary Golas, of Gary's Carpentry, repaired the vandalized kiosk, using vandal-resistant materials. Loomis Trucking gave us a good deal on stone dust. Soon after it was delivered, Bob, Ed, Dave, Mike Tautznik and I spread a finish layer over the main path and parking lot.

Dave and Gail Poulin are doggedly pursuing the mowing operation at the park --- Gail gets to use Dave's old clunker mower, and spends most of her time trying to get the bugger started. Perhaps Dave should sell it to Stella for her antique collection.....

At last, we have installed three benches along the pathway near the kiosk. Bill Canon drew up the plans and donated some lumber for braces, while Bob purchased the remaining materials.

By the way, we continue to receive many favorable comments concerning this area, and it is being utilized in various ways. From what I have observed already, it looks as though these new rustic benches will be enjoyed by many.

Hopefully, our next project at the park will involve getting lucky and locating some telephone pole sections to use as bollards around the parking lot.

My gratitude goes out to all our fine volunteers. New volunteers are welcome.

THE FORTY ACRE PARCEL

by Ed Dwyer

The Trust's largest land holding is the forty acre parcel, located behind Terrace View and Pleasant Street. It was donated to the Trust by the Town of Easthampton in 1985, and is now part of our greenbelt of nature tracts along the Manhan River. This parcel was, at one time, part of a much larger recreational area that was owned by the West Boylston Manufacturing Company.

Throughout the 18'th and 19'th centuries, this parcel was used as farmland. In fact, the houses at 179-81 Pleasant Street and 19 Lovefield had been farmhouses for the surrounding lands. In 1859, Samuel Williston started a cotton mill at the lower mill pond, and houses were built in the Pleasant Street area for the mill workers. When a successor company went bankrupt, the

properties were sold to the West Boylston Manufacturing Company, which relocated here in 1898.

The new company was successful, and began an aggressive building campaign. The remaining farms on Pleasant Street were purchased and new mills and houses were built.

The land adjoining the Trust's 40 acres, which is now owned by Burt Ford Tractor, was a parking area. The land at the bottom of the hill was a baseball field, with the side hill used as a grandstand. Our tract was used as grazing land for the company's horses. The former stable is still located on Terrace View. The company also planted many decorative fir trees and maintained terraced hills, a trail along the Manhan, and a bridge across the river to provide access to Camp Cook, off Highland Avenue.

Like most New England textile mills, the West Boylston enjoyed great prosperity in the years during the First World War and the years immediately afterwards. Then a virtual depression set in the textile market, and the mills moved south. When the West Boylston closed in 1931, all the properties were put up for auction. At Town Meeting in 1932, the Town of Easthampton purchased the 40 acres, the ball field, a lot behind Mill #1 (the land where the Flaherty parking lot is now located), and Pleasant Green, for \$35,000. The town then sold both the ballfield and the parcel of land behind Mill #1 to the Hampton Company.

The Hampton Company used the ball field for a few years. When Daley Field opened, the field and surrounding lands were no longer used and returned to a natural woodland state.

----- **PROPERTY PRIMER**

---- RISK TRANSFER

by Ken Larsen.

An easement granted to the Pascommuck Conservation Trust is a legal contract. All contracts require at least the following four elements to be valid:

- 1) The contract must serve a legal purpose.
- 2) One party must make a definite offer, and a second party must accept the offer.
- 3) Each party to the contract must be required to make some consideration on behalf of the other party.
- 4) The parties to the contract must be legally competent.

Conservation easements are contracts and contain these four elements. Conservation easements when drafted, often transfer risk which can be in favor of either party: the grantor or the grantee.

Risk is transferred either monetarily or by one party's promise to perform in a particular specified manner. Non-insurance contracts utilize 'hold harmless/indemnification' arrangements essentially stating in the contract who (which party) will be liable and who will pay in the event of a third party claim or loss. In the event that a grantee is unable to indemnify, liability usually will revert back to the grantor.

To address this type of exposure, insurance contracts are underwritten. These contracts are usually a more secure form of contractual transfer for risk financing of liability losses. However, insurance companies may reinsure their risks with other companies, thus making it difficult for the grantee to obtain relief; they may also go out of business. To minimize risk by both parties, the grantor should have their homeowner's policy name the grantee as an 'Additional insured' on the policy. Any claim arising on easement property will first be covered by the Trust's insurance company, then by the grantor's policy.

There is a new offering called a "HELP" policy available at no extra charge to either party

for such additional protection in the contract. Call the Trust for more information.

OFFICERS AND BOARD, 1993-1994

Officers of the Trust are Charter member Bill Burgart, re-elected as President; Ed Dwyer re-elected as Treasurer and John Bator re-elected Clerk. Elected Vice President was long time Board member Stella Wiernasz.

Other members of the board are Ken Larsen" Past President of the Trust, and newly elected members Bob Banas, Stuart Beckley, Bill Canon. and Donald Polonis.

Pascommuck Conservation Trust Inc.
Post Office Box 806
Easthampton MA 01027

Please check appropriate membership and level of support:

_____ Limited income - - - - -	\$6.00
_____ Individual - - - - -	\$10.00
_____ Family - - - - -	\$18.00
_____ Contributor - - - - -	\$25.00
_____ Patron - - - - -	\$60.00
_____ Corporate - - - - -	\$100.00
_____ Sponsor - - - - -	\$150.00
_____ Life Member - - - - -	\$1,000.00

_____ I would like to be active in the Trust, helping with activities.

NAME _____

ADDRESS _____

PHONE _____

Manhan greenbelt expansion planned

By DAVID BERGENGREN

EASTHAMPTON — Town Planner Stuart Beckley made a presentation to the Pascommuck Conservation Trust last night that members hope will be the start of a more aggressive effort to add to the approximately 75 acres already held as part of the Manhan River greenbelt.

A recently completed study presented by Beckley, identifies approximately 200 owners of property along the Manhan, including a small number of commercial or industrial interests.

Last night's presentation was a warm-

200 property owners involved in proposal

up for a similar pitch that will be made to these owners, probably in April.

The trust hopes to have land or easements donated to the greenbelt or, if necessary, to purchase such land.

"It's a road map, if you will, to help us realize one of our primary goals, to establish a greenbelt along the Manhan River," said Kenneth Larsen, a past president of the trust.

Board of Directors member Donald Po-

lonis said, "The important thing of the presentation was that the study gave us a list of the landowners we need to contact."

The study actually was conducted last summer and fall by Amy Petrone and Christopher Campbell, graduate students with the Regional Planning Department at the University of Massachusetts in Amherst. It was funded by a state grant of slightly more than \$2,000 received

jointly by the trust and the town's Conservation Commission, Beckley said.

Petrone and Campbell are expected to make the presentation in April to landowners along the Manhan. Beckley stood in for the two students last night, because scheduling conflicts kept them from attending the trust's annual meeting.

"The Manhan River Greenbelt Study looks at creating a greenbelt for an area along the river in Easthampton and

Southampton, for various types of recreation and to maintain open space," Beckley said. Fishing, canoeing, hiking and biking are included among the activities such a greenbelt might encourage.

The study includes a review of current land uses along the Manhan and identifies about 20 key parcels needed to make progress toward creating a true greenbelt, Beckley said.

The greenbelt would not necessarily run the full length of the river, but might include portions long enough to create an

Continued on Page 10

Owners involved in greenbelt plan

Continued from Page 9

area people could use and enjoy, he said.

Beckley presented a slide show for trust members, mostly of photos taken in May by Petrone and Campbell on a canoe and hiking tour of the Manhan, including the river's north branch along the Easthampton-Southampton border.

"Hopefully the slides will show the value of preserving this green space. Clearly there's beauty, and the opportunity of getting away from civilization," he said.

The slides of this river that flows nearly through the middle

of town showed a panorama of riverway canopied by trees, meadows, open forests, sandbars and even a few small waterfalls. The area is home to a large variety of wildlife, Beckley said.

Pascommuck Trust President William Burgart described a canoe trip he and Conservation Commission Chairman William Carroll had taken on the Manhan, saying it was like being transported into another world, it was so quiet. "You feel like you're in the middle of nowhere," Burgart said.

Beckley said it would take a great deal of work to clear the

river of obstacles to navigation, but added the water was clean enough to permit fishing and swimming.

Edward Dwyer, the organization's treasurer, said approximately 15 acres near the Southampton town line purchased from Paul Lussier for \$4,650 recently was added to the greenbelt acreage.

Also included in present holdings are about 40 acres near Pleasant Street purchased for \$1 from Easthampton in the mid-1980s, about eight acres of donated land along Lovefield Street and about three acres off West Street.

February 28, 1995

Fedors, citing suit. balk on land donation

By RACHEL SIMPSON
Staff Writer

EASTHAMPTON — The Pascommuck Conservation Trust will not be offered 38 acres of undeveloped land for its proposed greenbelt near the Manhan River because two members are involved in a lawsuit to stop development on the adjoining 15 acres, the owners say.

Charles Fedor, who with his brother Edward Fedor, owns the entire 53-acre parcel near the Southampton line, said he will not consider donating land for the greenbelt to the Pascommuck group because members Robert Pinkos and William Burgart are parties in a lawsuit against the Fedors, the town of Easthampton and the state attorney general. The lawsuit questions the commercial zoning of 15 acres of the parcel, which the Fedors would like to develop and sell to a discount retailer.

The Fedors have promised that the 38-acre piece of land would remain as open space forever as part of their proposal to attract Wal-Mart or another large retail chain to the 15-acre parcel of property.

"We'll have to find a different avenue for preserving that land now," Charles Fedor said.

The Fedors had been considering offering the land to the Pascommuck Conservation Trust until about two weeks ago when they realized that Pinkos and Burgart were both involved in the lawsuit and members of the trust, Fedor said. Burgart is president of the trust and Pinkos is a founding member.

Fedor said the 38 acres of land abuts another 15 acres of open space owned by the trust, which is just across the Manhan River from another 21 acres of open space in Southampton.

"(With our land) this could create almost 75 acres of open space," Fedor said.

"(With our land) this could create almost 75 acres of open space," Fedor said.

Both Pinkos and Burgart said they have no intention of withdrawing from the lawsuit.

"This has nothing to do with the lawsuit. The question is, is this a legal way to change the zoning (on the 15 acres). My name will not come off the lawsuit," Pinkos said.

And Burgart said he was not sure the Fedors ever intended to donate the land.

"The issue is zoning. And I think they found a tool to use against us, found an excuse. I don't think they ever wanted to donate the land," Burgart said.

Fedor said his attorney, Roger Walaszek of Northampton, plans to file a motion for summary judgment in Hampshire Superior Court regarding the lawsuit within the next four to six weeks.

A motion for summary judgment asks a judge to make a decision without going forward to trial, court clerk Nancy Foley explained.