

Tinker Preserve Management Plan



2017

In memory of Steward and Contributor David Adams
with support from Yarmouth Parks & Lands Committee Members
and Town of Yarmouth Staff

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1. Executive Summary

1.a. Statement

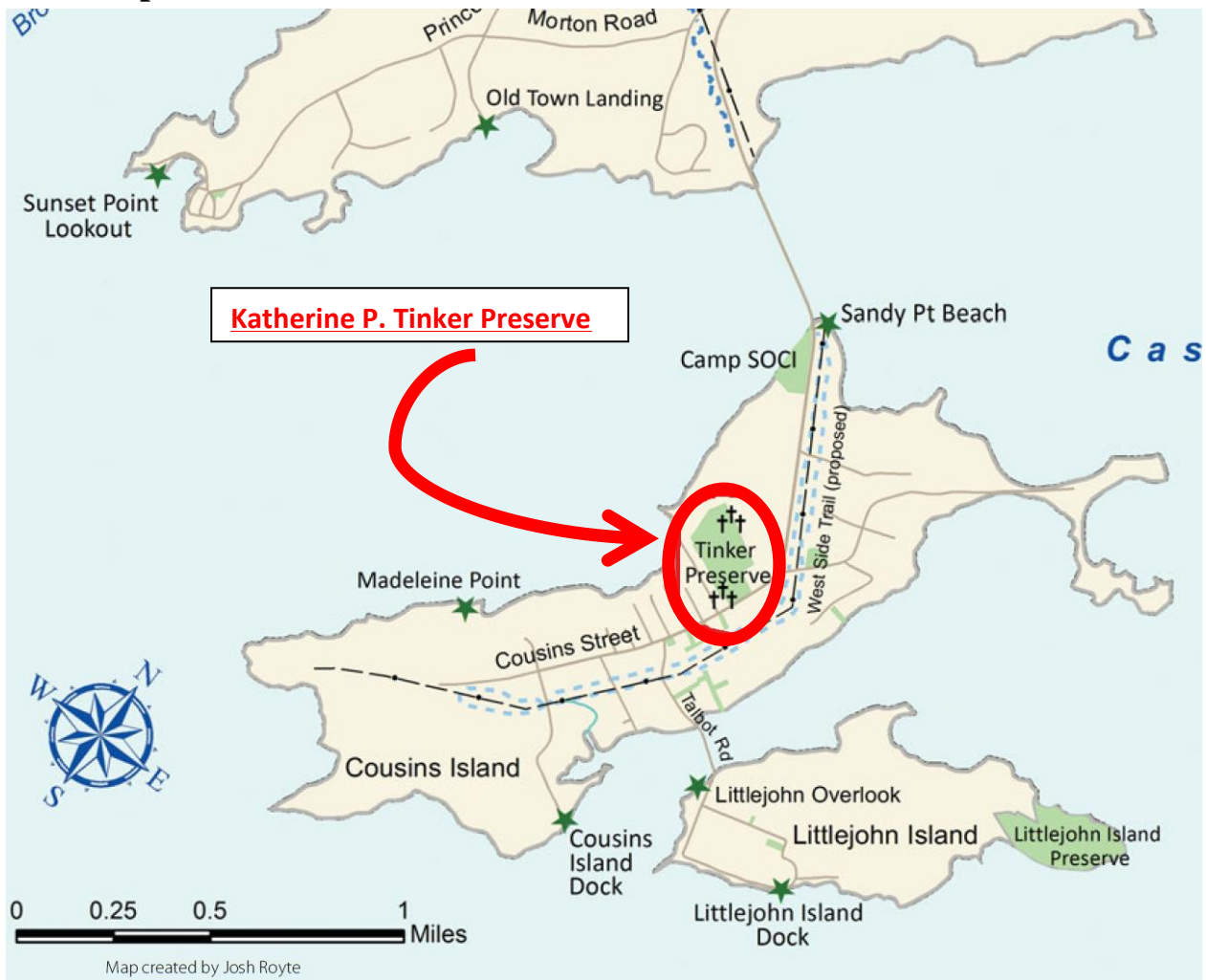
In 1970 Katherine Prescott Tinker donated this 15.4 acre property on Cousins Island to The Nature Conservancy (TNC) who, in turn, donated the fee-simple to the Town of Yarmouth subject to deed restrictions. The dominant conservation goals include education, conservation and wildlife habitat preserve. The Protected Property is the site of a farm that dates from the mid 1700's. After the original grantors life tenancy expired, the farm house and barns were removed and the property was "...left as a relatively natural area to be used by individuals and groups, such as schools and youth and adult organizations."

The Property is bisected by Seal Lane, within the Right-of-Way defined in an easement.

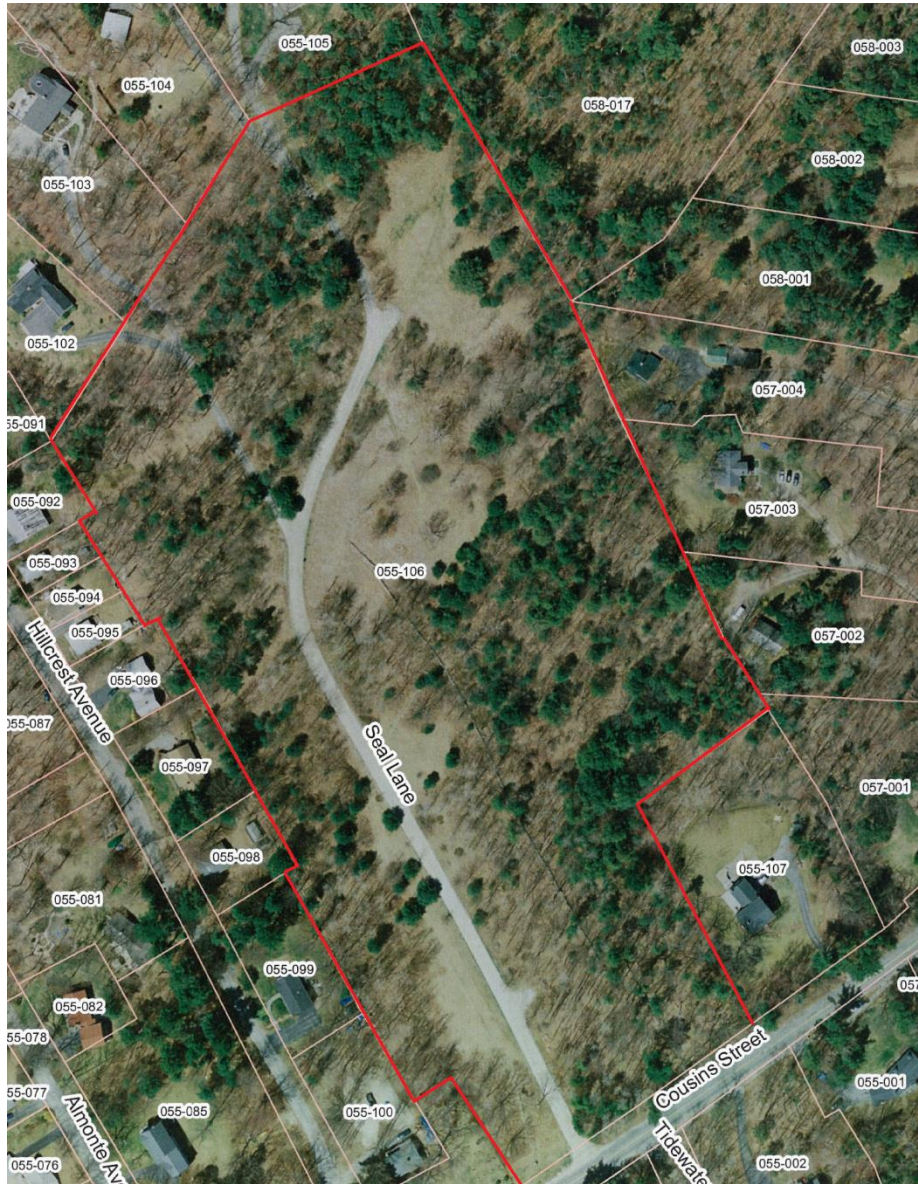
Significant physical features of the Protected Property include ½ mile of trails, small parking lot off Seal Lane, a cemetery, remnants of the former home and farm site, stone walls, and a memorial plaque to the original grantor of the conservation values of this property to the public. Ground cover is 90% mixed mature hardwood and white pine forest and 10% open field. The open field feels dominant to the user because of this proximity to the road and the location throughout the middle of the property. Despite its small area being surrounded by the present island suburb, it offers a surprising and welcoming experience, increasingly rare, of rural solitude.

The meadow areas are mowed monthly during the growing season to encourage native plant to replace the recently dominant Asiatic bittersweet. Modifying the property to conform to a desired educational use shall be subject to the discretion of the "Superintending School Committee" of the town of Yarmouth.

1.b. Location Map



1.c. Aerial Image



2. Description and History

2.a. Property Description

This 15.4 acre parcel of land located on Cousins Island is a natural resource asset to the town and of particular value to the residents of the Cousins and Little John Islands. Consistent with the deeded intention of a ‘sanctuary to protect and preserve plant and animal species,’ the property offers natural beauty that residents frequently enjoy while walking, jogging, hiking, picnicking, or snowshoeing.

The majority of the property is on level terrain, with a small portion of a moderately steep slope on the southwest corner of the lot. The soil here is a deep, well-drained gravelly sandy loam, formed as water-sorted material. A small dirt road provides access into the property from Cousins Road.

The terrain and soil of this property supports various woody shrubs and dominant tree species of pines, oaks, and some poplars. Some old apple trees persist from the days when a home was located on the property, which adds an aesthetic feature. Some invasive species of vegetation have established themselves, specifically staghorn sumac and bittersweet. The bittersweet began dominating the other plant species, and following the removal by a contracted company, it is now being managed by the town. Although a native species, it is a management decision that the town also clears the sumac.

The protected and vegetated property offers a safe and abundant habitat for various small animals, such as squirrels, raccoons, and chipmunks, some larger animals such as deer, and many bird species.

Centrally located on Cousins Island and accessible from the main street on the island, the property is amid a residential area.

The property is subject to certain prior conveyances including a 50 foot right-of-way in common (Seal Lane) to lot owners (currently 4) at the northwesterly end of the property. There are also utility easements granted to CMP and the Yarmouth Water District which cross the property.

There is a small cemetery on the easterly bound of the property which is maintained by the Cousins Island Cemetery Association. It has not been determined if that cemetery was separately and previously conveyed to the Town and/or the Cemetery Association or if it is merely a feature of the Tinker parcel.

2.b. Land Use History

In 1780, Daniel Drinkwater lived in a home in the approximate location of the current remnant foundation. It was subsequently occupied by descendants, followed by William Weeks, Eleazer and Hannah Hill, and as late as 1890 Elizer Hill in her 80's from "Cousins and Littlejohn Islands 1645-1893" by Katherine Prescott Kaster [Tinker].

Dr. Katherine Prescott (Kaster) Tinker (1901-1980) grew up summering on Littlejohn Island where she married her second husband, a soldier stationed on Cousins Island and who was subsequently killed during WWII. She acquired the property from Raymond Talbot in 1946 but sold off much of the bordering lots over the years.

She was a professor of astronomy at Vassar College in New York. Island legend is that she lived in the house in her later years but when it deteriorated she moved to the barn. Her writings and records filled the structures but were largely lost upon her death.

Tinker Preserve has long been a favorite place for walking and quiet contemplation for Cousins Island residents, particularly for dogs and their owners. There is now a well-worn trail around its entire perimeter as well as the inviting rural character of Seal Lane.

During the last quarter of the 20th Century a very thick infestation of Oriental Bittersweet invaded the entire Preserve, both its cleared portions and its forests. By 2004, a substantial portion of the trees were in the process of being dragged down and choked to death while the grass lands were in large part completely replaced by this scourge. Since then an aggressive eradication program has been carried out annually under the direction of Yarmouth's Parks and Lands Committee through citizen volunteer work days particularly by school groups and island residents and through annual Yarmouth Community Services budgets for contract cutting and bush hogging. The results have been quite successful (see before and after comparison photos from 2004 and 2009).



Photos of the extent of bittersweet invasion
(2004)



Photos after cutting bittersweet with rapid regrowth
(2009)

2.c. Parcel Acquisitions

This conservation parcel was acquired in a single phase. The parcel boundary and area (15.4±ac) remains unchanged from the transfer from Katherine Prescott Tinker to The Nature Conservancy and subsequently to the Town of Yarmouth.

2.d. Deed Restrictions

The fee-simple ownership of the Preserve is held by the Town of Yarmouth donated by The Nature Conservancy via Quit-Claim Deed (CCRD3129/11) subject to deed restrictions including a clause restoring fee ownership to The Nature Conservancy should use of the parcel conflict with the terms of the conservation goals.

In 1970, Dr. Tinker conveyed the current acreage to The Nature Conservancy which after conveying it to the Town with the following conservation restrictions (portions of the deed quoted here in part)—the property “may be left as a relatively natural area to be used by individuals and groups, such as schools and youth and adult organizations...for:

1. Scientific research in ecology and related fields;
2. Conservation and environmental management activities and experiments, including outdoor classes, field trips, and investigations;
3. A sanctuary to protect and preserve plant and animal species.”

“The described uses shall be subject to the discretion of the super-intending School Committee of the Town of Yarmouth so long as the title to said property remains in the inhabitants of the Town of Yarmouth...This conveyance is made subject to the express condition and limitation that the premises conveyed shall forever be held for the uses here in set forth, and a breach there of shall cause title...to revert to the...Grantor” (The Nature Conservancy).

2.e. Stakeholders

- Town of Yarmouth; fee-simple holder, routine mechanical maintenance
- The Nature Conservancy; deed restriction enforcement
- Town of Yarmouth School Committee; may authorize and approve educational, conservation and environmental activities
- Volunteer Stewards; monitoring, maintenance

3. Resource Inventory

3.a. Natural Resources

i. Geology & Soils

Appendix B depicts the soils limitations of the Property, showing a rough approximation of the six (6) soil types found. They are as follows:

- Paxton fine sandy loam
- Scantic silt loam
- Hinckley gravely sandy loam
- Walpole fine sandy loam
- Swanton fine sandy loam
- Deerfield loamy sand

ii. Topography and Hydrology

Tinker Preserve straddles the main ridge that runs along the north-south axis of Cousins Island. The high point within the Preserve measures 91 feet NAVD88 and is located near the northern property boundary where a well-established trail exits the property. From this location, very low rolling hills, swales, and terraces radiate away to the northeast, east, southeast, and south with slopes rarely exceeding 5%. The land descends more steeply to the southwest, with slopes exceeding 10% in several areas. The low point of the Preserve measures 48 feet and is located at the southwestern corner of the property on the steep, southwest-facing slope. A perimeter trail begins at 74 feet elevation at the parking area and climbs over two terraces before reaching the summit of the property and dropping quickly to a low elevation of 57 feet whereupon the trail climbs back to the parking area. A topographical map is available in Appendix C.



Figure 1. 3D rendition of Tinker Preserve with the perimeter trail shown in red and the parking area indicated by the yellow arrow.

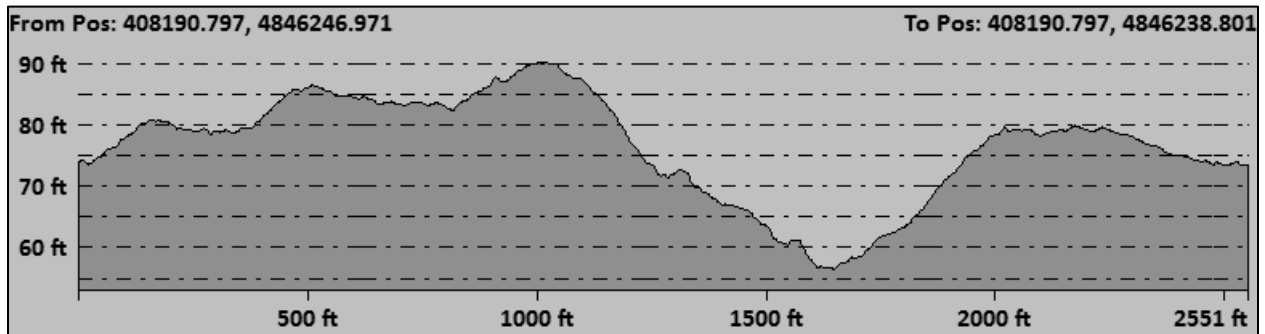


Figure 2. Profile of perimeter trail starting and ending at the parking area and following a counter-clockwise direction.

Tinker Preserve is a headwater with very little evidence of overland flow through natural channel networks on the actual property. Seal Lane and the four driveways it services create localized topographic breaklines that serve to route overland runoff through constructed ditches and other conveyances. The majority of the soil units on the property are sandy loams and drain well, but the soils along the northern and eastern boundaries are finer and drain poorly. Higher soil water content is evident in areas where these poorly drained soils coincide with topographic convergences. A flow map is available in Appendix D.

iii. **Vegetation**

Vegetation is described as trees and shrubs of apple, chokecherry, and juniper; stands of aspen, white pine, American ash, balsam fir, beech, grey birch, red maple, red oak, and white birch. Previously logged areas host native grasses, goldenrod, Queen Anne's Lace, steeplebush, wild rose, wild raspberry, staghorn, sumac, shadbush, willow, spirea, bayberry, and rare concentrations of milkweed. A large dense patch of day lilies, and occasional asparagus are remnants of gardening in the past century.

iv. **Habitat/Wildlife**

Animal inhabitants shared with the rest of Cousins Island are squirrels, chipmunks, a rare porcupine, raccoons, foxes, and deer. Bird life includes wild turkeys, crows, blue jays, woodpeckers, gulls, mourning doves, cardinals, hummingbirds, and many native smaller birds. Raptors include Coopers and sharp-

shinned hawks, ospreys, and bald eagles. There are no occupied raptor nests to be seen currently. Monarch butterflies enjoy the milkweed patches.

3.b. Cultural Resources

At this time, there is no information known about the Tinker Preserve parcel that might be of significant interest to archeological or historical resources.

3.c. Recreational Resources

The recreational resources of the Preserve are a combination of low impact passive use, consisting primarily of walking the trail and road, with enjoyment of the beauty of the varying habitat.

i. Public Access

Public access to the Tinker Preserve is primarily via Cousins Street to Seal Lane. A small parking lot is situated on Seal Lane approximately 50 yards from the entrance to the Preserve.

ii. Trails

The property has approximately ½ mile loops of trails throughout the property. Trail access can be found from Seal Lane and the small parking area.

iii. Active Recreation

Active recreation is limited to use of the trails and roadway. There are no ball fields or additional scheduled activities at this site. The park's roadway and trails are used primarily by neighboring residents for morning walks with their dogs. As with many open spaces, the Town of Yarmouth's Municipal Code, Chapter 309: Dog Control Ordinance "provide[s] regulations in addition to those contained in Title 7, M.R.S.A. with respect to controlling dogs throughout the Town of Yarmouth in the interest of the health, safety and general welfare of its residents."

Bicycle traffic and through uses by bicycles are discouraged, as transportation to additional areas on Cousins Island may be accessed via the paved safety path alongside Cousins Street.

iv. Scenic Vistas

Small open fields bounded by established oak wood lots provide a limited vista. A cemetery, remnant of the former home and farm site, stone walls, and a memorial plaque to the original grantor of the conservation values of this property to the public. There is no water access or views from this landlocked property.

v. Amenities

In 2016, a Story Walk was completed by a Yarmouth Eagle Scout featuring page-like signs for environmental and recreational exploration.

4. Park and Land Use

4.a. Current use

A multi-use, wooded trail (\pm 1km) near north property boundary, from the Seal Lane parking area to the cemetery near the (N/F) Drinkwater boundary is maintained by volunteers and neighbors. The Tinker Property trail sees light, low-impact recreational use often including bird watching, natural observation, and dog walking.

The dominant user group seems to be the Cousins Island community who access the preserve by foot. The Town discourages public use of any private properties that are adjacent to Tinker Property.

4.b. Allowable Use

The Tinker Preserve was conveyed to be left as a relatively natural area and to be used by individuals and groups such as schools and youth and adult organizations, and providing specifically for:

1. Scientific research in ecology and related fields;
2. Conservation and environmental management activities and experiments, including the development and manipulation of demonstration areas and habitats such as ponds, fields, etc;
3. Conservation and environmental education learning experiences, including outdoor classes, field trips, and investigations.
4. A sanctuary to protect and preserve plant and animal species.

The uses described in Doc. 8041 shall be subject to the discretion of the Superintending School Committee of the Town of Yarmouth so long as the title to said property remains in the Inhabitants of the Town of Yarmouth.

4.c. Restricted Use

Use of this property is prohibited for uses not identified in the deed.

4.d. Conflicting Use

As of late 2015, there is low impact pedestrian and bicycle recreational use, residential and associated traffic along Seal Lane, active invasive upland plant management, and meadow management allowing for growth of milkweed as habitat. The Parks and Lands Committee will continue to discourage bicycle use on trails within the property boundaries at Tinker Preserve.

4.e. Potential and/or Recommended Use

Some municipal uses such as a community garden or outdoor education center are possible, but otherwise the property has very limited development potential.

5. Management

5.a. Guiding Summary of Management Goals and Strategies

Although the USDA report suggested the potential creation of two small fresh water ponds, no similar large scale revisions to the Preserve are being contemplated—the rationale being that the present facility serves the citizens of Yarmouth very well. Certainly the current program of aggressive bittersweet suppression will continue to be of critical importance. A very localized application of the herbicide, Glyphosate, to the parts of the stone wall and building foundation within the field has had lasting effectiveness but will probably need to be repeated every few years. Its only application was in 2011 when it was realized that pulling and cutting was not effective for bittersweet protected deep within the wall and foundation.

While connectivity is a goal at all the open spaces within Yarmouth, this property is currently land-locked by private abutters. Discussions and future opportunities may be brought to the Parks and Lands Committee as land owners change or when additional conversations allow for partnerships, easements, or ownership of contiguous lands.

Finally, as the deeds from Dr. Tinker and The Nature Conservancy state, the guiding principle for what the Tinker Preserve should be in the future, as in the past, is that it be left as much as possible in its natural state. This was the conclusion of a 2004 questionnaire of Cousins Island and Littlejohn Island Association members, though a few responses favored creation of a community garden. In 2001 and again in 2008 paving of Seal Lane was proposed but abandoned in the face of opposition to this perceived move away from a natural state concept.

i. Vegetation and Invasive Species

Biodiversity through management of dominant invasive species compliment the goal of creating habitat edges between meadow and forest.

ii. Trails/Recreation:

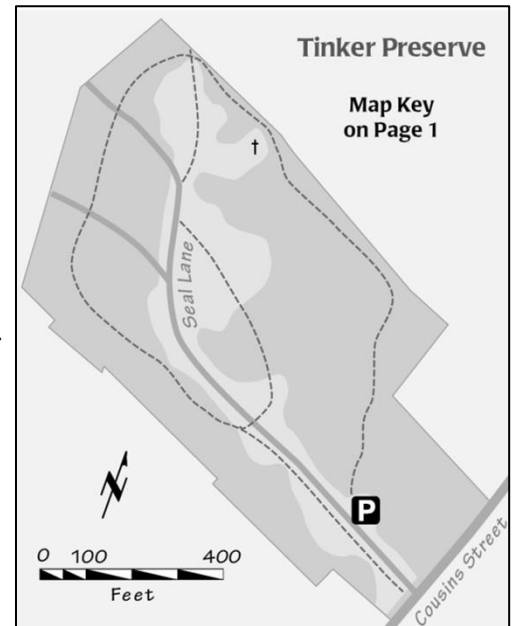
Trails are allowed and may be framed in the context of recreational access or scientific exploration and education. (Please see insert at right.)

iii. Habitat

The deed allows for the construction of ponds to develop habitat and/or for scientific endeavors.

iv. Scenic Vistas

The open meadow allows for short vistas horizontal to the ground, creating opportunities for wildlife observation. The limited topographical relief of this protected property does not create the opportunity for long vistas or horizon views.



6. Implementations and Recommendations

- This property is protected in perpetuity by a deed with restrictions from the grantor The Nature Conservancy to the Town of Yarmouth (CCRD 3129/11). TNC or a volunteer steward should continue to monitor and report on their findings of that visit annually. A copy of these monitoring reports should be circulated to the Town.
- Prepare and maintain a photographic record of the extent of invasive species infestation and document and map the methods used and results from various control efforts, updated at least annually, to provide a historical basis for assessing effectiveness of control efforts.
- Designate/recruit a Tinker Preserve Steward. Parks & Lands Committee member and Cousins Island resident, David Adams volunteered for many years to support this property along with current Cousins Island resident, Bill Hoffman.
- Identify specific projects and organize seasonal work parties, taking advantage of volunteer labor, such as “friends” of the Preserve, Scouts, Yarmouth High School service volunteers, civic organizations, etc, as appropriate and needed.
- Identify additional signage to address concerns or problems that arise in the future regarding property use or illegal activities. Be alert to possible future acquisitions and/or additions to the Preserve, noting any

conclusions or observations as part of the annual reports to the Parks and Lands Committee. These could be for varying purposes.

- Promoting new or additional goals or values – none identified at this time.
- Enhancing existing values – an example is the addition of the Story Walk along the trail within the Preserve, which provides an educational component at Tinker Preserve.

7. Appendices

APPENDIX A – Cumberland County Registry of Deeds Book 3129 / Page 11

8140

KNOW ALL MEN BY THESE PRESENTS,

THAT THE NATURE CONSERVANCY OF THE PINE TREE STATE, INC., a corporation organized and existing under the laws of the State of Maine and located at Augusta in the County of Kennebec and State of Maine, in consideration of One Dollar (\$1.00) and other valuable consideration paid by The Inhabitants of the Town of Yarmouth, a body corporate and politic located in the County of Cumberland and State of Maine, the receipt whereof it does hereby acknowledge, does hereby remise, release, bargain, sell and convey and forever quit-claim unto the said The Inhabitants of the Town of Yarmouth, its successors and assigns forever, the following described real estate:-

A certain lot or parcel of land situated on the northwesterly side of the main road on Cousins Island in said Yarmouth and bounded and described as follows:

Beginning at a stone monument on the northwesterly side of said main road at the easterly corner of the parcel of land conveyed by Katherine P. Tinker to Cousins Island Cemetery Association by deed dated September 23, 1959 and recorded in Cumberland County Registry of Deeds in Book 2501, Page 377; thence northwesterly by land of said Cousins Island Cemetery Association 150 feet to the northerly corner thereof; thence southwesterly by said land of Cousins Island Cemetery Association 54 feet to a point marked by a cross on a stone in a stone wall, said point being 73 feet northwesterly from a fence marking the northwesterly boundary of the main area of the Cousins Island Cemetery and northeasterly 100 feet from the northeasterly side line of Hillcrest Avenue as shown on a plan of land of Seashore Land Company recorded in said Registry of Deeds in Plan Book 11, Page 19; thence northwesterly parallel to and 100 feet northeasterly from the northeasterly side line of said Hillcrest Avenue a distance of 327 feet to an iron pipe at the easterly corner of lot #16 as shown on said plan; thence northeasterly by land conveyed by Katherine P. Tinker to Bozenka H. Boyle, et al. 15 feet to an iron pipe; thence northwesterly by land conveyed by Katherine P. Tinker to Bozenka H. Boyle et al and by land conveyed by Katherine P. Tinker to Lawrence Grant, et al. 350 feet to an iron pipe; thence southwesterly by said Grant land 15 feet to an iron pipe at the northerly corner of Lot #10 as shown on said plan; thence northwesterly parallel to said Hillcrest Avenue 150 feet to the southerly corner of land conveyed by Katherine P. Tinker to Joseph H. Soule, et al. by deed dated May 19, 1964 and recorded in said Registry of Deeds in Book 2822, Page 370; thence northeasterly by said Soule land 25 feet to the easterly corner thereof; thence northwesterly by said Soule land 93 feet, more or less, to a point marked by a wooden stake; thence N. 15° 52' E. by land of Emilie S. C. Cram, Harry O. Irving and John K. Moulton 473 feet to an iron pipe; thence N. 52° E. 225.98 feet by land of James H. Watson to a drill hole in a stone wall; thence S. 45° E. by the center line of said stone wall and land of Myrtle H. Tilton 263 feet to the northerly corner of a small cemetery conveyed by Katherine P. Tinker to Cousins Island Cemetery Association by deed dated April 24, 1969 and recorded in said Registry of Deeds in Book 3082, Page 693; thence S. 45° W. by said cemetery 33 feet to the westerly corner thereof; thence S. 45° E. by said cemetery 24 feet to the southerly corner thereof; thence N. 45° E. by said cemetery 33 feet to said stone wall at the easterly corner of said cemetery; thence southeasterly by the center line of said stone wall to a drill hole and iron pipe in said stone wall at a point 300 feet from the northwesterly side line of said main road and being the northerly corner of land conveyed by Katherine P. Tinker to Loy S. Harrell, et al. by deed dated March 18, 1969 and recorded in said Registry of Deeds in Book 2950, Page 247; thence S. 38° 3' W. by said Harrell land 200 feet to an iron pipe at the westerly corner of said Harrell land; thence S. 44° 40' E. by said Harrell

land 300 feet to an iron pipe in the northwesterly side line of said main road at a point southwesterly a distance of 255.6 feet from the southwesterly end of State Aid Highway #13 as shown on plan thereof recorded in said Registry of Deeds in Plan Book 45, Page 16; thence southwesterly by said main road 353.6 feet to the stone monument at the point of beginning.

Being a part of the same premises conveyed to Katherine P. Tinker by Raymond H. Talbot by deed dated January 20, 1946 and recorded in said Registry of Deeds in Book 1807, Page 96, and being the same premises conveyed by said Katherine P. Tinker to The Nature Conservancy of the Pine Tree State, Inc. by deed dated _____, to be recorded in said Registry of Deeds.

This conveyance is made subject to the following easements:

1. Katherine P. Tinker to Central Maine Power Company and New England Telephone and Telegraph Company dated August 23, 1955 and recorded in said Registry of Deeds in Book 2276, Page 32.
2. Katherine P. Tinker to Yarmouth Water District dated May 24, 1967 and recorded in said Registry of Deeds in Book 4098, Page 624.
3. Katherine P. Tinker to Emilie S. C. Cram dated May 12, 1967 and recorded in said Registry of Deeds in Book 2994, Page 628.
4. Katherine P. Tinker to James H. Watson and to John K. Houlton for repair and replacement of water pipes running from the end of the present water main to the northwesterly boundary of the premises herein conveyed.

5. Rights of way contained in the following deeds:

- a) Katherine P. Tinker to James H. Watson, et al. dated July 7, 1964 and recorded in said Registry of Deeds in Book 2844, Page 53.
- b) Katherine P. Tinker to Emilie S. C. Cram dated July 15, 1964 and recorded in said Registry of Deeds in Book 2858, Page 478.
- c) Katherine P. Tinker to Cousins Island Cemetery Association dated April 24, 1969 and recorded in said Registry of Deeds in Book 3082, Page 693.

This conveyance is made subject to a life estate reserved to the said Katherine P. Tinker for and during the term of her life with the right to occupy the house now standing on the herein conveyed premises and to use the land on which the house stands and a rectangular parcel of land whose sides are parallel to and 100 feet out from the four sides of said house at its foundation and extended to form the corners of said rectangle, together with a right of way thereto from the main road, with a further reservation that upon the said Katherine P. Tinker's death her personal representative may tear down and remove said house.

This deed of gift is made by the Grantor to the Grantee so that the property hereby conveyed may be left as a relatively natural area to be used by individuals and groups, such as schools and youth and adult organizations, and providing specifically for:

1. Scientific research in ecology and related fields;
2. Conservation and environmental management activities and experiments, including the development and manipulation of demonstration areas and habitats, such as ponds, fields, etc.;
3. Conservation and environmental education learning experiences, including outdoor classes, field trips, and investigations.
4. A sanctuary to protect and preserve plant and animal species.

The herein described uses shall be subject to the discretion of the superintending School Committee of the Town of Yarmouth so long as the title to said property remains in the inhabitants of the Town of Yarmouth.

Reverter: This conveyance is made subject to the express condition and limitation that the premises herein conveyed shall forever be held for the uses hereinbefore set forth, and a breach hereof shall cause title to said premises to revert to the herein grantor, its successors or assigns, each of which shall have the right of immediate re-entry upon said premises in the event of said breach.

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging to The Inhabitants of the Town of Yarmouth, its successors and assigns forever.

And the said Grantor Corporation does covenant with the said Inhabitants of the Town of Yarmouth, its successors and assigns, that it will Warrant and Forever Defend the premises to it the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under it.

IN WITNESS WHEREOF, the said The Nature Conservancy of the Pine Tree State, Inc. has caused this instrument to be sealed with its corporate seal and signed in its corporate name by E. R. Kingman its Vice President thereunto duly authorized, this 24th day of February in the year one thousand nine hundred and seventy.

Signed, Sealed and Delivered
in the presence of



John A. Jaeger Ass't. Secretary

THE NATURE CONSERVANCY OF THE PINE
TREE STATE, INC.

By:

E. R. Kingman, Vice President

State of

County of DISTRICT OF COLUMBIA

FEBRUARY 24, 1970

Personally appeared the above named E. R. KINGMAN, VICE PRESIDENT

of said Grantor Corporation as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation.

Before me,



Paul E. Coughlin
Notary Public

My Commission Expires November 10, 1973

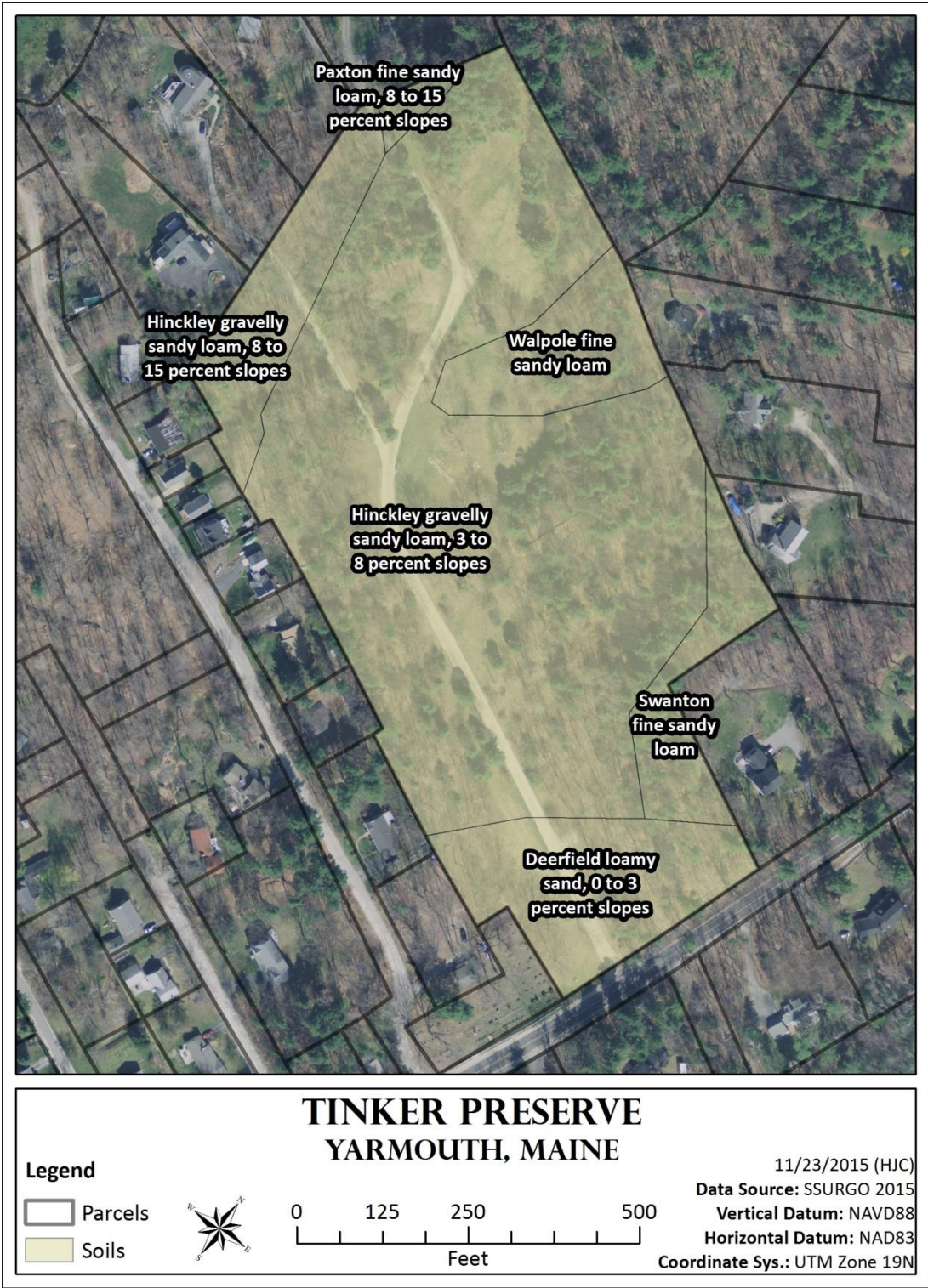
REGISTRY OF DEEDS, COMMERCIAL COUNTY, MAINE

Received at 10 E 9 St. and recorded in

BOOK 3129 PAGE 11 Seward R. L. Jr. Register

MAY 29 1970

APPENDIX B – Soils Map



APPENDIX C – Elevation Map



APPENDIX D – Flow Map

