

Woodland Memories & Legacy Planning  
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When I was growing up, my parents owned an independent community drugstore that was open seven days a week from early morning until 10:00 or 11:00 at night. The idea of taking a traditional, two-week family vacation was never a consideration. Even stealing away for a few hours of golf or a day-long family outing was rare during the years when Dad had no other pharmacists to cover for him. Against this backdrop of unrelenting responsibility, my parents began to think about having a place to get away from the constant demands of the business. Mom, in particular, specified what they would look for—someplace within an hour's drive so precious time would not be wasted in the car; lots of trees, and ideally a small creek that had not been polluted with acid mine drainage.

One night in 1960, a family friend appeared on our doorstep and told Mom and Dad about a property they had seen but were in no position to purchase. Upon hearing their friend's description, Mom and Dad made a sight-unseen, on-the-spot offer. Over the next several weeks, my Uncle John was deployed to find the property. I often imagined him being much like the doves from Noah's Ark, going off in search of land and coming back with no good news. "Nope, that doesn't sound right," my parents would say after consulting with their friend. So off went my uncle on another scouting expedition. Finally, he came to a place where the hillsides were covered with trees and a stream flowed peacefully under a covered bridge. Eureka! He had found it. And so we began to spend a Saturday or Sunday afternoon at "The Farm."

I'm not sure why we thought of it as a farm given that we raised no crops or livestock. But we reveled in the place to escape the steady flow of customers with their unending needs. Our base of operation was a rundown shack that decades earlier had been inhabited by woodsmen, or so we were told. Running through the property was Aunt Clara's Fork, the largest tributary of King's Creek. Listed as a high water-quality stream, it is stocked each spring by the Fish Commission. Occasionally, we run into fishermen trying to catch the fat trout lingering in the deep, quiet pool beneath the Ralston-Freeman covered bridge.<sup>1</sup> Some share fond memories of having fished the stream as a small child; sometimes these now adult men are accompanied by their own small children.

The covered bridge had been built in 1915 on a narrow dirt road that clung to the hillside above a narrow valley. It's hard to imagine this was a significant enough route back in the early 20<sup>th</sup> century to warrant a bridge, but apparently it was a way to go from the village of Florence, PA to the outskirts of Weirton, WV. In the early 1960s, Washington County began to tear down many of these old bridges that could no longer bear the weight of heavier vehicles. Mom approached the road commission and argued that our covered bridge should be spared since it was the only way we could access the majority of our property. And so literally, for the princely sum of \$1, it did become *our* covered bridge.

Over time, Mom and Dad would hear that the owners of adjacent properties were interested in selling their land. At a time before rural land in Washington County became prohibitively expensive, they expanded the footprint of The Farm. The last acquisition included a drafty old farm house, an even draftier little, red cottage, a barn, and two outhouses—one with a flush toilet supplied by captured rain water.

From the beginning, The Farm was a place where everyone was free to enjoy whatever they found most relaxing. Often we hiked; but just as often we lounged around sopping up sunshine and fresh air—everyone, that is, but Mom. One year she contracted a severely painful bout of poison ivy. After that she declared a one-woman war on this loathsome invasive. Donning combat boots secured from the local

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<sup>1</sup> See pictures of bride in Photo Gallery section of the website.

Army/Navy Surplus store and armed with a sprayer of herbicide, she would spend hours seeking out the enemy as it encroached along the forest edge. Meanwhile, Dad would be listening contentedly to the opera broadcast each Saturday afternoon.

In 1969, with an eye to the future, Mom and Dad deeded the property over to my two sisters, my brother-in-law, and me. As is the case with so many parents, ours wanted to treat all of us fairly. Their approach was to make us joint tenants in common, which meant none of us could do anything with the land unless we all agreed. Fortunately, all four of us valued the natural beauty of the property and wanted to keep it in the family. This is not always the case for all families when co-owners fight bitterly over the disposition of jointly owned property. Other families, wishing to avoid such arguments, divide the land into separate parcels and give one to each child. Although this strategy may keep peace in the family, it has led to significant loss of Pennsylvania's forest land as the younger generation sells to developers.

Sadly, my younger sister and my brother-in-law have passed away, bringing home the importance of planning for the ultimate fate of The Farm. Beyond us "second-generation" owners, the third generation (my older sister's daughter and my son) also value the forest and want to preserve this ecological gift that Mom and Dad gave us. Our first step was to reconsolidate ownership into a single Limited Partnership (LP). This, in itself was a bit challenging, as most attorneys assume that the purpose of an LP is to make money, not preserve a natural resource. Once we worked out the wording of the LP's purpose, we began to consider how best to conserve the woodland beyond the lifespan of the third generation. Interestingly, our interests align with recommendations included as part of a *Washington County Natural Heritage Inventory*.

As one of the few areas in Washington County where contiguous forest communities exist over several side by side watersheds, no further cutting or clearing of the forests within the BDA [Biodiversity Area] is recommended. The existing forests should be allowed to mature, and the abandoned old fields and pasture sections of the BDA, most being in the upper watershed areas, should be allowed to revert to forest, adding to the continuity and size of the existing communities. *Uniquely, much of the land within in the BDA is within a single ownership.* Currently open to hunting and fishing through a cooperative agreement with the PA Game Commission, further agreements providing for the conservation of this area may be possible.<sup>2</sup>

The sentence I italicized is referring to The Farm, and over the course of several years, we have been exploring the idea of placing a conservation easement on the property. This is not an easy process as it raises issues of control, pride of ownership, retaining flexibility to initiate projects in the future, foregoing income from timber harvests, and placing our trust in an institution, namely the Western Pennsylvania Conservancy (WPC). Working our way through these issues has taken time and considerable learning. Each of us (my older sister, her daughter, my son, and my husband) has navigated the decision-making process in our own time and way. For me, the turning point came when I shared some of my concerns with James Finley, one of the quintessential forest advocates in Pennsylvania.<sup>3</sup> He and his wife Linda had already placed an easement on their property. While he acknowledged that he had had similar concerns, in the end, it came down to what I valued most—my own ego needs or concern for the forest.

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<sup>2</sup> *Washington County Natural Heritage Inventory*, prepared for the Washington County Commissioners by Jeffrey D. Wagner of the Western Pennsylvania Conservancy in cooperation with the Washington County Planning Commission, January 1994.

<sup>3</sup> I mention Jim to honor the memory of a man who gave selflessly of himself to educate forest owners like me about the importance of protecting our state's precious resource.

Over the past two years, we members of the LP have been working our way through the details of placing an easement on The Farm. WPC staff (Ann Sand in particular) has been terrific source of information and support. They recognize making such a major decision requires time, and they have been respectful of our need to resolve doubts and reach unanimous agreement about moving forward.

In the fall of 2022, I had a chance to see a remote portion of The Farm that I had not previously visited. The sun was shining through the trees casting a magical light as only a spectacular fall day in southwestern Pennsylvania can. The beauty of the forest was breathtaking, and I was overwhelmed with gratitude for the gift Mom and Dad had entrusted to our care and the chance to honor their memory with a lasting legacy.<sup>4</sup>

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<sup>4</sup> I encourage anyone, who feels a similar love of their land and wishes to conserve it for future generations, to explore the idea of a conservation easement. I want to be clear that granting an easement does not mean relinquishing ownership. Additional information about conservation easements is provided in the Resources Section of this website.