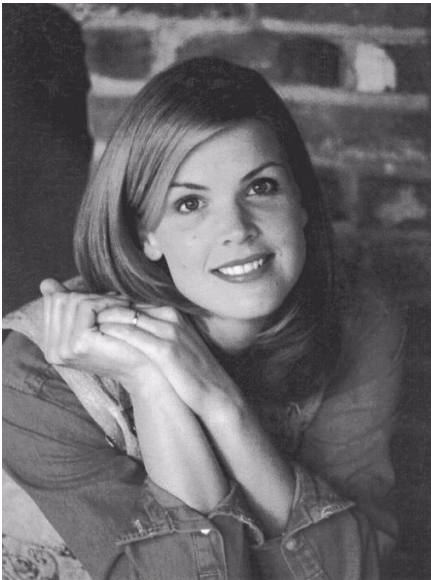


# Benton Beach Beacon



April 1997



## In Loving Memory of Cheryl Falvey

This issue of the Benton Beach Beacon is dedicated to Cheryl Falvey, who passed so unexpectedly this year. Cheryl was very special to all of us and will be greatly missed.

Donations may be made in Cheryl's memory to Birthright (Westbrook), DARE program at District 17 (Clinton and Killingworth), or to a Trust Fund which is being established for Cheryl and Matt's daughters. Checks for the Trust Fund should be made out to Erin and Robin Falvey in care of Matt Falvey and sent to The Congregational Church in Killingworth, 273 Route 81, Killingworth, CT, 06419.

## Work Day

Saturday, May 17, 1997

9 a.m.

(Alternate Date, May 18)

Spring Crocuses and spring peepers remind us that it's time to prepare the old beach for summer 1997!

Old Man Winter was pretty bland this year and the beach was spared some of the damages we're accustomed to seeing. However, there are the usual chores of clean-up, painting, and minor repair.

Many hands are needed and you are cordially invited to the first outing of the season which goes under the heading of "Work Day." If you cannot attend on Saturday, your help will be gratefully accepted on the next day, Sunday.

Please bring basic tools, work gloves, and don't forget to pack a lunch.

Carolyn Helander is the coordinator of this event and will be telephoning family members. She will also be coordinating the lawn-mowing schedule.

## Annual Clambake

The annual clambake, coordinated by Edwin Benton, is scheduled for Saturday, August 9, 1997. Circle this date on your calendar!

If any out-of-state family members might wish to lodge in the Sachem's Farm cottage for a few days at the time of the clambake, please contact Joel Helander at (203)453-1111.

More details regarding this spectacular event will be forthcoming.

## **Progress Report on Boundary Problems**

BBC shareholders and family members continues to be concerned about the unfortunate lawsuit filed by Mr. and Mrs. Waggoner, based on their mistaken belief that a wire *farm fence* was a *boundary fence*. They are claiming rights of ownership to the edge of the traveled portion (pavement) of Benton Beach Road, which is in total defiance of title records.

While the Waggoners' frivolous suit is destined to fail their claim, it inflicts emotional and financial damage. Some people believe that this may be one of their objectives; hence, it is critical that there is a swift and crushing closure to the litigation.

The Board of Directors of Benton Beach, Inc. continues to strive to act in the best interests of all shareholders. Frequent special meetings have been called so that unilateral decisions are not made. The Board regards that its role as defendant with extreme seriousness because the plaintiff's claim would affect about ten (10) feet of our narrow twenty-five (25) foot wide access strip to interior, waterfront properties.

At a temporary injunction hearing, November 4, 1996, Judge Meadows of New Haven Superior Court refused to honor the Plaintiff's request to have our new split rail boundary fence removed, citing no irreparable damage. Since that first courtroom appearance, we have worked diligently for nearly four months to enter into a pre-trial settlement with the Waggoners. This would have been accomplished with a formal boundary line agreement. Alas, at our Board meeting on March 26, such an agreement has been deemed unsuccessful. At every twist and turn of negotiations, the plaintiffs presented false starts and contradictions, all of which suggests their irrationality. To add insult to injury, the plaintiffs have recently filed suit against the owners of the "Beauty Mountain" property at 320 Vineyard Point Road. The net

effect of a new party defendant alliance and strength for our position.

The October 23, 1996 progress report on this matter stated that a court trial is "probable." As of this writing (Easter weekend), it appears that a trial is as vital as it is necessary to resolve the boundary problem.

Shareholders can be assured that their liability in connection with the trial is not expected to occur until January 1998. Moreover, if there are shareholders who are not comfortable with their present level of shareholding (i.e., number of shares held), they have the flexibility and control of limiting their liability by stock transfer. The Stockholder's Agreement allows transfers to be made freely to any lineal descendent of Eliot H. Benton at any time. If desired, transfers can be accomplished thoughtfully and strategically over the next nine months.

The BBC Board cannot be emphatic enough in reminding all shareholders that BBC stock has no par value since it cannot be freely bought and sold on the open market. It is restricted stock by the terms of the Stockholder's Agreement, representing ownership interests in unique Sachem's Head real estate. Further unique in BBC itself, which is a closely-held Connecticut corporation that pools the resources of shareholders on a pro rata basis. BBC stockholding or shareholding becomes the mechanism for financing our land-holding in a creative way.

Please feel free to contact any Board member at any time if you would like additional information about the pending trail.

Joel Helander,  
BBC President

# My Place

A poem by Holly Helander Whelan (1980)

There is a place - where I can go  
To ponder and rest awhile.  
It is me - a part of myself.  
I feel the soft grain running through my feet,  
- the wind playing with my hair.  
The shells are all so different, each having only  
themselves - like me  
-here at my beach.  
I am here. What brought me here?  
Is it the freedom - the chance to be by myself  
See myself?  
I do feel - feel as free as the gull winging  
Across the blue velvet sky,  
I do feel - feel my muddy toes  
-the sand under my nails.  
Sometimes I feel loved by all mankind  
In yet, there are time - many times  
When I am loved only by sea and wind.  
I belong here - sitting on those endless rocks  
- thinking -  
I'll always be there...  
My face is the sky, my body  
the sand, my tears the ocean,  
My fingers the shells.  
Look and I will be there.

## Sachem's Head Paradise

The following are excerpts from an 1848 issue of the *Hartford Courant* in which the poetess Lydia H. Sigourney describes Sachem's Head as a summer place. Miss Sigourney was a regular patron at the First Sachem's Head Hotel. She writes:

"Along the whole beautiful extent of coast, where Connecticut holds dalliance with the sea, there is no more desirable spot for a summer visit than this long-favored locality of Sachem's Head...It has been distinguished for the purity of

its air...and the romantic features of its scenery...It is the very paradise of babies and nurses, where free space and facility of access to the realms of Neptune, promote a satisfied temperament and a happy accordance between the 'inner and the outer life.' "

## Notes

- Full Moon dates for Summer 1997

June 20  
July 19  
August 18  
September 16

- For those of you who have not yet witnessed the absolutely *spectacular* close encounter with the comet Hale-Bopp, check it out in the evening sky. This is a once in a lifetime chance! It is very rare for a comet to be so clearly visibly to the naked eye. Binoculars provide an even better view of this cosmic splendor. Our beach provides a wonderful viewing site for amateur astronomical viewing due to the 360 degree view and relatively low light pollution (when the neighbors' spot lights aren't glaring onto the beach, that is!).
- Please call Donna Chemacki (203-245-2998), Benton Beach, Inc. secretary, for scheduling a special beach event. This is not necessary for small, spontaneous gatherings.
- Please submit any articles or family updates to Tim Chemacki for incorporation into the next issue.

Timothy Chemacki  
83 Mansfield Rd., Unit 325  
New London, CT 06320  
(203) 443-0409  
email: tchem@mindport.net