



ACTON CONSERVATION TRUST

LAND TRUST NEWS

Volume 10, No. 1 March 2008

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ACT Annual Meeting
April 6, 2008, 7:30 PM
Church of the Good Shepherd
Guest Speaker:
John Hanson Mitchell

**The Groener Land: first
expenditure of Community
Preservation Funds for
acquisition of open space**

**Open Space Happenings in
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Acton Conservation Trust **A NON-PROFIT LAND TRUST**

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Acton Conservation Trust
P.O. Box 658
Acton, 01720

March 6, 2008

Dear Friends and Acton Conservation Trust Members,

ACT's most important accomplishment for 2007 was our role facilitating the Town's acquisition of the 12.1 acre Groener land with Community Preservation Funds. This parcel augments the Nagog Hill Conservation Area and is a great way to kick-off our preservation efforts with CPA funding. Early last year, ACT began working with the Groener family to develop a plan to sell a major portion of their land to the town. Working with Town officials, we helped generate a proposal that was enthusiastically embraced by the Community Preservation Committee. The entire CPA proposal, including the Groener land, was easily passed at Spring Town Meeting, and the purchase and sale agreement was signed this fall. The purchase of the Groener land offered an opportunity to purchase a prime open space parcel abutting existing conservation lands at a modest price owing to the fact that the land is currently landlocked.

This fall, after the closing, we celebrated this joyous occasion with a walk of the beautiful wooded land and a champagne toast to John and Jill Groener, the conservationists who made this acquisition possible.

This year has been spent working on numerous potential land protection projects. To do so it's helpful to have the funds available to purchase land, for due diligence costs, land stewardship, and education for residents about land conservation issues. ACT must continue fundraising for various projects. We hope that when you receive our appeals that you will want to give generously to protect Acton's rural heritage and natural landscape.

Sincerely,

*Did you remember to
renew your membership
for 2008?*

*To the many who have already done
so, thanks for renewing your
support. For those who have yet
to renew, please use the form on
page seven of this newsletter to
keep your membership active*

The Acton Conservation Trust is a non-profit, non-governmental organization that can hold permanent conservation easements, accept gifts of land, accept tax-deductible gifts to be used for open space preservation and purchase land for conservation purposes. We also provide education to landowners about various options for preservation. ACT is one of more than 130 such organizations in Massachusetts, and is a member of the Massachusetts Land Trust Coalition and the national Land Trust Alliance. More information is available at ActonConservationTrust.org or by e-mailing Susan Mitchell-Hardt at mitchell-hardt@comcast.net

LAND TRUST HAPPENINGS

GROENER LAND IN ACTON CENTER ACQUIRED WITH COMMUNITY PRESERVATION FUNDS

In the ACT Newsletter February 2007 edition we reported on our development of a proposal to the Acton Community Preservation Committee to purchase 12.1 acres of land in the center of Acton to add to existing open space in that region. We are delighted to report that our efforts were successful and that John and Jill Groener sold to the Town for conservation purposes a 12.1 acre parcel of undeveloped land abutting the Nagog Hill Conservation area. ACT Trustees and the Groeners celebrated this event with a walk of the land on November 10, 2007.

This is Acton's first land acquisition with Community Preservation funds. The parcel consists of approximately 8 acres of oak and maple upland forest, and 4 acres of red maple forested wetlands. It lies within areas designated as prime protection lands

on the Natural Heritage and Habitat, the Biodiversity and Living Waters and the Sudbury Valley Trustees Priorities maps. It is similarly located within a prime biodiversity area identified in the 2000 Biodiversity Protection and Stewardship Plan prepared by botanist Francis Clark, under the direction of the Massachusetts Riverways Program. The parcel will become part of the Nagog Hill Conservation Area and will be accessible for passive recreation from the existing trail system. A permanent conservation easement will be placed on it.

ACT hopes to facilitate many more such proposals and we encourage all our members to help identify potential parcels for acquisition in this manner.



Jill and John Groener lead a walk of the 12.1 acre parcel they recently sold for conservation purposes. Joining the walk are ACT Trustees Susan Kennedy, Brewster Conant, Jim Snyder-Grant, Susan Mitchell-Hardt, Hart Millet, Nan Towle Millet, and the photographer David Hardt



Jill Groener (left) showing some of the features of the land to ACT's Jim Snyder-Grant and Susan Mitchell-Hardt

OPEN SPACE HAPPENINGS IN NEIGHBORING COMMUNITIES

Concord: The Concord Land Conservation Trust has reached an agreement to purchase the 18 acre Hubbard Farm Field near the corner of Route 2 and Sudbury Rd. for \$3.25 million and have until May 1st to raise the necessary funds. The CLCT hopes to meet this goal with the help of Community Preservation funding as well as private donations.

The Robb family of The Phippen Tree (horse) Farm on Monument St. has placed 46 acres under a permanent conservation easement. The family will continue to own and maintain the farm and the Trustees of the Reservation will hold the easement.

Boxborough: The Boxboro Conservation Trust is making progress on conserving the 25 acre Mitchell/Kulraski property off Liberty Square Road. It abuts other conservation land owned by the town and the Boxborough Conservation Trust. Plans are to sell five acres where two homes could be built, and to raise the rest of the funds needed to purchase the \$420,000 property. Much of the land is wetlands where old growth trees and spotted turtles call home.

Stow: The Red Acre Foundation Land was added in September, 2001 as a result of an agreement reached by the Stow Conservation Trust with the Red Acre Foundation to purchase 196 acres in Stow and 3 acres in Maynard. This purchase represents a key step in a long-term plan to link together the conservation land in Stow that is available for public use.

Carlisle: In November, George Stalker of Concord St. granted the Carlisle Conservation Foundation (CCF) a permanent conservation easement on over 5.6 acres of land off Bingham Road. The Stalker gift includes public trail easements that will link to trails in the Town-owned conservation lands. The easement also provides permanent protection to a certified vernal pool, home to wood frogs and predaceous diving beetles.

In October, a permanent conservation easement was recorded on the 26 acre portion of the town-owned Benfield land south of South St. The easement, held by CCF, includes the interior field running down to the Spencer Brook water meadow.



HOW TO HELP SAVE OPEN SPACE IN YOUR NEIGHBORHOOD

Some years ago, ACT developed the "Neighborhood Advocacy Program" to encourage everyone interested in open space preservation to take a close look at their own neighborhood to see what is or might be happening to threaten the remaining undeveloped land. We are reprinting that guide here in the hopes that many of you will take these steps and become more involved in our mission. It is important to realize that this is not a theoretical exercise, but one that has led to significant land preservation here in Acton as well as in many surrounding towns.

The ACT Neighborhood Advocacy Program

- Take home a map of your neighborhood. (Get this from ACT or from the Town Engineering Office)
- Find your house lot and highlight it.
- Look for nearby vacant parcels and oversized lots.
- Determine who owns these lots and what acreage they have. You may need to go to the Assessors Office at Town Hall for this information.
- Know your zoning district to see what could be built on the open land. (ACT can help you do this.)
- Get the wetlands maps - know the setbacks, whether or not there are intermittent streams, etc. Talk with Conservation Commission.
- Look for potential access to land- locked parcels. For example: abutting properties are sometimes purchased outright just to gain frontage.
- Invite your neighbors over to look at maps and to discuss the local "build-out" potential.
- Talk to each other about people's long-range goals and objectives with respect to their property. For example, are they retiring soon and leaving the area? Do they want to stay at their home, but need tax relief? Have all their children graduated from school and are they planning to move on?
- Talk about options (You may want to invite an ACT Board member to help you.) These include:
 - Conservation Easements to keep the land open forever, while remaining in private ownership
 - Joint purchase of the land by a group of neighbors and resale with restrictions.
 - Proposing purchase to the Community Preservation Committee as part of its open space mandate.
- If neighborhood land is already slated for development, organize the neighborhood to attend all Planning Board meetings and Conservation Commission wetlands hearings. Citizen interest is very important to these boards.

A Final Note:

Many a person has thought nearby land is "too wet", "won't perc." for a septic system, or "has too much ledge" only to find that as land becomes more valuable, such problems can often be overcome.

HAARTZ CORPORATION PRESERVES LARGE PARCEL AND CREATES GRASSLANDS

Kudos to the Haartz Corporation for permanently protecting more than a third of the land surrounding its Acton headquarters from future development! Haartz accomplished this by granting a conservation easement on approximately 20 acres of their 55-acre site (bordered by Hayward and Charter Roads and Route 2) to the Town of Acton. ACT member and Haartz employee Dick Hatfield facilitated this project, for which we owe him great thanks. The preserved land includes mature white pine and red oak forest. Taking into account the land thus protected by Haartz's conservation easement, together with environmentally important wetlands also located on the Haartz site, means that more than one-half of Haartz's 55-acre "business campus" has been set aside as natural habitat.

Dick has also created an innovative grassland over the site's septic system. We often overlook the importance of undisturbed grasslands in maintaining biodiversity. A grassland can sustain many species, especially grassland birds, and organizations such as the Cornell University Cooperative Extension are actively encouraging all such efforts to expand grasslands efforts such as this one to reclaim this once abundant resource.



Aerial View of the Haartz Property on Hayward Road

CONSERVATION TAX BENEFITS FOR LANDOWNERS: HOW YOU CAN HELP

Last year we reported on a change in the Federal tax law that, for the period August 2006 – Dec. 31, 2007, greatly enhanced the financial benefit of preserving open space. The temporary change allowed the landowners, whose loss of development rights is treated as a charitable donation, to deduct up to 50 percent of their adjusted gross taxable income for each of the following 15 years until the entire gift is offset. For some full-time farmers and foresters the offset is 100 percent. Before this, the offset was limited to 30 percent and could be applied over only 5 years. For example, this means that a landowner making \$100,000 a year could receive a total offset of \$750,000, compared with \$150,000 under the previous provision. The net effect of this change, according to the Boston Globe, is that more than 6,100 acres of Massachusetts land have been preserved through conservation restrictions during this period. Of the 182 landowners, farmers and businesses that gave up development rights in the form of permanent conservation easements or agricultural preservation restrictions (APR) at least one was right here in Acton with the resulting easement held by ACT.

An extension of the conservation tax break is now being considered by Congress as part of a farm bill, but it's not known whether it will pass. Visit www.lta.org to receive the latest updates on the status of this bill and lend your support if you can.

ACT Annual Meeting April 6, 2007

NOTICE OF ANNUAL MEETING OF MEMBERS

Please note that the Annual Meeting of Members of the Acton Conservation Trust (ACT), a Massachusetts non-profit corporation, will be held on Sunday, April 6, at 7:30 PM at the Church of the Good Shepard, 164 Newtown Road, Acton. During the brief "business portion" of the meeting, Members will be asked to:

- Re-elect Susan Mitchell-Hardt, Jim Snyder-Grant, Hart Millett, David Hardt, Brewster Conant, Carol Holley, Sue Kennedy, Nan Towle Millett and Andy Magee as Trustees, and elect David Cochrane as a new Trustee, each to serve until the 2009 Annual Meeting and as otherwise provided in ACT's Bylaws.
- Re-elect David Hardt as Clerk and re-elect Hart Millett as Treasurer of ACT, each to serve until the 2009 Annual Meeting in accordance with ACT's Bylaws.
- Hear and comment on the Treasurer's Report and committee reports of 2007 activities, and to act upon such other business as may properly come before the meeting.



**JOHN HANSON MITCHELL
TO SPEAK AT**

ACT ANNUAL MEETING

Littleton author and Sanctuary Magazine Editor John Hanson Mitchell will be the featured speaker at the ACT Annual meeting on April 6, 2008 at 7:30 PM at the Church of the Good Shepard, Newtown Road. All ACT members, their guests, and others are invited to join us for an evening with one of the most intriguing, original nature writers alive.

John will answer the question, "Who owns the land?" which will address the evolution of land trusts and the changing legal patterns of private ownership and public land. Please join us and bring a friend!

Acton Conservation Trust 2007 Financial Statements

Jan - Dec
07

Statement of Income and Expenses

| | |
|---------------------------------|------------------|
| Income | |
| Membership Dues | 11,050.00 |
| Donations | |
| Heath Hen Meadow | 1,805.00 |
| Annual Appeal | 1,165.00 |
| In Memory of Richard Miller | 1,250.00 |
| Other Donations | 250.00 |
| Total Donations | 4,470.24 |
| Interest Income | 1,309.15 |
| Total Income | 16,829.15 |
| Expenses | |
| Operating Expenses | |
| Mailings and Supplies | 1,043.02 |
| Acton Clean-up Day | 352.15 |
| Organization Memberships | 355.00 |
| Fees | 696.51 |
| Insurance | 1,786.50 |
| Total Operating Expenses | 4,233.18 |
| Grants | 322.94 |
| Total Expenses | 4,556.12 |
| Net Income | 12,273.03 |

Balance Sheet

| | |
|---------------------------------------|-------------------|
| ASSETS | Dec 31, 07 |
| Current Assets | |
| Checking/Savings | 62,113.64 |
| Land | 19,776.56 |
| TOTAL ASSETS | 81,890.20 |
| LIABILITIES & EQUITY | |
| Equity | |
| General Fund Balance | 15,907.93 |
| Retained Earnings | 53,709.24 |
| Net Income | 12,273.03 |
| Total Equity | 69,617.17 |
| TOTAL LIABILITIES & EQUITY | 81,890.20 |

CAROL HOLLEY CONSERVATION VOLUNTEERS OF THE YEAR

Mary Michelman, founder of the Acton Stream Teams, and current president of Acton Citizens for Environmental Safety (ACES), was the recipient of the ACT Carol Holley Conservation Volunteer Award for 2006. This is ACT's way of saying thank you for her many contributions that have helped safeguard Acton's waters during the past few years. Mary brought together a coalition of funding and planning partners that, among other things, enabled signs to be posted throughout Acton, each identifying the name of a stream, and all of them united with the slogan that could be Mary's motto: "Protect Our Water".

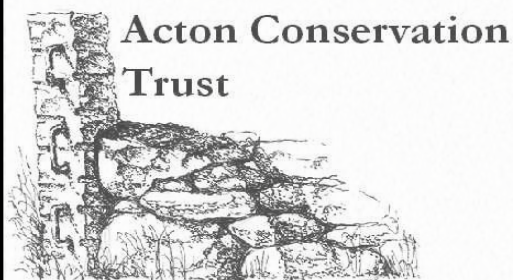
In 2007, Karen O'Neill was recognized as the Carol Holley Conservation Volunteer of the Year for her work in protecting Acton's undeveloped spaces. Karen, who works for Mass Audubon, is currently serving on the Town of Acton *Open Space Committee*, and is also active on the Sudbury Valley Trustees Land Protection Committee. She has been one of ACT's most active and successful agents in working on land protection. Karen played the lead role in managing the process for the Kingman CR,

held by ACT, that resulted in protecting the bulk of their 10 acre horse farm on Esterbrook Rd. Karen also worked with Peter Whitcomb to help complete the sale of 16 acres of land near the Stow/Acton border along the Heath Hen Meadow Brook to ACT.

THANK YOU, JOAN!

Joan Cirillo has decided to step down as an ACT Trustee when her term expires at the 2008 Annual Meeting so she can devote more time to other interests in such areas as animal rescue and choral group singing. Joan has served on ACT's Board since October 2004, and was ACT's Clerk from March 2005-April 2007. By lending her skills as an attorney to the organization, she was instrumental in getting a modernized charter and by-laws written and implemented for ACT. She also contributed to such successful endeavors as ACT's adoption of the Land Trust Alliance's Standards and Practices, and purchase of the Whitcomb Land and Kingman conservation easement.

Although retiring from Board service and increasing her involvement in other pursuits, Joan remains devoted to the causes of conservation and open space. In addition to assuring us she'll be a willing ACT volunteer, Joan continues to serve as an Acton Land Steward and volunteer orchard-worker for the Massachusetts chapter of the American Chestnut Foundation.



Acton Conservation Trust

2008 Membership & Renewal Application

Join the many other townspeople who support our efforts to preserve open space in Acton.

Among other uses, your donations help ACT pursue opportunities to acquire land and conservation easements; they help us stay current on Land Trust developments through key publications and workshops; and, most importantly, they can help us move quickly if properties suddenly become available and we want to protect them from development.

- If you are not yet a Member of ACT (or have not yet renewed your membership for 2008), please join us!
- If you are already a Member for 2008, please pass this newsletter and form on to a friend who might be interested!

Suggested levels of support *:

___ Individual \$20 ___ Protector \$250
___ Family \$50 ___ Supporter \$500
___ Friend \$100 ___ Patron \$1,000

*Gift includes annual dues of \$20 per person (unless already paid for 2008) for the following person(s)

please PRINT Member Name(s):

_____.

If no dues are included, thank you for your **donation**

in the name of _____.

An acknowledgement of your gift will be mailed to you.

Address: _____

Phone: _____

Email: _____

Your email address lets ACT keep you informed about news & local meetings related to conservation & open space preservation.

☐ Please contact me about how I can get more involved!

Please make your check payable to "Acton Conservation Trust" and mail it with this form to:

Acton Conservation Trust
P.O. Box 658
Acton, MA 01720

Your gift to ACT is tax-deductible to the extent allowed by law.



Your support of ACT at any level is a way for you to take an active role in saving open space in Acton.



THE KINGMAN PASTURE

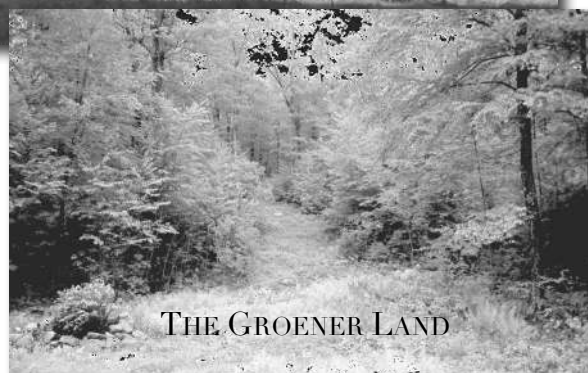


"WALKING TO WHITCOMB"



WITH YOUR
HELP, WE CAN
PRESERVE
ACTON'S
NATURAL
BEAUTY AND
ENVIRONMENT

THE GROENER LAND



LAND TRUST NEWS

MARCH 2008

ACTON CONSERVATION TRUST, Inc BOARD OF TRUSTEES

| | | |
|----------------------------------|----------|----------------------------------|
| Susan Mitchell-Hardt, President | 369-9264 | mitchell-hardt@comcast.net |
| Jim Snyder-Grant, Vice President | 266-9409 | jimsg@newview.org |
| Hart Millett, Treasurer | 263-0988 | hart.millett@verizon.net |
| David Hardt, Clerk | 369-9264 | hardt@mit.edu |
| Joan Cirillo | 263-6473 | cirilloj@comcast.net |
| Brewster Conant | 263-2090 | bbconant@rcn.com |
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