



ACTON
CONSERVATION
TRUST

LAND TRUST NEWS

Volume 11, No. 1 March 2009

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ACT Annual Meeting
April 5, 2009, 7:30 PM
Acton Town Hall Room 204
Guest Speaker:
Patrica Huckery

**The Gaebel Land - Great Hill
Area Land Purchase**

**Permanent Protection of the
Route 2 Farmlands**

**Valentine Conservation
Easement in North Acton**

**Support "No Net Loss"
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**Highlights from the Open
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Signed**

**Holley Conservation
Volunteers Awards**



Acton Conservation Trust

A Non-Profit Land Trust

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

March 6, 2009

Dear Friends and Acton Conservation Trust Members,

This has been an exciting year for the Trust, with a significant amount of land permanently protected and many other projects progressing well. We continue to work with Acton's landowners to help them preserve the open space they love in the best possible way, and to preserve as much of Acton's natural heritage as we can. As you will see on the "scorecard" on page 4 we have been making significant progress over the past 5 years.

This year we again worked closely with the Town Open Space and Community Preservation Committees to successfully complete the purchase of the 5.5 acre Gaebel land. We are delighted that this project received nearly unanimous support at Town Meeting and that it has now become a permanent expansion of the Great Hill Conservation area. I personally want to thank Gerry Gaebel for his good will and patience in seeing that his family's land remains open in perpetuity.

Perhaps even more exciting is the protection of 107 acres of open land along Route 2, that is owned by the Department of Corrections. This is a project that has been in the works for several years, and ACT is proud to have helped see it through along with our partners the Concord Conservation Land Trust, and the Sudbury Valley Trustees. Of course, none of this would have been possible without the efforts of our own Legislators, Pam Resor, Jamie Eldridge and Cory Atkins.

ACT has played a vital role in all of these projects, and our efforts would not have been possible without your continuing support. For that we all thank you very much, and look forward to many more successes in the future.

Sincerely,

Susan Mitchell-Hardt

*Did you remember to
renew your membership
for 2009?*

*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 PRESERVATION 2009

GAEBEL LAND at GREAT HILL ACQUIRED with COMMUNITY PRESERVATION FUNDS

The sale to the Town of Acton of a 5.5 acre parcel abutting Great Hill Conservation Area was completed last month. The **Gaebel Land** will now become a permanent part of this vital area. There is already a well used network of recreational trails in Great Hill and the purchase of this land will allow the extension of this network. The land also includes a historic house believed to date back to the 1840's.

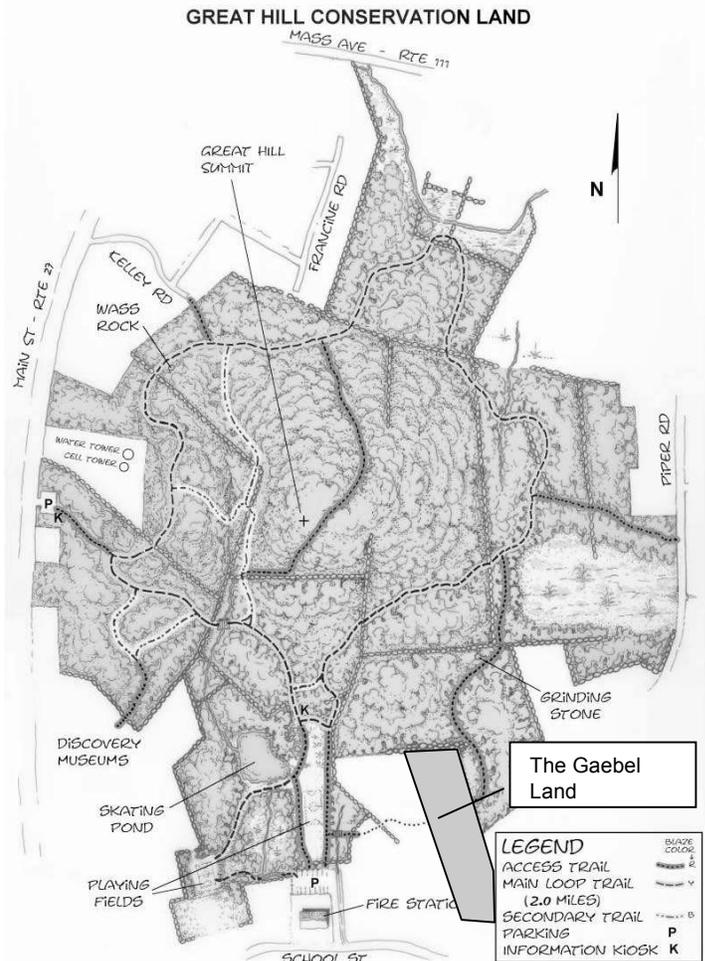
The Acton Conservation Trust initiated this project with the owner as part of its program of identifying large parcels of open space. ACT thanks its devoted Membership for providing the funds necessary to make this important land acquisition move forward. Without your support, we wouldn't be able to pay for appraisals and other due diligence necessary for land acquisition.

The funds to purchase the property and house were provided by a \$730,000 appropriation from the Community Preservation Fund, that was approved at the October 2, 2008 Special Town Meeting.

The 5.5 acres of forested open space abuts the 184 acre Great Hill Conservation Area and overlooks the South Acton Historic District. Purchase of the land protects it from any future development. An historical preservation restriction will be placed on the house and it will be sold on the open market. That revenue will then reimburse the CPA open space fund, so we expect the net cost to Town will be less than \$400,000.

ACT also wants to thank the Open Space Committee, the Community Preservation Committee, the South Acton neighbors, the Acton residents who attended the Special Town Meeting and supported this project, and Town officials who helped this project along by sharing due diligence costs with the Trust and for performing the purchase and sale agreement.

Finally, we are indebted to Gerry Gaebel and his family for working with ACT and the CPC to make this project successful for all concerned.



Valentine Conservation Easement in North Acton and Carlisle A Great Example of Creative Land Development/Protection

An example of open space conservation and realizing the value of the property is the model provided by the recent Valentine permanent conservation easement. The Valentines own 155 acres on the Carlisle/ Acton border, 10 of which are in Acton. They are placing a permanent conservation easement on 130 of these acres, including the 10 in Acton. On the remaining land (all in the wooded sections of the land) they will create 17 building lots off the road where they won't be seen. The protected acres in Acton abut the Water District land, and a trail easement going to the Bruce Freeman Rail Trail will be created.

By implementing this plan, the Valentine family has preserved the beautiful vistas of this idyllic spot, insured the continued conservation of the land, and realized excellent economic value as well.

ACT wishes to thank the Valentine family for exemplifying the creative land management which will result in their realizing significant value for the property while protecting the conservation values that make it so special.



LAND PRESERVATION 2009

Farm Lands Along Route 2 Placed in Article 97 Protection

The scenic farmland vistas along Route 2 in Acton and Concord are a significant part of Acton's agricultural heritage and a rural gateway to the Town. After nearly three years of talks among several state agencies, legislators, municipal leaders, and the Sudbury Valley Trustees, Acton Conservation Trust and Concord Land Conservation Trust, 215 acres owned by the Department of Correction will be permanently protected by law as open space. The acreage is split nearly equally between Acton and Concord.

The act of the Legislature to place 215 acres of land under Article 97 protection was signed into law by Governor Deval Patrick in August of 2008. The legislation was sponsored by Senators Pam Resor and Susan Fargo, and by Representatives Cory Atkins and Jamie Eldridge, to whom we are, as always, very grateful. This protection mandates that the land may only be used for conservation, recreation, open space and agricultural purposes.

ACT wants to thank the Sudbury Valley Trustees for working closely with local legislators and town officials, for helping to draft legislation and negotiating with various state agencies over interests in the vicinity of the DOC lands. We also thank our partner land trust in Concord for their skillful handling of this project.

Most of all, we want to thank our members for providing us the financial support we needed to provide SVT the necessary aid to make protection of this historic landscape possible.

What is "Article 97" and what is "No Net Loss"??

Article 97 refers to the 97th amendment of the Massachusetts State Constitution. It was passed in 1972 in response to a slow and continuous sale of public lands assembled by the state over the prior three centuries.

Since its passage cities and towns and the legislature have used this article to protect numerous property and resources in the Commonwealth, including several other open spaces and agricultural land associated with the Department of Corrections. In fact, the majority of Conservation Land owned by Acton is protected under Article 97. It is the strongest protection of open space other than a permanent conservation easement, such as those held by ACT and other land trusts.

However, the amendment allows for the disposition or change of use of such lands if approved by a 2/3's vote of both bodies of Legislature. In recent years the number of such changes in use has been increasing. In response, Senator Pam Resor sponsored a bill known as "AN ACT TO PROTECT THE NATURAL AND HISTORIC RESOURCES OF THE COMMONWEALTH". It provides for "no net loss" of protected land. In brief, it specifies that if there is to be any change in use or disposition of Article 97 land, there must also be acquisition of appropriate "replacement land" before the legislature can give its approval.

This bill is still making its way through the legislature, sponsored now by Senator Jamie Eldridge, and you can learn more about it at http://www.protectmassenvironment.org/public_land_preservation_act.htm.



ACT Annual Meeting April 5, 2009

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 5, at 7:30 PM at the Acton Town Hall Room 204. We will first hear from our guest speaker Patricia Huckery, on the topic **"Why Manage the Wild Deer Population"**. Immediately following, we will convene the brief business portion of the meeting, where members will be asked to:

- *Re-elect Susan Mitchell-Hardt, Jim Snyder-Grant, Hart Millett, David Hardt, Brewster Conant, Sue Kennedy, Nan Towle Millett and David Cochrane as Trustees, and elect Linda and John Longden as a new Trustees, each to serve until the 2010 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 2010 Annual Meeting in accordance with ACT's Bylaws.*
- *Hear and comment on the Treasurer's Report and committee reports of 2008 activities, and to act upon such other business as may come before the meeting.*

Open Space Survey Completed

The Town of Acton is in the process of updating the Open Space and Recreation Plan, and as part of that process, the Open Space and Recreation Committee (which includes ACT members Andy Magee, Karen O'Neil, Dick Hatfield, Peter Ashton, Charles Carlson and Jane Ceraso) circulated a survey about goals, needs, and objectives for open space and recreation in the town for the next five years. Response rate was 1,240 households or about 15% of Acton households. Here are a few highlights of the results from the survey:

- Concerns expressed about residential growth, loss of open space, preservation of the character of the town, need for more recreation facilities
- Emphasis on use of conservation easements as a means to protect land;
- Willingness to support purchases of land to protect open space, especially through CPA;
- Desire to limit residential growth through various policies such as subtraction of wetlands from developable land calculation and down-zoning;
- Desire to see the town take steps to protect open space, including work with private landowners to limit development.
- Maintain current policies regarding commercial growth;
- Level of satisfaction with current recreation facilities is high;
- Bike trails, conservation areas, hiking/skiing trails, children's play areas, and more fields for youth sports were the top recreational needs cited
- Desire to see more sidewalks, less traffic,
- Preserve the character of the town and protect the open space we have.



Acton Conservation Trust 2008 Financial Statements

Jan - Dec
2008

Statement of Income and Expenses

Income	
Membership Dues	\$12,138
Donations	1,000
Tote Bag Sales	42
Interest Income	1,132
Miscellaneous Income	351
Total Income	\$14,664
Expenses	
Operating Expenses	
Mailings and Supplies	890
Tote Bags	344
Organization Memberships	305
Fees	555
Insurance	1,811
Total Operating Expenses	3,905
Total Expenses	3,905
Net Income	\$10,758

Balance Sheet

ASSETS		Dec 31, 08
Current Assets		
Checking/Savings		\$72,972
Land		19,776
TOTAL ASSETS		\$92,748
LIABILITIES & EQUITY		
Equity		
General Fund Balance		15,908
Retained Earnings		66,082
Net Income		10,758
Total Equity		92,748
TOTAL LIABILITIES & EQUITY		\$92,748

Carol Holley Conservation Volunteer of the Year for 2007

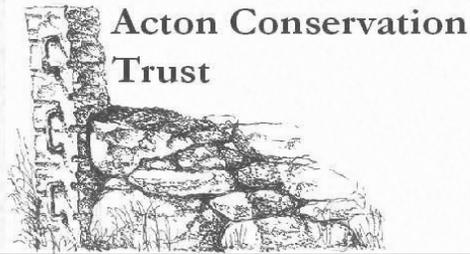
Betsy Eldridge, initiator of Acton Clean Up Day (along with her neighbor Lenore Henry, as part of the S. Acton Revitalization Committee) 23 years ago, was the recipient of the ACT Carol Holley Conservation Volunteer Award for 2007. Until her retirement from Clean Up Day last year she has continuously provided oversight and coordination. Clean Up Day has become an eagerly anticipated tradition in Acton. This is ACT's way of saying thank you to one of our Town's beloved unsung environmental heroes.

Betsy joins a distinguished list of Acton residents who have received the award since its inception 5 years ago:

Carol Holley
Linda McElroy and Bob Guba
Mary Michelman
Karen O'Neill

And a most distinguished winner for 2008!

Please come to the ACT Annual meeting to find out who!



2009 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!

Address:

Phone:

Email:

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

Suggested levels of support *:

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

Support at \$50 or more gets you the Acton Conservation Trust tote bag. A great way to save on bags at the market and to spread the word about ACT.

- 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



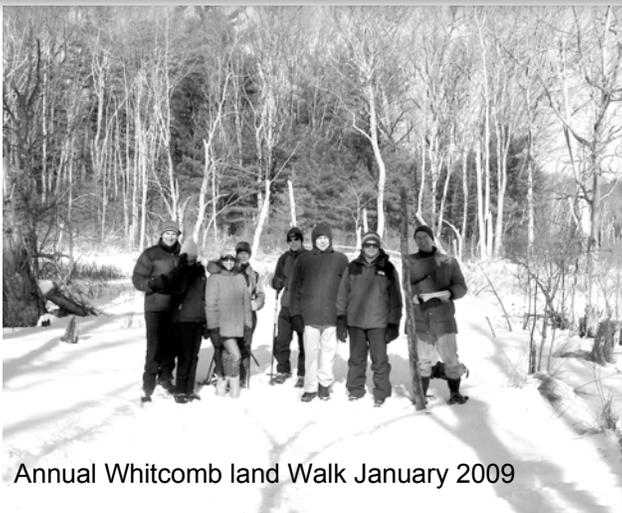
With Your Help, We Can Preserve Acton's Natural Beauty and Environment

GOODBYES

ACT Trustees and long time open space advocates Carol Holley and Andy Magee will be leaving the board when their terms expire at the April 2009 Annual Meeting. Carol is looking forward to having more time for her work with the Green Advisory Board, ACES and the Water Resources Advisory Committee. Andy will continue to work on land protection through the auspices of the Open Space Committee (OSC) and as a Member of ACT. ACT looks forward to continuing to partner with him through the OSC, and ACT is very appreciative of his and the OSC's efforts to shepherd open space projects through the CPC process. Their wise counsel will be missed, but rest assured they will continue to hear from us...frequently.

HELLOS

ACT welcomes Mr and Mrs. John and Linda Longden to the ACT Board. John is founder of the Longden Company in Hudson. They are innovators in building specialized environments such as clean rooms and green buildings. He grew up in Concord. He brings negotiating skills honed by working with developers as part of his business, and a fervent desire to expand open space protection in Acton. Linda is a native of New Hampshire and is a former fundraiser and marketer. She looks forward to employing those skills on behalf of ACT in an effort to protect our open space.



Annual Whitcomb land Walk January 2009

ACTON LAND PROTECTION SCORECARD 2002-2008

- Donald Family Land abutting Arboretum (11 Acres Permanent Conservation Easement)
- Powder Mill Road Canoe Landing (5 Acres; Conservation Easement)
- Whitcomb Land (Heath Hen Meadow Brook Area (16 Acres Purchased by ACT)
- Haartz Corporation property on Hayward Rd. (20 acres, Conservation Easement)
- Kingman horse pasture on Esterbrook Rd.(6 acres, Permanent Conservation Easement)
- Route 2 Farmlands (107 Acres protected by Article 97)
- Valentine Farm, North Acton and Carlisle (10 Acres in Acton, Conservation easement)
- Groener land abutting Nagog Conservation Area (12 acres purchased with CP funds)
- Gaebel Land abutting Great Hill Conservation Area (5.5 acres, purchased with CP funds.)

**Patricia Huckery
to Speak at
ACT Annual Meeting**

Why Manage the Wild Deer Population?



A family of deer on the edge of a field at dusk is a lovely sight...but is it possible that there are too many deer in our area? Pat Huckery, Northeast District Manager of the Massachusetts Division of Fisheries & Wildlife, will share the recent experience of several towns in dealing successfully with this timely issue. She will explain how by working together, public and private land owners can prevent problems, such as forests that cannot regenerate, excessive deer tick incidence, car accidents, and damage to farms and gardens. She will also address, the question of feeding deer during the winter, and how high numbers of deer can affect rare and endangered plants and animals.

**Save The Date
ACT Annual Meeting
Sunday April 5, 2009
Acton Town Hall**

**ACTON CONSERVATION TRUST, Inc
BOARD OF TRUSTEES**

Susan Mitchell-Hardt, 369-9264 <i>President</i>		mitchell-hardt@comcast.net
Jim Snyder-Grant 266-9409 <i>Vice President</i>		jimsg@newview.org
Hart Millett 263-0988 <i>Treasurer</i>		hart.millett@verizon.net
David Hardt 369-9264 <i>Clerk</i>		hardt@mit.edu
David Cochrane 263-0215		dcochrane@comcast.net
Brewster Conant 263-2090		bbconant@rcn.com
Carol Holley 263-4531		cholley39@verizon.net
Sue Kennedy 264-9165		suekennedy@verizon.net
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