



# ACTON CONSERVATION TRUST

# LAND TRUST NEWS

Volume 18, No. 1 March 2016

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### **ACT Annual Meeting**

7:00 PM March 20, 2016

Acton Town Hall  
Room 204

Guest Speaker:

**Tom French**

*Return of the Wild*

### **The Donohoe Land Purchase**

### **Conservation Legislation**

### **Land Monitoring by ACT**

### **The Year in Review**

### **ACT ACTIVITIES**

**Be Sure to Visit ACT's  
Website:**

[www.actonconservationtrust.org](http://www.actonconservationtrust.org)



Find us on  
**Facebook**



### **Did you remember to renew your membership for 2016?**

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.

## **Acton Conservation Trust**

### **A Non-Profit Land Trust**

#### Board of Trustees

Susan Mitchell-Hardt  
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Susan Kennedy  
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Lana Finn  
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Acton Conservation Trust  
P.O. Box 658  
Acton, MA 01720

March 2016

Dear Friends and Acton Conservation Trust Members:

It's been another wonderful year for land protection! The Town is deeply grateful to the Donohoe family of Knowlton Drive for having donated, in 2008, 8.2 acres at 501 Massachusetts Avenue, giving us frontage on Arlington Street and then this past November offering the Town their contiguous parcel of 3.5 acres of open land for \$28,000. The November Special Town Meeting voted unanimously to make this purchase and Town will now keep the 11.7 acres as a full-sun meadow habitat. Eventually funds will be applied for to build a boardwalk to cross Fort Pond Brook on its eastern border. (See inside for more details.)

While recognizing our successes, it's also good to be reminded of losses we have suffered. For example, in 2000, not only did the Town fail to acquire for conservation and recreation purposes, the 239-acre Robbins Mill Pond Land, it also failed to acquire the 133-acre Palmer Land, which was offered to the Town on favorable terms. Basically, three important high priority parcels (including DiDucca Farm, current site of Trader Joe's Plaza) became available almost simultaneously and we were not prepared.

In the early 1990s there was no land trust focused on open space protection, no Open Space Committee and no Community Preservation Act to provide a funding source to buy land. As a result we lost four colonial farmsteads: Stoneymeade Farm on Pope Road (100+ acres), Duston Farm on Pope Road (~80-acres), Marshall Farm on Carlisle Road (~100 acres) and the Bowen Farm on Strawberry Hill Road (60+ acres).

The good news is that these sad losses fueled a change that resulted in a re-focused land trust in 1998, passage of the Community Preservation Act in 2002, establishment of an Open Space Committee in 2006, and with ACT's help in 2008, the Groener Family land was the first to be purchased with Community Preservation Funds. The change also resulted in the re-birth of neighborhood action, as happened when the Wright Hill Association purchased the 17 acre Wright Hill land. This group subsequently sold most of this land to the Town for conservation purposes, subdivided the house on a smaller lot, selling it privately and essentially breaking even.

It's always good to keep in mind that whenever we do acquire a special parcel of open space, we owe a huge debt to the landowner for a willingness to work with ACT and the Town to keep their land open forever.

Sincerely,

Susan Mitchell-Hardt

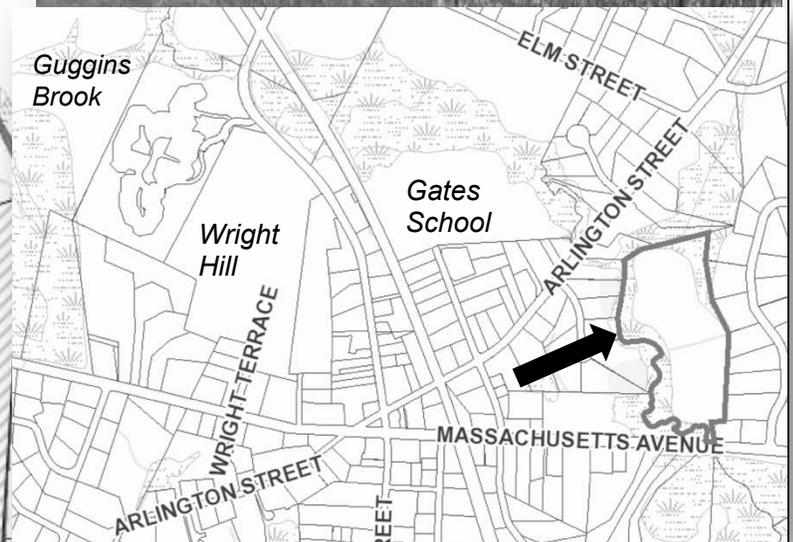
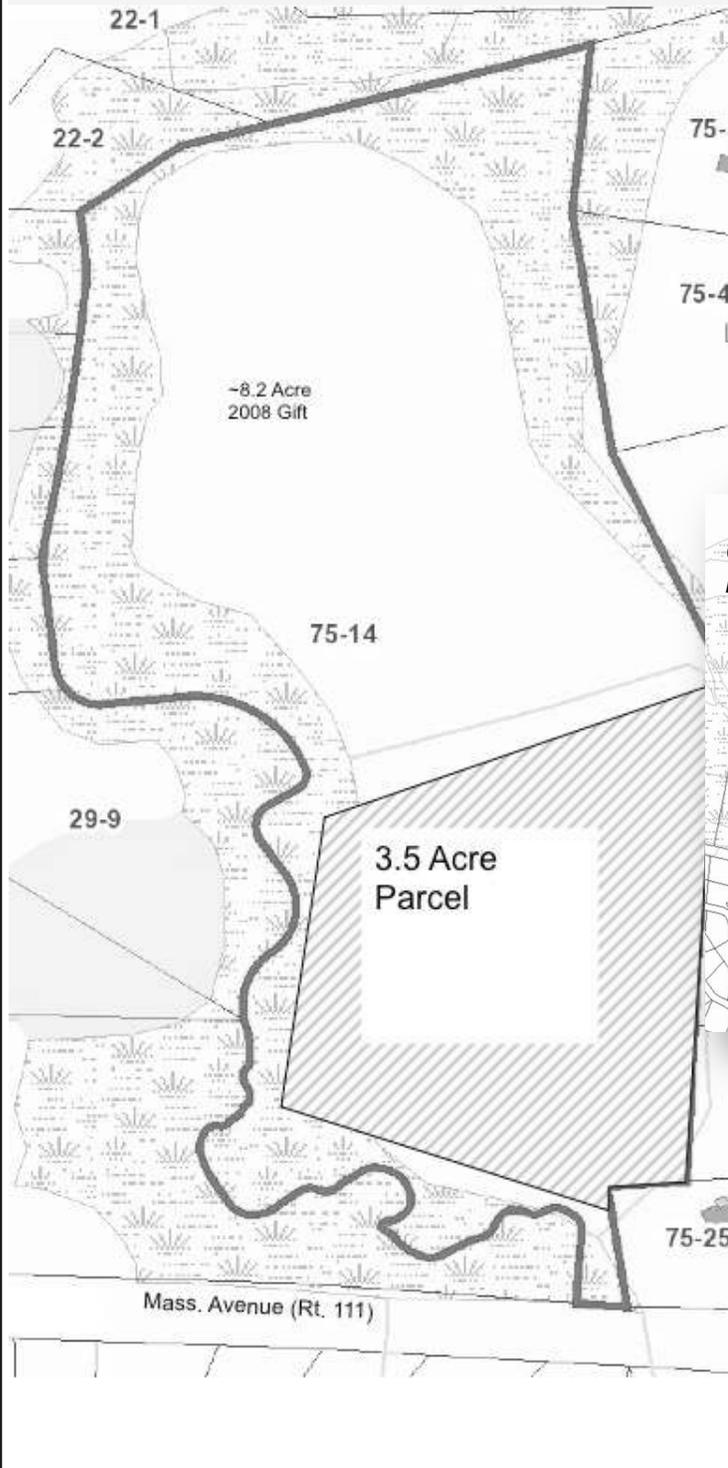
The Acton Conservation Trust is a non-profit, non-governmental organization that can hold permanent conservation easements, accept gifts of land, accept tax-deductible gifts to be used for open space preservation and purchase land for conservation purposes. We also provide education to landowners about various options for preservation. ACT is one of more than 140 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](http://ActonConservationTrust.org) or by emailing [info@actonconservationtrust.org](mailto:info@actonconservationtrust.org)

# West Acton Connections: The Donohoe Land

Just outside West Acton Center is an ~11.7-acre meadow bordered by Fort Pond Brook, residences on Knowlton Drive and a small portion of Massachusetts Avenue where the brook passes under. The Donohoe family gifted the Town the northern 8.2-acres of this parcel in 2008, and offered to sell the remaining 3.5 acres for the appraised value of \$28,000. At the Special Town Meeting of November 10, 2015, this purchase was unanimously supported. As stated in the Town Meeting warrant: "this parcel both represents and abuts significant wildlife habitat and more than 1,200 linear feet of riverine ecosystem on Fort Pond Brook. This is a priority property listed in the Open Space and Recreation Plan, and the intent is to use it to develop a trail system in West Acton Center from Arlington Street to Route 111". Not only is the land easily accessible, it represents one of the few large open meadow properties in Acton; and combined with the brook makes this a rich corridor for both land and aquatic wildlife. Preserving this land also protects what MassWildlife has said is critical habitat for some of the most rare and endangered species in the state.

*Special Thanks to the Donohoe family for making this preservation project possible.*

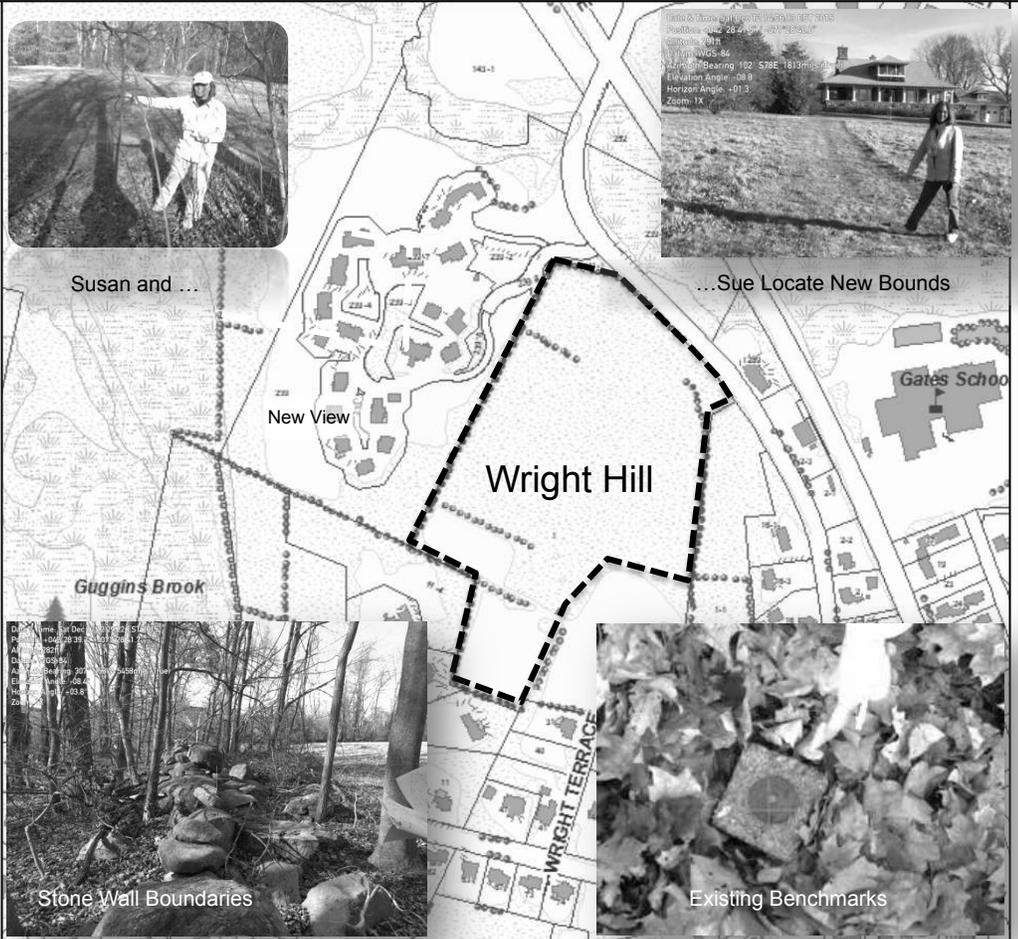


# Land Stewardship 2015

## Baseline Documentation for the Wright Hill Land

As reported in the 2015 *Land Trust News*, after a more than 15-year process, the majestic Wright Hill property in West Acton was acquired by the Town using Community Preservation funds. As a result, the land will be permanently protected by a perpetual conservation restriction (CR), to be "held" by ACT. This charges us with both documenting the current state or "baseline" of the land, and with periodic inspection to ensure that the terms of the CR are being followed. The ACT CR subcommittee members Susan Mitchell-Hardt, Sue Kennedy and Dave Hardt have been creating a formal Baseline Documentation Report (BDR) to be the reference for our future monitoring.

Susan, Sue and Dave started the BDR process this Fall by walking the property and photographing and plotting key bounds and markers. (Typical photos are shown to the right.) These will be incorporated into the BDR to be filed later this year. At the same time the formal CR is being created by experts from the Sudbury Valley Trustees. Once both documents are created and accepted by the land owner (the Town of Acton) the preservation process will be complete.



## Federal Conservation Tax Incentives Made Permanent

A vital tool in the preservation of open space is the Conservation Restriction (CR). The CR is a legal agreement whereby a landowner donates the development rights to a Land Trust (such as ACT) which is in turn obligated to never use these rights. In return, the owner retains the use of the land while knowing it will remain open in perpetuity even with successive owners. In so doing they also decrease the value of the land, which not only reduces future estate tax liabilities, but can also have significant income tax implications immediately. Key among these is the treatment of the reduction in value as a charitable donation. For individual taxpayers, this donation can be used like any other donation to reduce their taxable income.

However, the value of this incentive depends in large measure on both the donor's annual income, since the law limits both how large the deduction can be annually, and over how many tax years it can be applied. Earlier versions made it difficult for those with limited annual income to take full advantage of the deduction. In response, Congress passed a law in 2007 greatly improving these incentives, but it was set to expire at the end of 2014. In a big win for open space preservation these enhanced tax incentives have been made permanent, notably with strong bipartisan support. The President signed it into law on December 18, 2015, and it applies retroactively to January 1, 2015.

The incentives, perhaps the most important conservation legislation in 20 years, are the following:

- The deduction a donor can take for donating a conservation restriction is 50% of their taxable income in a given year, which was raised from the prior 30%.
- It extends the carry-forward period for a donor to take these deductions from 5 to 15 years.
- It allows qualifying farmers and ranchers to deduct up to 100 percent of their income.

With these changes the income threshold for receiving real financial benefits from a CR donation are greatly reduced, and make the CR an even more powerful tool for land preservation.

# Acton Conservation Trust Business

## 2015 in Review

It was another very active year for the Trust, and here are some of the highlights in chronological order:

- **February 2015 - Wright Hill** - The resale of the home on this parcel resulted in Wright Hill Association giving \$60,000 back to the Open Space Set Aside.
- **March 22, 2015 - ACT Annual Meeting** - Nan Millett received the Holley Conservation Volunteer Award, and more than 40 people enjoyed Rick Roth's (the Creature Teacher) presentation exhibiting "Live Animals Representing the Nature of My Backyard"
- **April 7 - Town Meeting** - ACT had a display table leading into Town Meeting supporting CPA Open Space Set Aside of \$300,000.
- **May 9, 2015 - Walk of Town-Owned Caouette Farmland** - Led by farmer Paul Simeone and starting from 90 Martin Street with a side excursion to the Historic Knight-Forbush house.
- **May 31 - ACT House Party** - Hosted by Terry and Sima Maitland for ACT members and landowners at their historic farmstead. We heard about the joys and challenges of farming from two Acton farmers.
- **June 12 - CR Monitoring** - ACT and SVT walked the boundaries of the Donald and Caouette CR's which are held jointly by both organizations.
- **June 30 - CR Monitoring** - ACT monitors the Kingman and Gaebel CRs
- **August 2015 - ACT adopts Land Use Policy** - Using that of Stow Conservation Trust as a model.
- **October 2015 - Wright Hill Preservation** - SVT begins drafting Wright Hill Conservation Restriction; ACT begins working on the Baseline Documentation Report (BDR).
- **October 4 - Walk of Great Hill** - ACT leads walk of the Gaebel CR at Great Hill along with former owner, Gerry Gaebel and Tim Fohl, local expert on Native American ceremonial sites.
- **October 7, - CR Monitoring** - ACT monitors the boundaries of the Groener CR.
- **November 10 - Donohoe Land** - STM votes unanimously to purchase the Donahoe Land in West Acton.
- **December 2015 - CPA Study Established** - *Ad hoc* committee is to review the accomplishments of the CPA law in Acton since its adoption in 2002, and to make recommendations for changes in the way the CPA is implemented.
- **December 18, 2015 - Conservation Incentives Made Permanent** - President Obama signs law making enhanced tax incentives for CR donations permanent.

## Holley Conservation Volunteer of the Year

The Board of ACT voted unanimously to present the 2016 Carol Holley Conservation Volunteer of the Year award to Bettina Abe. The award has been given for the past twelve years by the Trustees of ACT to the person(s) who best exemplifies the late Carol Holley's shining example for getting involved in one's community to protect the environment. Bettina is involved in many conservation/environmental projects as a volunteer that go well beyond her staff work as Town of Acton Natural Resources Assistant. For example, she has assumed the role of Chair of the Land Stewardship Committee for this year; she's a volunteer for the Friends of the Acton Arboretum; she is the liaison to the *Trail Through Time* project at Nashoba Brook Conservation Land; and she received the River Stewardship award in 2014. She is always ready to pitch in and help no matter how messy, from organizing water chestnut removal days at local ponds to acting as Steward for Acton's Assabet River Canoe Launch. She also organizes a work day for high school students and a general work day for all citizens, and if anyone needs an amateur naturalist to help lead a walk, she always volunteers.



## Want to Get More Connected with ACT?

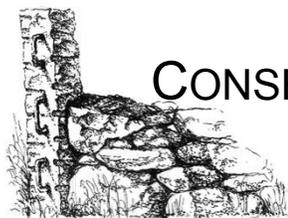
If you are interested in getting involved with our many ACTivities, or service as a Trustee, please contact us at [info@actonconservationtrust.org](mailto:info@actonconservationtrust.org).

## Notice of 2016 Annual Meeting of Members

Please note that the 2016 Annual Meeting of members of the Acton Conservation Trust (ACT), a Massachusetts non-profit corporation, will be held on Sunday, March 20, at 7:00 PM at the Acton Town Hall, Room 204. We will convene the brief business portion of the meeting, where members will be asked to:

- Vote to re-elect Susan Mitchell-Hardt, Hart Millett, David Hardt, Brewster Conant, Sue Kennedy, Linda McElroy and Lana Finn as Trustees, each to serve until the 2017 Annual Meeting and as otherwise provided in ACT's Bylaws.
- Vote to re-elect David Hardt as Clerk, and re-elect Hart Millett as Treasurer of ACT, each to serve until the 2017 Annual Meeting.
- Hear and comment on the Treasurer's Report and committee reports of 2015 activities, and to act upon such other business as may come before the meeting.

2014-2015 Financial Statements	FY 2014	FY 2015
Statement of Income and Expenses		
<b>INCOME</b>		
ACT Membership Dues	\$11,957	\$19,585
Donations to ACT	\$1,045	\$6,163
Interest Income	\$0	\$12
<b>TOTAL INCOME</b>	<b>\$13,002</b>	<b>\$25,760</b>
<b>EXPENSES</b>		
Operating Expenses		
Brochure Expense	\$110	\$313
Mass Mailing	\$1,842	\$223
Newsletter Printing & Mailing	\$148	\$149
Misc. Fees	\$43	\$25
Organization Memberships	\$450	\$300
Insurance	\$1,064	\$3,649
Miscellaneous Expenses	\$198	\$1,427
<b>Total Operating Expenses</b>	<b>\$3,855</b>	<b>\$6,086</b>
Other Expenses		
Misc. Fees	\$353	\$416
Land Acquisition	\$0	\$3,472
Legal Services	\$290	\$0
<b>Total Other Expenses</b>	<b>\$643</b>	<b>\$3,888</b>
	<b>\$4,498</b>	<b>\$9,974</b>
<b>NET INCOME</b>	<b>\$8,504</b>	<b>\$15,786</b>
Balance Sheet		
<b>ASSETS</b>		
Checking/Savings/Investment	\$135,710	*\$172,426
Land	\$19,777	\$19,777
<b>TOTAL ASSETS</b>	<b>\$155,487</b>	<b>\$192,202</b>
<b>LIABILITIES &amp; EQUITY</b>		
Liabilities	\$0	\$0
Equity	\$155,487	\$192,202
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>\$155,487</b>	<b>\$192,202</b>
* Includes funding of endowment for Groener CR stewardship		



# ACTON CONSERVATION TRUST

## 2016 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, and provide stewardship of these lands. Your support also helps us stay current on Land Trust developments through key publications and workshops.*

- If you are not yet a Member of ACT (or have not yet renewed your membership for 2016), please join us!
- If you are already a Member for 2016 please pass this newsletter on to a friend who might be interested!

To join please visit: [actonconservationtrust.org](http://actonconservationtrust.org)

### Suggested levels of support :

**Or mail this form to:** Acton Conservation Trust  
P.O. Box 658  
Acton, MA 01720  
Your gift to ACT is tax-deductible

\_\_\_ Individual \$25    \_\_\_ Protector \$250  
\_\_\_ Family \$50    \_\_\_ Supporter \$500  
\_\_\_ Friend \$100    \_\_\_ Patron \$1,000  
\_\_\_ Seniors \$15    \_\_\_ Other \$ \_\_\_\_\_  
& Students

**Address:**

**Phone:**

**Email:**

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

*Please make your check payable to Acton Conservation Trust*

Your gift to ACT is tax-deductible

- Please contact me about how I can get more involved!
- Please send the ACT Newsletter Electronically in the future.

### ACT ACTIVITIES, 2015

May 9- Walk of Caouette Land  
Paul Simeone of Stonefield Farm led the 5<sup>th</sup> Annual Walk of this agricultural parcel in the heart of South Acton



May 31 - ACT Member Party  
Special thanks to Sima and Terry Maitland for hosting this event in their beautiful new barn



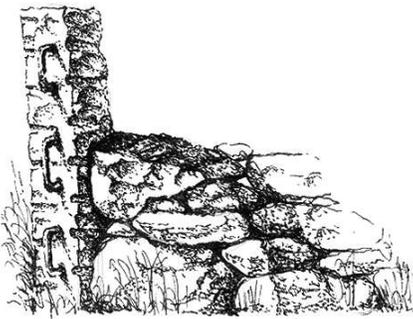
October 4 - Great Hill - Gaebel Land  
A great turnout for our first annual walk of this land. Local expert Tim Fohl helped us find possible Native American artifacts.



Acton Conservation Trust  
PO Box 658  
Acton, MA 01720

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### **ACT Annual Meeting**

**Guest Speaker:**  
**Tom French,**

Assistant Director for the Natural Heritage and Endangered  
Species Program at MassWildlife

### ***Return of the Wild***

Tom is assistant director of MassWildlife and is a treasure of information and enthusiasm, and he has been so for his 32 years at the agency, speaking with equal ease about beetles, raptors, or marine mammals.

Did you know that almost every species that was here at the time of European settlement has returned to Massachusetts? From ravens, eagles, and turkeys to moose, bears, beavers, and fishers, many of these species had nearly or completely disappeared, but they are now making a comeback. Find out how and why as Dr. French, leads us through the rollercoaster history of wildlife in Massachusetts and discusses our role in shaping that history.



**Save The Date**  
**ACT Annual Meeting**  
**Sunday March 20, 2016**  
**7:00 PM**  
**Acton Town Hall**

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

Susan Mitchell-Hardt	369-9264	<a href="mailto:mitchellhardt@gmail.com">mitchellhardt@gmail.com</a>
<i>President</i>		
Sue Kennedy	264-9165	<a href="mailto:suekennedy@comcast.net">suekennedy@comcast.net</a>
<i>Vice President</i>		
Hart Millett	621-8478	<a href="mailto:hart.millett@verizon.net">hart.millett@verizon.net</a>
<i>Treasurer</i>		
David Hardt	369-9264	<a href="mailto:hardt@mit.edu">hardt@mit.edu</a>
<i>Clerk</i>		
Brewster Conant	263-2090	<a href="mailto:bbconant@comcast.net">bbconant@comcast.net</a>
Linda McElroy	263-1579	<a href="mailto:meadowpond@verizon.net">meadowpond@verizon.net</a>
Lana Finn	617-429-5445	<a href="mailto:lane.g.finn@gmail.com">lane.g.finn@gmail.com</a>