



# ACTON CONSERVATION TRUST

# LAND TRUST NEWS

Volume 20, No. 1 March 2018

## In This Issue

**ACT Annual Meeting**  
7:00 PM, March 18, 2018  
Acton Town Hall  
Room 204

Guest Speaker:  
**Tom Ricardi**  
*Birds of Prey*

**Newtown Road – Grassy  
Pond Land Acquisition**

**Open Space and the  
Community Preservation  
Act**

**The Year in Review**

**ACTivities**

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

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



or

 Find us on  
**Facebook**

## Acton Conservation Trust

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

#### Board of Trustees

Susan Mitchell-Hardt  
*President*  
Linda McElroy  
*Vice President*  
Hart Millett  
*Treasurer*  
David Hardt  
*Clerk*  
Brewster Conant  
Joe Cooney  
Lana Finn

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

### **Did you remember to renew your membership for 2018?**

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.

March, 2018

Dear Friends and Acton Conservation Trust Members:

This has been an exciting time for ACT, the Town and everyone interested in protecting the environment, landscapes, and creating climate resilience. The Acton Conservation Trust, Community Preservation Committee, Open Space Committee, Board of Selectmen, Conservation Commission and others, have organically created a powerful team to enable land protection. We want to acknowledge how grateful we are to them and to all those who helped select our current Town Manager, Steve Ledoux. Since taking that role in 2008 Steve has been a big part of the success and as he moves to retirement this year, we can surely say he has left a lasting legacy in his ten years at the helm. He supported the protection of seven major conservation parcels acquired under CPA and other lower profile parcels, such as the Dunn Conservation Land along Heath Hen Meadow Brook, the Donohoe Conservation Land on Massachusetts Avenue bordered by Fort Pond, the Harring Land (now part of the Acton Arboretum) and the Gustin Land in North Acton (one piece in the link to Town Forest) - all of which were acquired with short money.

Because of this teamwork we celebrated another significant land acquisition when the purchase of 161 Newtown Road along Grassy Pond was approved at the December Special Town Meeting. Thanks to the Community Preservation open space set-aside fund, a formal proposal from the Open Space Committee and a fundraising campaign by ACT, the December Special Town Meeting easily approved this critical purchase. We especially want to acknowledge the generosity of more than 70 private donors to ACT's *Campaign for Grassy Pond*, who made up the difference between the purchase price and the amount that could be covered by Community Preservation funds. With these donations and the strong support at Town Meeting, you showed how much you care about protecting this unsullied bog habitat, creating a cross-town trail connection and unfragmented habitat. Looking forward to continuing this trend supported by strong leadership in the future.

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. We work in concert with the Town of Acton and other local conservation organizations to maximize the amount of protected property. 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)

# Preserving Grassy Pond: The Purchase of 161 Newtown Road

161 Newtown Road



Grassy Pond from the Viewing Platform

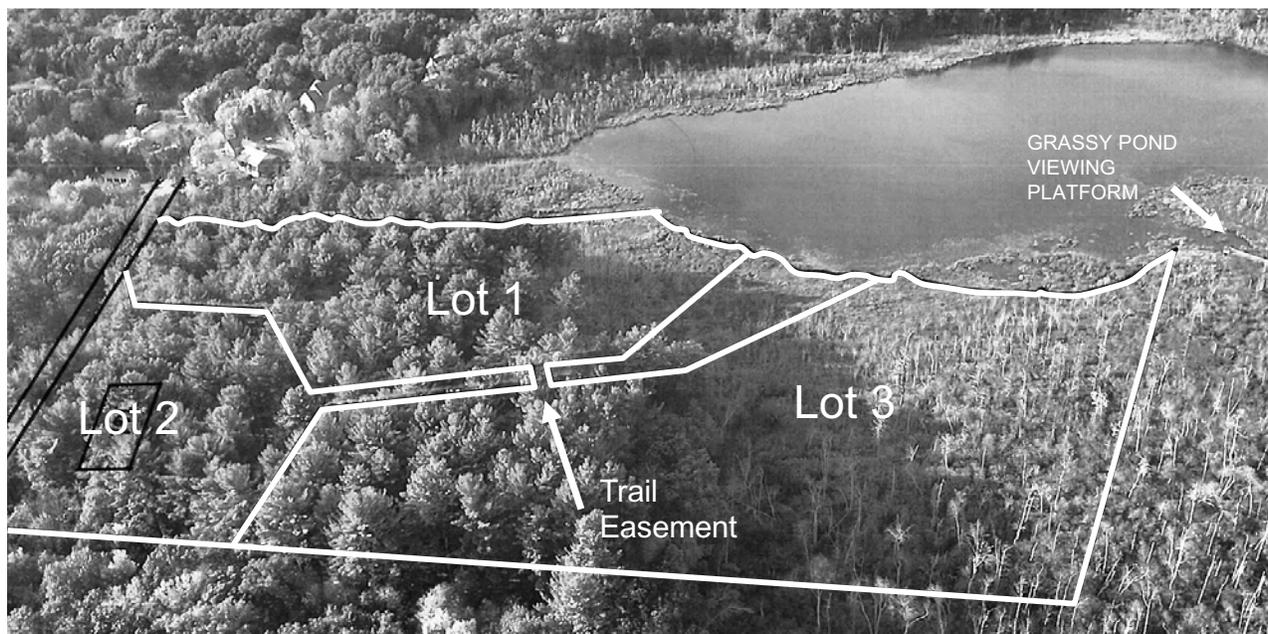
On December 4, 2017 the Acton Special Town Meeting voted to purchase 10.9 acres (lots 1 and 3) at 161 Newtown Road along with a perpetual easement for a trail connecting the two parcels. Of the total price of \$800,000, \$770,000 will come from the Community Preservation Open Space Fund, and the remaining \$30,000 will be paid from private donations to ACT's Campaign for Grassy Pond.

These parcels comprise nearly 25% of the shoreline of Grassy Pond, one of Acton's gems. To walk the boardwalks and trails in the area and then emerge onto the pond is an inspiring experience any time of year. Purchasing this land protects significant shoreline of this ecologically rich area. In addition, it has created a wildlife corridor and a trail for passive recreation from the Bulette Land near Route 2 to the Nagog Hill Conservation Land.

This purchase was the culmination of nearly 10 years of effort by ACT and the Town Open Space Committee. The original

property, comprising one house on a lot on ~14 acres and more than 25% of the shoreline of Grassy Pond, had been approved for development into three house lots. Following extensive negotiations with the owners, an agreement to purchase the two "new" lots (1 and 3 on the map below) was reached. The existing house (now on lot 2) will remain. Because lot 2 retains access to some pond shoreline, and would prevent access between lots 1 and 3, the sellers agreed to provide a perpetual trail easement to connect lots 1 and 3 and enhance access to Grassy Pond.

The agreed upon price for lots 1 and 3 along with the easement was \$800,000 and its appraised value was \$770,000. Since the Community Preservation funding is limited to no more than the appraised value of a property (see the next article for details) ACT launched a private fundraising campaign with a goal of \$30,000, so that no additional funds would be needed from the Town. In the end the campaign raised more than \$32,000 from 73 donors by the time of Town Meeting.



# Open Space and the Community Preservation Act

**As you have read** elsewhere in this newsletter, Community Preservation Act (CPA) funds have been used numerous times in Acton to purchase vital open space. Since Acton adopted the CPA more than 15 years ago, we thought it would be a good time to review the history and tremendous impact of this program.

## What is the CPA?

The Community Preservation Act was established in 2000 by the Massachusetts legislature for the purpose of funding open space acquisition, low income housing and historic preservation. (Since then this goal has been expanded to include use of funds for passive and active recreation among other things.) The Act provides for any city or town in Massachusetts, if they so choose, to create a surcharge on property taxes to create a Community Preservation Fund, and to set the level between 0.5-3%. The Act also provides for the Commonwealth to provide matching funds to augment the local funds. The match level depends on the revenue sources devoted to it (e.g. filing fees at the Registry of Deeds, etc.) and the number of adopting communities. This match has ranged from 100% in the early days of the Act to ~17% this year as the number of participants has risen to 162.

## History in Acton

Quoting from the ACT newsletter of January 2002: "The CPA was approved by Acton voters at the April 2002 Annual Town Meeting and again at the November 5, 2002 Town election. In Acton, the voters elected to fund the CPA account through a 1.5% surcharge on all non-exempted real estate property tax bills. In its first year, this surcharge will raise an estimated \$478,344. The state matched this figure with an equal amount of monies from the state matching fund, thereby raising the value of the Acton CPA Fund to approximately \$956,688 in its first year."

## How Does It Work?

Each year the Community Preservation Committee (CPC) solicits proposals for projects and must devote at least 10% of the annual fund to open space, community housing, historic preservation, and recreation projects. In the case of open space, since project timing depends on agreements with owners, there is no guarantee of a project each year, so a "set aside fund" was created to bank monies for future projects. All accepted proposals are typically included in a single article for Town Meeting, but often land acquisition is separated as it requires a two-thirds majority to pass.

## The Campaign for Grassy Pond:

### *Private fundraising to augment CP funding*

As noted above, the CPA restricts expenditure for open space to no more than the appraised value of the property. If the agreed upon purchase price is higher, the additional funds must come from other unrestricted sources and private funds are often the best choice. This allows donors to "get some skin in the game" and in particular allow those most affected by the purchase to express their support. This was the case with the recent Newtown Road project, and ACT addressed this with the "Campaign". We found lead donors and solicited donations from all our members, plus those within a certain distance from the property. We also ran ads on our Facebook page and website.

As reported above, we were delighted to have more than 73 donors provide \$32,200, which ACT in turn presented to the Board of Selectmen (BOS) as a gift to help complete the purchase.

## What Can Be Funded?

In the case of open space the CPA has a number of important provisions. The maximum fund allocation is limited to the appraised value of the property. This is often less than the seller's price, and this difference must be made up by other Town or private funds. The CPA also allows expenditures for due diligence and stewardship. In addition, all property purchased with Community Preservation (CP) funds must be protected by a perpetual conservation restriction held by an appropriate conservation organization. (ACT serves this role for all of Acton's CPA properties, sometimes sharing this role with the Sudbury Valley Trustees).

## So What?

Since 2002, we have used Community Preservations (CP) funds to permanently protect over 82 acres comprising the following parcels:

- The Groener Land (12 acres abutting Nagog Conservation Land)
- The Gaebel Land (adding 5 acres and new access to the Great Hill Conservation Land)
- The Caouette-Simeone Farmland (8.5 acres of active farmland in South Acton providing access to the Assabet River Rail Trail)
- The Anderson Land (20 acres by Newtown Road connecting Grassy Pond to the Bulette Conservation Land)
- Wright Hill (14 acres on a signature hilltop in West Acton Center with access to the Guggins Brook Conservation Land)
- Central Street by Mt. Hope Cemetery (12 acres completing the preservation of land around Mt. Hope Cemetery and connecting to the Heath Hen Meadow Conservation Land)
- Newtown Road on Grassy Pond (10.9 acres including 25% of the Grassy Pond shoreline).

(For more details on these visit our website and click on [Land Projects](#).)

## Moving Forward

Land purchase projects take many years to develop and there are several in the pipeline now. With this legacy, a healthy open space set aside fund, and the continued support of Actonians, we are well positioned to continue preserving the remaining open space in Town.

*\* ACT played a pivotal role in the campaign to consider and eventually adopt the Act. Our president, Susan Mitchell-Hardt, was a member of the CPA study committee and Chair of the mandatory ballot question committee. Through "Land Trust News" and targeted mailings we urged support at Town Meeting and at the ballot box.*



ACT President Susan Mitchell-Hardt presents a check for \$32,300 to BOS Chair Janet Adachi. Also pictured (from left to right): Town Manager Steve Ledoux, Selectmen Chingsung Chang, Peter Berry, Katie Green, ACT Treasurer Hart Millett and Selectwoman Joan Gardner.

# Acton Conservation Trust Business

## 2017 in Review

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

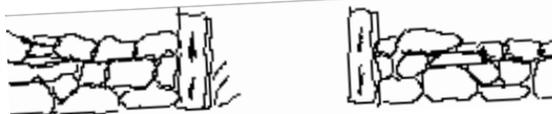
- Jan 10:** Wright Hill Conservation Restriction (CR) recorded.
- Jan 29:** 10<sup>th</sup> Annual Walk of ACT's Whitcomb Land on the Acton/Stow border.
- Mar 19:** ACT Annual Meeting – Brewster Conant received the Holley Conservation Volunteer Award, and some 50 people enjoyed John Maguranis' presentation on "Living with Coyotes".
- Mar 25:** Two ACT trustees attended the Massachusetts Land Conservation Conference in Worcester, a full day of workshops on all aspects of land conservation. Renowned biologist E.O. Wilson gave the keynote address.
- Mar 26:** ACT worked with SVT stewardship specialist/Americorps Volunteer, Lisa Long, hosting a walk of Wright Hill to explain about ACT and the important stewardship work we do.
- Mar 29:** Lisa Long offered an Introduction to "How to Monitor Perpetual Conservation Restrictions".
- Apr 3:** Town Meeting approved the CPA slate containing an Open Space Set Aside request for \$450,000, increasing this fund from \$1,866,150 to \$2,316,150.
- Apr 14:** ACT team monitored Gaebel & Kingman CRs.
- Apr 18:** ACT team monitored the Groener Land CR.
- Apr 21:** ACT monitored the Donald Land CR.
- May 2:** ACT monitored the Caouette-Simeone Farmland CR.
- May 7:** Birding and Nature Walk of 176 Central Street Land to celebrate the acquisition of land last spring.
- Spring:** Facilitated by ACT's *Outreach to Landowner Program*, the Hebert Farm Community Garden at 88 Prospect Street opened.
- May 24:** ACT had a display on how open space protection creates climate resilience at the "Environmental Action Discussion" event hosted by Nathaniel Stinnett from the *Environmental Voter Project*.
- Sep 23:** Naturalist Boot Boutwell led two Nature Walks of Grassy Pond attracting 30 participants.
- Sep 26:** ACT Trustees launched the "Campaign for Grassy Pond" to raise \$30,000 in support of the 161 Newtown Road purchase.
- Nov 11:** Brian Butler, wetlands biologist led a Nature Walk of 161 Newtown Road prior to Special Town Meeting vote on its acquisition.
- Dec 8:** ACT attended a West Suburban Conservation Counsel retreat convened by SVT to share and understand what challenges we face in the region, share solutions and brainstorm new ways to collaborate.
- Dec 2:** Naturalist and Acton Open Space Committee Chair, Andy Magee, led a second walk of 161 Newtown Road prior to Special Town Meeting.
- Dec 4:** Acton Special Town Meeting. The Article to acquire 161 Newtown Road using CPA Open Space Set Aside funds was approved, along with acceptance of over \$30,000 from ACT's Campaign.
- Dec 17:** ACT presented a check from the Campaign for Grassy Pond to the Board of Selectmen.

## Notice of 2018

### Annual Meeting of Members

Please note that the 2018 Annual Meeting of members of the Acton Conservation Trust (ACT), a Massachusetts non-profit corporation, will be held on Sunday, March 18 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 Joe Cooney, Brewster Conant, Lana Finn, David Hardt, Linda McElroy, Susan Mitchell-Hardt and Hart Millett as Trustees, each to serve until the 2019 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 2019 Annual Meeting.
- Hear and comment on the Treasurer's Report and committee reports of 2017 activities, and to act upon such other business as may come before the meeting.



2016-2017 Financial Statements		FY 2016	FY 2017
Statement of Income and Expenses			
<b>INCOME</b>			
ACT Membership Dues		\$18,085	\$14,790
Donations to ACT		\$950	\$2,662
Interest Income		\$16	\$38
Miscellaneous Income		\$525	\$12,847
<b>TOTAL INCOME</b>		<b>\$19,576</b>	<b>\$30,337</b>
<b>EXPENSES</b>			
Operating Expenses			
Brochure Expense		\$55	\$0
Mass Mailing		\$4,230	\$2,640
Newsletter Printing & Mailing			
Misc. Fees			\$453
Payroll		\$0	\$1,330
Organization Memberships		\$500	\$500
Insurance		\$1,226	\$4,099
Miscellaneous Expenses		\$1,416	\$752
<b>Total Operating Expenses</b>		<b>\$7,427</b>	<b>\$9,774</b>
Other Expenses			
Misc. Fees		\$194	\$1
Land Acquisition		\$10,193	\$1,400
Legal Services		\$368	\$400
<b>Total Other Expenses</b>		<b>\$10,755</b>	<b>\$1,801</b>
		<b>\$18,182</b>	<b>\$11,575</b>
<b>NET INCOME</b>		<b>\$1,394</b>	<b>\$18,762</b>
Balance Sheet			
<b>ASSETS</b>			
Checking/Savings/Investment*		\$190,019	\$222,308
Land		\$19,777	\$19,777
<b>TOTAL ASSETS</b>		<b>\$209,796</b>	<b>\$242,084</b>
<b>LIABILITIES &amp; EQUITY</b>			
Liabilities		\$0	\$0
Equity		\$209,796	\$242,084
<b>TOTAL LIABILITIES &amp; EQUITY</b>		<b>\$209,796</b>	<b>\$242,084</b>
* Includes funding of endowment for CR stewardship			

## Holley Conservation Volunteer of the Year

The ACT Board voted unanimously to present the 2018 Carol Holley Conservation Volunteer award to State Senator James B. Eldridge. The award is given to the person who best exemplifies the late Carol Holley's shining example for getting involved in one's community to protect the environment. Jamie has been a strong advocate for protecting open space and conservation land since 1999 when ACT elected him Vice President of the Trust. (He served until Spring 2003.) ACT is proud to have launched him as an environmentalist. He went on to fill Pam Resor's State Senator seat in 2009 and to have a far wider impact. Not only has he stood for protecting open space but he stands for strong enforcement of our environmental laws, investing in water infrastructure, and fighting climate change.





# ACTON CONSERVATION TRUST

## 2018 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 2018), please join us!
- If you are already a Member for 2018 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.

## ACTivities, 2017

January 29

### 10<sup>th</sup> Annual Whitcomb Land Walk.

A group of some 25 ACT members and guests enjoyed a surprisingly warm January walk of the Whitcomb Land in Acton. Starting from the Captain Sargent Conservation Land in Stow, we crossed into the newly acquired Dunn Land that spans both Acton and Stow.



Sunday May 7

### Central Street Land Birding Walk

A group of 40+ACT members and friends joined local birder Al Sgroi for a walk of this newest acquisition and the Heath Hen Meadow Brook area. It was a perfect May day and we were delighted with sightings of owls, orioles, and others, along with a family of snakes basking on the rocks by the Heath Hen Meadow Brook bridge.



September 23

### Grassy Pond Nature Walk

Two separate groups of 15 each took the fascinating 2 hour tour of the magnificent Grassy Pond Area. Our leader was Boot Boutwell, who kept both groups entranced with his enthusiastic and intimate descriptions of the diverse flora to be found there. He even used poetry to set and enhance the mood for this perfect day.



Acton Conservation Trust  
PO Box 658  
Acton, MA 01720

RETURN SERVICE REQUESTED

NON PROFIT ORG  
US POSTAGE PAID  
ACTON, MA  
PERMIT NO. 173



### ACT Annual Meeting

Guest Speaker:

### Tom Ricardi

Massachusetts Birds of Prey Rehabilitation Center

### *Birds of Prey*

Join us for a night with Tom Ricardi wildlife rehabilitator and founder of Birds of Prey Rehabilitation Facility in Conway, MA. He will share the fascinating history of these majestic and inspiring birds, including eagles. He will then demonstrate some of their unique behaviors and abilities live! Tom worked as a state game warden for almost 40 years. He now rehabilitates eagles, hawks and owls. After recovering from injuries some are released back

into the wild while others have injuries that prevent survival in the wild, but enable Tom to showcase their specialized traits. He holds state and federal permits that enable him to lead these one of a kind educational presentations. Tom is expected to bring all or some combination of the following birds:

- Golden Eagle
- American Kestrel
- Red-tailed Hawk
- Great Horned Owl
- Barred Owl
- Screech Owl
- Harris Hawk.



Save The Date  
ACT Annual Meeting  
Sunday, March 18, 2018  
7:00 PM  
Acton Town Hall

### ACTON CONSERVATION TRUST, Inc BOARD OF TRUSTEES

Susan Mitchell-Hardt	369-9264	mitchellhardt@gmail.com
<i>President</i>		
Linda McElroy	978 429 8000	meadowpond1@comcast.net
<i>Vice President</i>		
Hart Millett	621-8478	hart.millett@verizon.net
<i>Treasurer</i>		
David Hardt	369-9264	hardt@mit.edu
<i>Clerk</i>		
Brewster Conant	263-2090	bbconant@comcast.net
Joe Cooney	369-1410	cooney.joe@gmail.com
Lana Finn	617-429-5445	lana.g.finn@gmail.com