



LAND TRUST NEWS

Volume 25, No. 1 March 2023

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1:00 PM, March 12, 2023
Town Hall / Zoom
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Be Sure to Visit ACT's Website:
www.ActonConservationTrust.org



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 150 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 emailing info@actonconservationtrust.org

Acton Conservation Trust

March 2023

Dear Acton Conservation Members and other Friends,

A Non-Profit Land Trust

Board of Trustees

- Susan Mitchell-Hardt
President
- Joe Cooney
Vice President
- Hart Millett
Treasurer
- David Hardt
Clerk
- Joanne Bissetta
- Leona Burgess
- Jody Harris

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

Did you remember to renew your membership for 2023?

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 5 of this newsletter to keep your membership active.

Thank you for a wonderful 2022!!! And it looks like an equally exciting 2023. As detailed in the following pages, several significant land preservation opportunities are upon us and it's vital that we all get out there and support these projects as much as we can. The joys of open land were never more evident than during the pandemic. While improving our quality of life, open spaces have a significant impact on mitigating climate change, enhancing biodiversity, and improving our overall health.

One of the keys to accessing open land is awareness, and I'm happy to report that ACT has greatly expanded not only our land protection activities, but our activities on the land as well. Under the leadership of trustee Jody Harris, we have doubled the number of ACT sponsored events and teamed with other organizations for outreach as well.

ACT sponsored or co-sponsored 10 events including several firsts, which many of you attended. First *Evening of Astronomy* at Nara Park, our first *Mushroom Forage* with Boston Mycological Club, not to mention our first group *Walk to Winter Island* at Heath Hen Meadow Brook. In between there were guided nature walks, bird watching outings, and three talks related to pollinators and increasing biodiversity in our open land and your own backyard. (See page 5 of the newsletter for more details.) Our events also included two more Service Days, removing invasives from Wright Hill and improving the trails at Spring Hill. In both cases a large group of ABRHS students participated along with ACT members and friends.

Finally, in the coming year, along with the exciting and ambitious preservation initiatives you'll read about in this Newsletter, ACT will be updating our Strategic Plan. We hope to diversify our leadership, membership and participation, to work with advocates for more affordable homes (a key theme at the March Massachusetts Land Trust Conference this year) and continue to strengthen the land preservation ecosystem that is so important and unique to Acton.

None of this would mean anything without you!!!

Sincerely,

549 Main Street Acquisition: Water Source, Watershed and Isaac Davis Trail

The property at 549 Main Street is well known to all in Acton. Comprising a signature open meadow at the corner of Brook and Main Streets, the only remaining intact section of the Isaac Davis Trail, and bordering the Bruce Freeman Rail Trail, it is an iconic symbol of the historic farming history of Acton. It is also an important property both ecologically, featuring diverse wooded upland and open meadow, and vitally, as a source of water.

The Opportunity

We now have the chance to permanently protect this exquisite property and at the same time strengthen the supply and quality of water supplied by the Acton Water District (AWD). An agreement between the AWD and the Select Board (SB) has been reached to share in the cost of acquisition.

Water and Trails

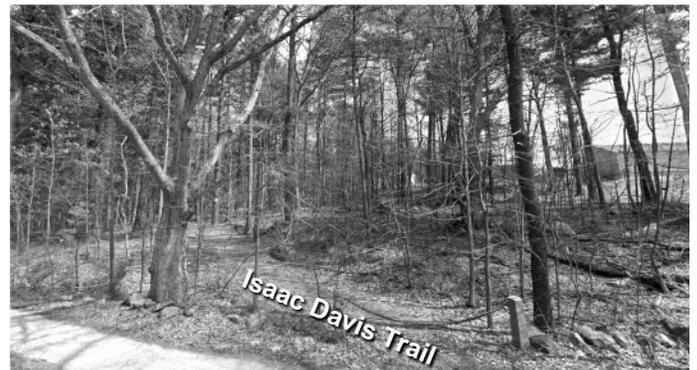
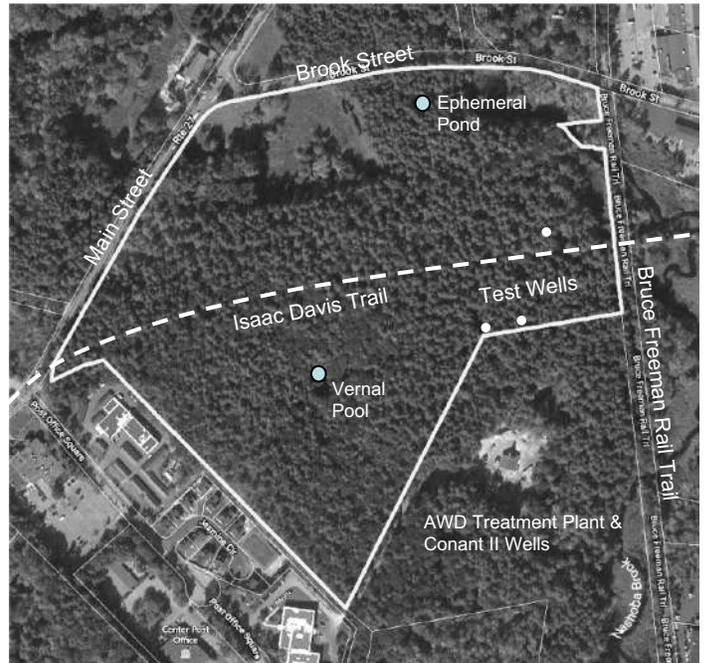
At their March 15, 2023 Annual Meeting, the AWD will propose to purchase the entire property for \$4.9M, and use a portion of the site for several new bedrock wells, as well as for protection of both zone 1 and zone 2 areas. These new wells will both increase the available water quantity, as they will be deeper than existing wells, and they will be less subject to PFAS contamination, thereby reducing the load on the proposed PFAS filtering systems. Test wells on the site have already been dug to confirm these results.

However, this does not permanently exclude future development of the land, either in areas not affecting water quality or in the event the AWD should no longer need these sites. It also does not guarantee public access. To ensure perpetual protection of the entire property, the Town of Acton will purchase a conservation restriction (CR) on the property from the AWD. This CR will limit development rights and permit access to the existing trail system in the woods, which includes the Isaac Davis Trail portion.

Action Needed

This complex arrangement involves two critical votes at two different meetings. The first is the AWD Annual meeting on March 15. At the meeting, this acquisition as well as other capital projects will be presented. If you want to see this special land preserved, please attend this meeting and support the purchase.

Pending a final agreement with the Select Board, the purchase of the CR will be presented to Spring Town Meeting as part of the Community Preservation Committee's articles. Again, If you want to see this special land preserved, please attend this meeting and support the CPC articles.



- ➔ AWD Annual Meeting
March 15, 2023 6PM
RJ Grey Jr High Auditorium
- ➔ Acton Town Meeting
May 1, 2023 7PM
ABRHS Auditorium

The Future of Morrison Farm:

A Preservation Proposal from the Acton Agricultural Commission

Morrison Farm is another iconic property near the center of Acton. Bordered by Ice House Pond, Woodlawn Cemetery, and Concord Road, it has become a focal point for community gardens, birdwatching, trail walks, and the backdrop for the Ice House Pond parking lot with access to the Bruce Freeman Rail Trail. The property was acquired in 1997, following a citizen's campaign led by future co-presidents of ACT Susan Mitchell-Hardt and Karen O'Neill. The measure passed easily at Town Meeting and at the subsequent override vote. The land was purchased as "General Municipal" rather than "Conservation" since at the time there was a need for more soccer fields. Since then, this need has diminished, and instead flourishing community gardens have developed on the half of the property that is open along with the Pam Resor Apple Orchard. Beyond the open meadow the property is wooded with an extensive set of trails as it continues along the Nashoba Brook. Since it is Municipal land, it is not protected from future development, and with Town Meeting approval could be used for future schools, fire stations and other community buildings.

The Acton Agricultural Commission, seeking permanent protection of the open space at Morrison Farm, has proposed placing a perpetual conservation restriction (CR) on the property. In doing so, the community gardens, the open fields, and the adjacent woods would be restricted from uses other than the gardens and limited agriculture in the remaining meadow. In addition, the farmhouse and barn would be allowed to remain and could be maintained but could not be replaced in the future.

The Trustees of ACT strongly support this plan and have agreed to be the holder of the CR once it is completed. Since this change of use of the land would require a Town Meeting vote, final action on this will most likely not occur until Spring Town Meeting in 2024. In the meantime, we encourage all ACT members and their friends to learn more about the project and lend their support.



What Is a Conservation Restriction?

The plan for acquisition of 549 Main Street includes placing a conservation restriction (CR) on the land to keep it as open space in perpetuity. But what exactly is a CR?

A Conservation Restriction (CR) is a legal agreement whereby the landowner relinquishes or donates some or all development rights to a qualified conservation organization (such as ACT) in perpetuity but does not give up ownership or use of the land. (The owner may donate the CR or sell it as is the plan for 549 Main Street.) Typically, a CR precludes development of the land, and even restricts uses beyond passive conservation purposes. At the same time, each CR can have certain "Reserved Rights" that can include (for example) agricultural, equestrian, or animal husbandry; hiking, horseback riding, cross-country skiing, or simply the right to maintain a wooded area through good forest management practices. In the case of the 549 Main Street project, with the AWD as owner, they would retain the right to place wells on the property.

The unique aspect of the CR is that it continues with the land through all subsequent sales – it remains with the land and not the original owner. Since the donor is giving up this future value, the IRS and the Commonwealth consider this a charitable donation, and it can significantly reduce current income taxes. It also reduces the value of the land for estate purposes.

ACT now "holds" 8 CRs, which means that we are charged with monitoring the use of the land annually to ensure the terms of the CR are being followed and to seek remedial action if not. Other organizations such as the Sudbury Valley Trustees, the Trustees of the Reservations as well as the Town of Acton can also hold CR's. More details can be found in "Land Conservation Options: A Guide for Massachusetts Landowners" which is published by the Trustees of the Reservations.

Other examples of CRs in Acton:

Caouette-Simeone Farmland, Gaebel Land at Great Hill, Kingman Meadow on Esterbrook Road, Groener Land by Nagog Conservation Land, Grassy Pond West, The Central Street portion of Heath Hen Meadow Brook land, Wright Hill in West Acton and the Donald Land at the Arboretum. Two more CRs will be added soon on the Anderson Land by the Bulette Land and the recently acquired Piper Lane property at Great Hill. (Details on these parcels can be found on the ACT website under "Land Conservation/Recent Projects".)

Acton Conservation Trust Business

2022 In Review

In addition to the ACTivities listed on the following page the Trust hosted or participated in the following this year:

Sunday, March 13 – ACT Annual Meeting "New Conservation Strategies for the 21st Century" by Claudia Thompson of Grow Native. Presented Sue Whitcomb the Carol Holley Conservation Award.

March/April - Monitored the Groener, Caouette-Simeone, Kingman, and Donald conservation restrictions.

May 1 - ACT Spring Service Day 2022, Wright Hill CR – A crew of ACT members and friends and 12 ABRHS students completely cleared a major stone wall of invasives.

June 11 - Acton Climate Festival, NARA Park Amphitheater. ACT joins others to promote climate mitigation through land protection and forest management.

October/November - Monitored Grassy Pond West, 176 Central Street, Wright Hill and Gaebel Conservation Restrictions.

October 9 - Hosted a table at the Acton-Boxborough Farmer's Market.

October 13 – "Planting for Biodiversity and Climate Resilience" by Anna Fialkoff. Co-sponsored by ACT, Energize Acton, and Acton Garden Club.

October 23 – ACT Fall Service Day at Spring Hill Conservation Land focusing on improving the yellow trail. Twenty-eight people volunteered, including 20 students from ABRHS fulfilling service hours for National Honor Society and AP Environmental Science.

Notice of 2023 Annual Meeting

The 2023 Annual Meeting of members of the Acton Conservation Trust (ACT), a Massachusetts non-profit corporation, will be held on Sunday, March 12 at 1:00 PM at the Acton Town Hall. We will convene the brief business portion of the meeting, where members will be asked to:

- Vote to re-elect Joe Cooney, David Hardt, Susan Mitchell-Hardt, Jody Harris, Hart Millett, Leona Burgess and Joanne Bissetta as Trustees, each to serve until the 2024 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 2024 Annual Meeting.
- Hear and comment on the Treasurer's Report and committee reports of 2022 activities, and to act upon such other business as may come before the meeting.



Farewell to Trustee Carol Doblewski

We reluctantly accepted Carol's resignation from the ACT Board. She has been a key player in recent ACT actions, including authoring and shepherding our successful Field's Pond grant (ACT's 1st!). Carol also became known as a keen property monitor, able to find minute bound markings when all others were clueless. Her outstanding writing abilities and lively participation in meetings will be sorely missed.

Holley Conservation Volunteer of the Year

The ACT Board voted unanimously to present the 2023 Carol Holley Conservation Volunteer award to Tom Tidman. The award is given each year to the person who best exemplifies Carol's shining example of community involvement in protecting the environment.

Tom's contributions to conservation in Acton are well known (think Arboretum and NARA park). What are less known are his key contributions to the rebirth of land preservation in Acton and the Acton Conservation Trust. In 1998 he guided Susan Mitchell-Hardt and Karen O'Neill on our first Town land protection projects (Morrison Farm) which led to the re-launch of ACT. He helped create our first brochure and sketched what is now our logo. He went on to guide us toward our first land purchase, the 16-acre Whitcomb land in Heath Hen Meadow. He also supported us as we took on our first CR (the Donald Land) and since then has been a part of most of the other 7 CRs we now hold and two more that are in process.



ACT trustees presenting Tom with a retirement gift.

2021-2022 Financial Statements	FY 2021	FY 2022
Statement of Income and Expenses		
INCOME		
Dues & Donations	\$27,421	\$27,934
Campaign Donations	\$28,080	\$65,462
Fields Pond Foundation Grant	\$15,000	\$0
Interest Income	\$1	\$2
Miscellaneous Income	\$0	\$0
TOTAL INCOME	\$70,502	\$93,398
EXPENSES		
Operating Expenses		
Digital Services	\$0	\$620
Mass Mailing	\$1,079	\$5,329
Grants	\$0	\$0
Misc. Fees	\$240	\$706
Services	\$2,160	\$1,090
Organization Memberships	\$250	\$550
Insurance	\$2,507	\$3,535
Miscellaneous Expenses	\$2,439	\$1,484
Total Operating Expenses	\$8,675	\$13,314
Other Expenses		
Misc. Fees	\$2,081	\$65
Land Acquisition Expense *	\$53,080	\$550
Legal Services	\$245	\$320
Total Other Expenses	\$55,406	\$935
	\$64,081	\$14,249
NET INCOME	\$6,421	\$79,149
Balance Sheet		
ASSETS		
Checking/Savings/Investment**	\$341,036	\$432,936
Land	\$19,777	\$19,777
TOTAL ASSETS	\$360,813	\$452,713
LIABILITIES & EQUITY		
Liabilities	0	0
Equity	\$360,813	\$452,713
TOTAL LIABILITIES & EQUITY	\$360,813	\$452,713
* FY 2021 Includes ACT Gift of \$10,000 for Stonefield Farm		
** Includes funding for CR stewardship		



2023 Membership & Renewal Application

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

- If you are not yet a Member of ACT (or have not yet renewed your membership for 2023), please join us!
- If you are already a Member for 2023, please pass this newsletter on to a friend who might be interested.

To renew or join please visit: ActonConservationTrust.org

Name:

Address:

Or mail this form to: **Suggested levels of support :**

Acton Conservation Trust _____ Individual \$25 _____ Protector \$250
 P.O. Box 658 _____ Family \$50 _____ Supporter \$500
 Acton, MA 01720 _____ Friend \$100 _____ Patron \$1,000

Phone:

Email:

Please make your check payable to
Acton Conservation Trust

_____ Seniors \$15 _____ Other \$ _____
 & Students

Please contact me about how I can get more involved!

nl2023

ACTivities, 2022

Winter Island at Heath Hen Meadow - January 23

An intrepid group made it to Winter Island and on into Stow over many yards of frozen swamp. Traction gear was the footwear fashion of the day. Who knew how far you can roam on the ice!

Winter Wildlife Tracking Walk - February 6

It was a blue bird day for our tracking walk with Tracker Paul Wanta and a great group of ACT members and friends at Nashoba Brook. The snow was perfect and captured and preserved the tracks of so many animals, beginning at the parking lot! Paul has so many interesting stories about tracking adventures and other people he has tracked with over the years

Woodcock Prowl - April 5

Acton Conservation Trust member and local birder, Al Sgroi, guided us in viewing the fascinating courtship ritual of the American Woodcock. The males displayed a series of peents, twitters, and chirps as they pranced on the ground, then spiraled rapidly upward, circled and drifted down while whistling. This is a "crepuscular" or twilight-active bird, so we met at sunset to watch and listen for the incredible sky dance.

Earth Day Walk - April 22

ACT celebrated Earth Day on April 22, 2022, with a beautiful walk of Pratt's Brook Conservation Land. Dogs were invited! We were treated to this stately stand of old white pines, blueberry "barrens", two brooks, skunk cabbages and two big ant hills.

Spring Bird Walk - May 17

We had a perfect Spring morning for our bird walk led by Al Sgroi at NARA Park and we saw or heard 41 species in all. We learned about the amazing Sound ID function in the Merlin Bird ID app and how it also helps to identify birds by location, date, size, color(s) and behavior.

Grassy Pond Nature Walk - September 18

The walk of this beautiful and biodiverse land just off Newtown Road was led by Boot Boutwell, a storyteller-poet-naturalist who teaches and leads nature walks for Mass. Audubon and the New England Wild Flower Society among others. The walk focused on plant ID as well as fun and interesting natural history.

Garden as if the Earth Matters! Planting for Biodiversity and Climate Resilience - October 13

This presentation by Anna Fialkoff, of the Wild Seed Project was co-sponsored by ACT, EnergizeActon and the Garden Club of Acton. Anna's words were inspiring as was her work for the Wild Seed Project

Mushroom Forage - October 15

Jonathan Kranz, a member of Boston Mycological Club, led our walk through Great Hill, including newly protected land at 4 Piper Lane. Jonathan has been foraging for several seasons, and just started leading walks in the past year, teaching people how to observe and learn about fascinating fungi. Our group of 29 (including 3 children) was also very engaged, venturing off trail and returning with specimens. After 1.5 hours foraging, we returned to a table set up near the parking lot to talk about and identify some of our finds.

Member Appreciation Astronomy Evening - December 3

To show appreciation for our wonderful members, we partnered with Amateur Telescope Makers of Boston for an Evening of Astronomy. The night was a big success, and we were treated to views of Jupiter, Saturn, Mars, Neptune, Uranus, Orion Nebula, star clusters, an orange giant, blue dwarf binary star, as well as the Andromeda Galaxy, among others.



Ice Walking to Winter Island



Paul Wanta introduces tracking



Al Sgroi preps us for the woodcock show



Boot Boutwell beginning the Grassy Pond walk with a poem

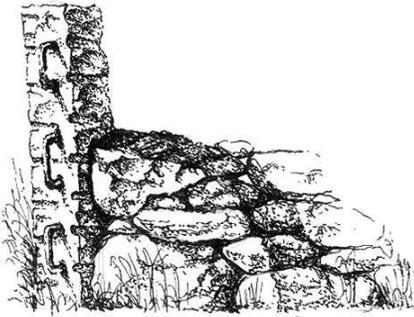


Jonathan Kranz tutoring the group on fungi.

Acton Conservation Trust
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Acton, MA 01720

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ACT Annual Meeting Guest Speakers:

Marcia and Mark Wilson

Eyes on Owls

"Owls of the World - Who's Watching You?"



Marcia and Mark Wilson founded **Eyes On Owls** in 1994 as an educational enterprise that brings wild owls to schools or groups so you can learn more about your wild neighbors and their habitats. These owls are permanently disabled - that is they can't survive on their own in the wild.

Their program for ACT will introduce you to the owls of New England and beyond. Mark and Marcia will share the field marks, signs and naturalist's skills that you can use to find wild owls without disturbing them. You'll also meet six live owls (from small to huge) up close, participate in a hooting lesson and get tips on how to attract and protect owls near you. While the selection of live owls varies from group to group, you'll probably meet New England's tiniest owl, the Northern Saw-Whet Owl (weighing in at 4 ounces) along with the world's largest owl, the Eurasian Eagle Owl (with a five-foot wingspan!). Other species in their program can include Eastern Screech Owl, Barred Owl, Barn Owl, Great-horned Owl, Snowy Owl and Spectacled Owl. Owl pellets and white wash are topics of great interest at these programs and they will explore these and other fascinating aspects of owl biology. For many middle and elementary schools, this ties directly to the science curriculum of the students. Please join us for a hooting good time!

Save The Date

ACT Annual Meeting

Sunday, March 12, 2023

1:00 PM

Town Hall / Zoom

Please visit our website to register

www.ActonConservationTrust.org

**ACTON CONSERVATION TRUST, Inc.
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