



LAND TRUST NEWS

Volume 26, No. 1 March 2024

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1:00 PM, March 17, 2024
Town Hall

Guest Speaker:

Rick Roth

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Acton Conservation Trust

A Non-Profit Land Trust

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

**Did you remember to
renew your
membership for
2024?**

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
or visit our website to keep
your membership active.

March 2024

Dear Acton Conservation Members and other Friends,

I am delighted to report that 2023 was another year of accomplishments in land preservation, as Acton preserved the iconic 57-acre 549 Main Street/Conant Land on the corner of Brook and Main Streets. Thanks to all who supported the purchase of a permanent conservation restriction (CR) on this property. ACT has been eyeing this property for decades and we are delighted that it has at last been protected, along with its upland forest, open meadow, a key portion of the Isaac Davis Trail, and connection with the Bruce Freeman Rail Trail, not to mention its vital importance to the Nashoba Brook ecosystem.

This year we have the opportunity to continue protecting this ecosystem with two projects (described in detail in this newsletter) Morrison Farm and Wetherbee Woods. Morrison Farm was purchased by the Town in 1997, but is not permanently protected from future municipal uses. The Acton Agricultural Commission is proposing to place a permanent CR on this parcel to be held by ACT, that would keep it open in perpetuity, but allow for current and future agricultural uses. The Wetherbee Woods project involves the purchase (and protection with a CR) of the iconic woods facing the farm fields on Wetherbee Street. See page 2 of this Newsletter for details about this "Agricultural Gateway to Acton".

This has also been a year of major transitions and adjustments with the retirement of Tom Tidman, Natural Resources Director (among two other leadership roles) Andy Magee, our Hero Chair of the Open Space Committee since at least 2005, and the tireless champion of our lands, Bettina Abe. This was a real blow to our preservation ecosystem, but I'm happy to report that ACT is already working closely with Mike Gendron, the new Conservation Agent and Ian Bergemann, the Land Stewardship coordinator. Also, through a joint effort with the Open Space Committee, we have both expanded the Open Space committee with new members and welcomed a new Chair, Karen O'Neill (former co-President of ACT). The other good news is that Bettina is only retiring from her official position in Town, but not from her numerous volunteer activities.

Finally, proving that "change is good", well known environmentalist Pam Resor, former State Senator and a mentor of current State Senator (and former ACT Trustee) Jamie Eldridge, has joined the board of ACT and will be nominated for full membership at our March Annual Meeting.

My thanks to all who support our efforts and I look forward to seeing all of you at our many ACT activities as well as at Spring Town Meeting May 6, 2024.

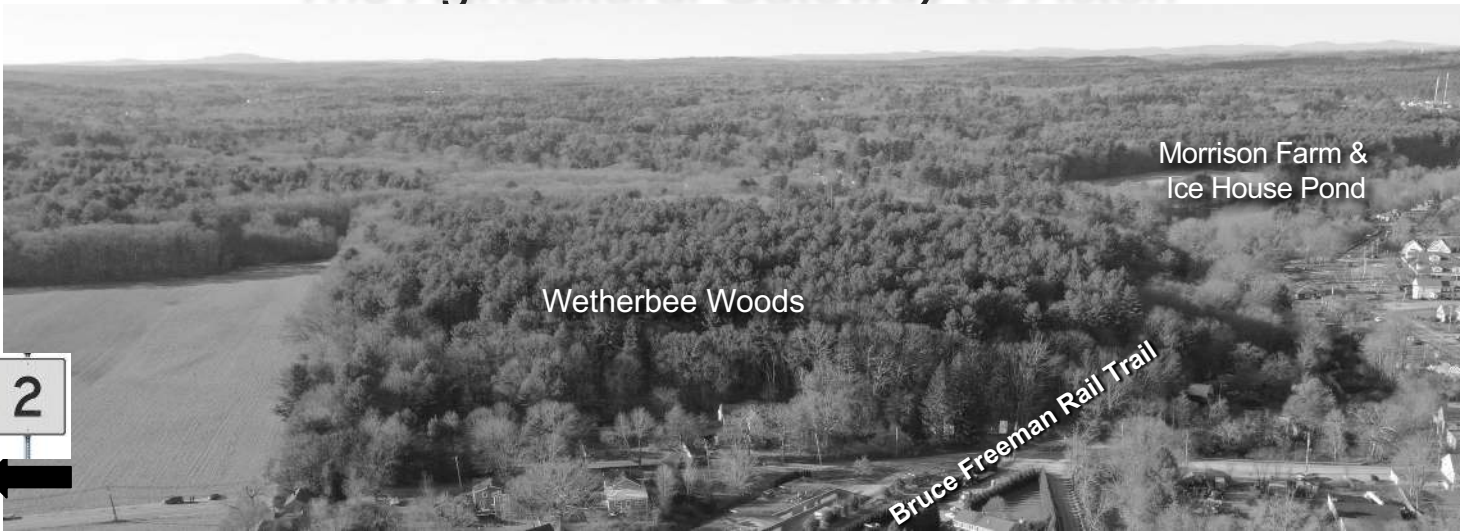
Cheers,

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

Preserving Wetherbee Woods

The Agricultural Gateway to Acton



Agricultural Gateway

Driving west on Route 2 as you cross the Concord-Acton line, a glorious vista is presented, with open fields framed by mature white pine woods. This is the *Agricultural Gateway to Acton*. While much of this land is permanently protected, the last remaining large parcel, the Wetherbee Woods is not. ACT began working with the landowner more than 20 years ago to explore ways to preserve this key parcel, which also borders the Bruce Freeman Rail Trail and Nashoba Brook.



Sale for Conservation

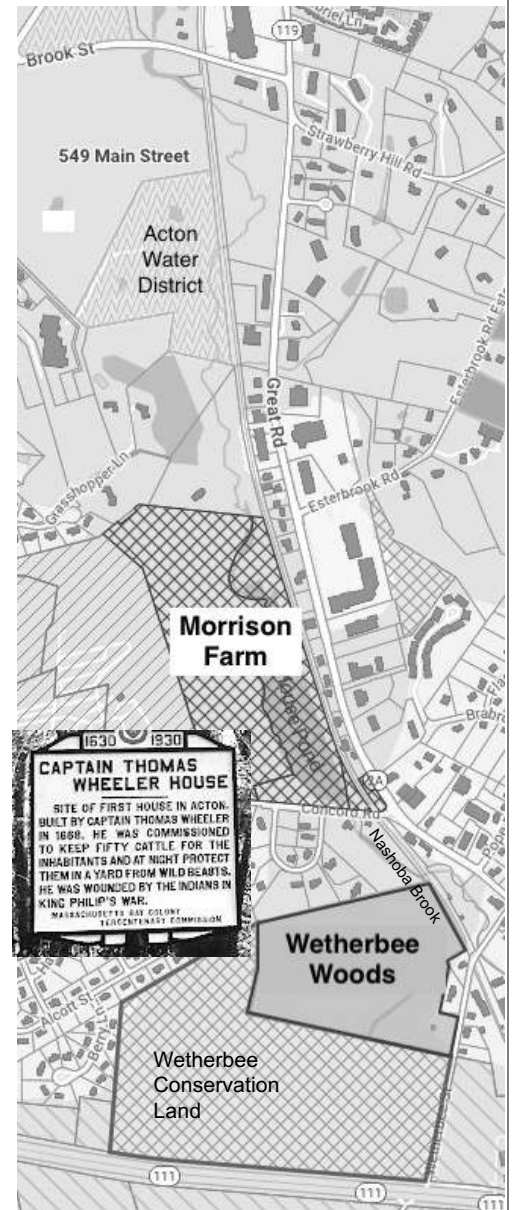
During the last several years, ACT and the Town of Acton have been working to negotiate a conservation sale of this key property. Pending the successful outcome of negotiations between the town and the landowner and a funding recommendation from the Community Preservation Committee (CPC), there will be a warrant article at Town Meeting for the town to purchase the property for conservation. We strongly support this purchase with CPC open-space funds and it would be protected by a conservation restriction (CR) held by ACT. *We encourage all ACT members to attend Town Meeting on May 6 to lend your support to this project.*

The Land: Preserving the Nashoba Brook Corridor

The proposal is to purchase 2 parcels of land totaling 33 acres on Wetherbee Street that form the wooded backdrop to the town-owned 72-acre Wetherbee Conservation Land, which includes the tilled field that abuts the southern boundary. Adding this 33-acre parcel to the Wetherbee land would preserve the beauty of the view across the open fields. In addition, it would provide a trail link to the Bruce Freeman Rail Trail which runs on the northeast edge of this property. Nashoba Brook flows along the northern edge of the property and is filtered as it passes through the undeveloped woods. As the map to the right shows, it also forms a nearly unbroken undeveloped corridor from the recently preserved 549 Main Street property, to Morrison Farm, through Wetherbee Woods and onto the border with Concord. The land includes 2 certified vernal pools and habitat for various mammals, arthropods and birds.

History

This land also played a significant role in the early history of Acton as it was part of the Wheeler Farm. (See the historical markers on Concord Road and Alcott Street.) There is archeological evidence of this activity that includes a stone lined water catchment in the southeast corner, as well as evidence of a natural spring and man-made waterway. In a letter to ACT, the Historical Commission confirmed that Wetherbee Woods has historical value to the town due to the presence of the stone lined catchment and the Captain Thomas Wheeler's home site.



The Future of Morrison Farm:

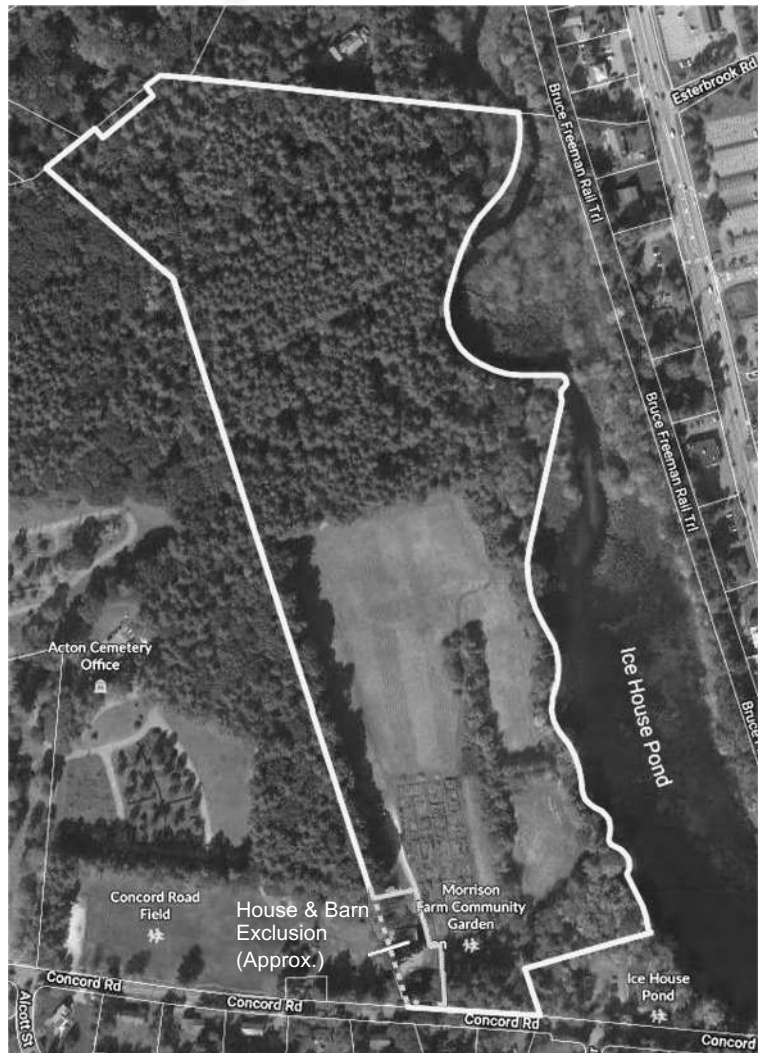
A Preservation Proposal from the Acton Agricultural Commission

Morrison Farm is an 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 icehouse pond parking lot with access to the Bruce Freeman Rail Trail. The property was acquired in 1997, following a campaign led by then future co-presidents of ACT Karen O'Neill and Susan Mitchell-Hardt. 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 a flourishing community garden has 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. (See details below.) In doing so, the community gardens, the open fields, and the adjacent woods would be restricted from uses other than the gardens, with limited agriculture in the remaining meadow and passive recreation. The farmhouse and barn would be excluded from the CR as shown on the map.

Since this is a "change of use" for town-owned land, it must be approved by Town Meeting. Seeking more town-wide input on the project, the Select Board has recently voted 3-2 to not place it on this year's warrant, and instead convene a series of forums to get input on how best to use this property in the future. While ACT is in favor of using a CR on this property, there are other methods, such as rezoning as "Agricultural, Recreation, Conservation (ARC) land. While not as permanent as a CR, this and other alternatives can be considered.



Conservation Restrictions, ARC Zoning and Article 97's...Oh My!

The debate on preservation of Morrison Farm highlights the various forms of land preservation that are available. The highest level of protection is a Conservation Restriction (CR), which is a legal agreement whereby the landowner (in this case the Town) relinquishes or donates some or all of these rights to a qualified conservation organization (such as ACT) **in perpetuity** but does not give up ownership or use of the land. Once the CR is granted it cannot be modified except for extraordinary reasons. Typically, a CR precludes development of the land, and even restricts uses beyond passive recreation 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. For example, in the case of Morrison Farm, the use for Community Gardens would be a *permitted use*.

By contrast, the Town of Acton zoning bylaws include an "Agricultural – Recreation – Conservation" (ARC) special district that allows for these activities but precludes any buildings or commercial uses. As with all zoning it can be changed by a 2/3 vote of Town Meeting, so an ARC zoned property could be rezoned in the future. Note that most of Acton's conservation lands are zoned ARC.

Finally, there is a State level designation known as "Article 97", which adds an additional level of protection in that a change in use can only be granted with both an affirmative Town Meeting vote and approval by the legislature by a 2/3's vote. Again, this is not permanent, as with the CR, but does make use changes more difficult than with ARC local zoning.

Lastly, the CR involves granting rights to a qualified conservation organization (i.e. ACT). That organization in turn has the right and responsibility to monitor the land use to ensure the terms of the CR are being followed. For example, ACT now "holds" 8 CRs, which means that we are charged with monitoring the use of the land and to seek remedial action if any violations are found. 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.

Acton Conservation Trust News

ACT President receives Lifetime Achievement Award from the Sudbury Valley Trustees

Acton Conservation Trust's President, Susan Mitchell-Hardt, was honored with Sudbury Valley Trustees Lifetime Achievement Award at SVT's Annual Meeting on October 18. Susan has shaped land protection in Acton for decades and is so deserving of this honor.

She first became involved in community conservation efforts in the 1990s, when she participated in the campaigns that preserved Camp Acton and the Morrison Farm in Acton. In 1998, she teamed up with Karen O'Neill to revive the Acton Conservation Trust (ACT) and has served as its president for the past 25 years. Under her leadership, ACT has played a role in the protection of 15 local properties with more in the pipeline. Susan also chaired the ballot question committee that successfully encouraged Acton residents to adopt the Community Preservation Act. She has volunteered for a number of town committees, including Open Space, Community Preservation, and East Acton Village. Most recently she helped lead the effort to create an Agricultural Commission and to get a Right to Farm bylaw enacted.

Laura Mattei concluded Susan's award presentation with: "...her energy is boundless! Susan is truly deserving of this Lifetime Achievement Award".



Laura Mattei, Director of Conservation at SVT and Karin Paquin outgoing President of SVT with Susan holding her award after the ceremony.

Welcome to our newest Trustee Pam Resor

Pam Resor, former State Senator, Representative, Acton Select Board Member and well-known champion of conservation, was elected to the ACT Board in November to fill a vacancy and will be nominated for a full year term at our annual meeting in March. We are delighted to have Pam as part of our leadership team, and she brings decades of experience to our mission.



During her career in the legislature (where she was referred to as "the conscience of the legislature") she worked to pass environmental legislation including the Rivers Protection Act, the Green Communities Act and the Environmental Bond Bill. Since leaving office she has continued her service as a board member of the Sudbury Valley Trustees, and a founding board member of the Massachusetts Rivers Alliance. We look forward to Pam's wisdom and experience in strengthening our efforts at land conservation in Acton.

Holley Conservation Volunteer of the Year

The ACT Board voted unanimously to present the 2024 Carol Holley Conservation Volunteer award to John Watlington. The award is given each year to the person who best exemplifies Carol's shining example of community involvement in protecting the environment. John's exemplary efforts as a Land Steward more than qualify him for this recognition. As well as being a tireless steward for the Great Hill Conservation Land, he has been an indefatigable champion of invasives removal, not just on that area, but throughout Acton's conservation lands.



Notice of 2024 Annual Meeting

The 2024 Annual Meeting of members of the Acton Conservation Trust (ACT), a Massachusetts non-profit corporation, will be held on Sunday, March 17 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 and vote to elect Pam Resor as Trustees each to serve until the 2025 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 2025 Annual Meeting.
- Hear and comment on the Treasurer's Report and committee reports of 2023 activities, and to act upon such other business as may come before the meeting.

2022-2023 Financial Statements	FY 2022	FY 2023
Statement of Income and Expenses		
INCOME		
Dues & Donations	\$27,934	\$41,147
Campaign Donations	\$65,462	\$0
Fields Pond Foundation Grant	\$0	\$0
Interest Income	\$2	\$1.23
Miscellaneous Income	\$0	\$0
TOTAL INCOME	\$93,398	\$41,148
EXPENSES		
Operating Expenses		
Digital Services	\$620	\$0
Mass Mailing	\$5,329	\$2,652
Grants	\$0	\$0
Misc. Fees	\$706	\$0
Services	\$1,090	\$1,240
Organization Memberships	\$550	\$925
Insurance	\$3,535	\$3,049
All Other Expenses	\$1,484	\$4,043
Total Operating Expenses	\$13,314	\$11,909
Other Expenses		
Misc. Fees	\$65	\$35
Land Acquisition Expense *	\$550	\$10,000
Legal Services	\$320	\$620
Total Other Expenses	\$935	\$10,655
	\$14,249	\$22,564
NET INCOME	\$79,149	\$18,584
Balance Sheet		
ASSETS		
Checking/Savings/Investment*	\$432,936	\$438,940
Whitcomb Land	\$19,777	\$19,777
TOTAL ASSETS	\$452,713	\$458,717
LIABILITIES & EQUITY		
Liabilities	0	\$0
Equity	\$452,713	\$458,717
TOTAL LIABILITIES & EQUITY	\$452,713	\$458,717

* Includes funding for CR stewardship



2024 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 2024), please join us!
- If you are already a Member for 2024, 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!

nl2024

ACTivities, 2023

January 8, Walk of 549 Main Street Land

ACT partnered with Acton Water District and the Conant Family for two cold but sunny tours of 549 Main Street. Approximately 60 people joined the tours, and learned about the historical significance of the land, as well as the Water District's efforts to place deep wells on the property as additional sources of town water. The walk included a section of the Isaac Davis Trail and the Bruce Freeman Rail Trail

February 5, Winter Tracking Walk

Our annual tracking walk with Paul Wanta was moved from Saturday to Sunday when the temperature went from a frigid 17° to a balmy 47°. The woods were bare, making for a different kind of tracking walk than we've had in the past. While we couldn't see animal tracks, we did see signs of the many animals who make their home in Nashoba Brook Conservation Area.

March 12, Eyes on Owls

As part of ACT Annual Meeting ACT hosted the live owl program, Eyes On Owls. Mark and Marcia Wilson introduced us to several owls of New England. We met two screech owls, a saw-whet owl, a barred owl, a great horned owl and a beautiful snowy owl. We had an enthusiastic crowd of children, and they were invited to sit on the floor up front for the best views.

April 6, Woodcock Watch 2023

It was a beautiful spring evening to hang out at Rolling Meadows in Boxborough. Temps were perfect for Woodcock Watching! Al Sgroi, Acton Conservation Trust member and local birder, shared pictures and lots of other information to guide us through the courtship ritual of the American Woodcock. Participants were very engaged and asked great questions!

May 7, Spring Service Day at Stonefield Farm

There's a new trail in town! Many thanks to our amazing group of ACT members, Scouts and AP Environmental Science students who helped clear a 1/4-mile loop trail off the Assabet River Rail Trail. We had about 50 volunteers, and if you have a chance to visit the trail you will see that they did an incredible job!

May 17, Spring Bird Walk at Stoneymeade Conservation Land

Al Sgroi led our Spring Bird walk on Tuesday, May 16, capably assisted by JoAnne Sgroi and Ron Schlegel. We met at the Stoneymeade Conservation Land trailhead and walked through woods, listening to ovenbirds calling and watching tiny brown creepers move through the trees, until breaking out into open meadow. In all, we were able to observe 41 species.

June 25, Pratt's Brook Nature Walk

Our favorite storyteller and naturalist "Boot" Boutwell led us on a spring nature walk in Pratt's Brook Conservation Land, assisted by ACT's Leona Burgess. Boot shared a great poem on how a lush lawn used to be a sign of riches, and weeds a sign of poverty, but how wonderful "weeds" are for bees and other wildlife. "A weed really is just a plant where you don't want it"

October 2, Mushroom Forage Fun!

ACT members and friends enjoyed a beautiful fall day during a joint event with Boston Mycological Club (BMC) on Sunday, October 1. Around 100 people from the two groups gathered at Wills Hole Conservation Land to search for mushrooms, and the haul was amazing!

October 15, Service Day at the Anderson Land

There's another new trail in town! We had a great turnout of members, friends and Boy Scouts from Troop 284 volunteer to put a trail from the end of Genevieve Lane into the Anderson Land, which connects to Bulette/Town Forest Conservation Land. Thanks to all who helped!



Walking the Meadow at Main and Brook Streets



Eyes on Owls



Clearing a Tree from the New Anderson Land Trail



Boot pauses at Pratt's Brook for some poetry

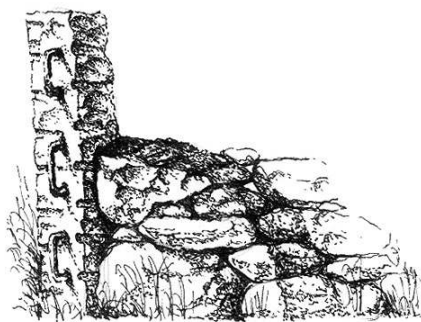


The Trail Crew at the Anderson Land

Acton Conservation Trust
PO Box 658
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ACT Annual Meeting Guest Speaker:

Rick Roth

Snakes of New England and the World



Do you wonder what kind of snakes might be living in the woods near your house? Have you ever caught a glimpse of a snake just as it disappeared into some shrubs and wished for a closer look? Here is your chance to see native and exotic snakes close up. Rick Roth, local snake expert and Director of Cape Ann Vernal Pond Team, will share some of his favorite snakes and talk about their lives and habits in this live animal presentation - and he'll be assisted by our team of volunteers.

Cape Ann Vernal Pond Team was established and began locating and certifying vernal ponds in 1990 as a joint venture with the New England Herpetological Society. In 2006 it became a Federal 501(c)(3) non-profit organization, headquartered in Gloucester.

ACT Annual Meeting
Sunday, March 17, 2024

1:00 PM

Town Hall

Please visit our website to register
www.ActonConservationTrust.org