

## MEETING MINUTES

### Town of Acton Community Preservation Committee

July 9, 2009  
Acton Memorial Library

Attending: Walter Foster, Susan Mitchell-Hardt, Jon Benson, Ken Sghia-Hughes, Tory Beyer, Janet Adachi and Roland Bartl, Town Planner. Also present was Steve Noone (Fin Com Observer).

The meeting was called to order at 7:35 p.m.

- I. Election of Officers. The Committee elected Jon as Chair, Walter as Vice-Chair and Janet as Clerk for the coming year, and thanked Ken for his fine service as Chair for two years.
- II. Ipswich Open Space Presentation. Carolyn Britt, who is a professional planning consultant and appeared before the Committee at the invitation of Roland Bartl, described the process by which the Town of Ipswich has evaluated open space, identified key parcels for protection and used bond-funding for acquisitions.

Ms. Britt first observed that land-acquisition varies widely with municipality, with some such as Dartmouth doing lots of land-acquisition, and others not. She noted that Acton historically had allocated funds for land purchases and also had a Conservation Fund. Susan and other Committee members explained that the Conservation Fund existed in the 1960s and 1970s as a line item in the Town budget. It was used to buy lots of conservation land. Ms. Britt said that the advantage of using a trust for purchases is that there is no need for Town Meeting approval. Susan confirmed that Acton has an Open Space Committee and an Open Space Plan, currently being updated.

In Ipswich, a longstanding, dedicated group of people has been instrumental in land-acquisitions, which began in the mid-to-late 1990s with three religious properties. There is no municipal land trust. The Ipswich group set up a dedicated, legislatively approved open-space acquisition fund. The group identified 85 parcels of potential interest (although the DEP advises against identifying individual parcels); Susan said that Acton started with a list of 75 parcels, which now is down to about 40 parcels. The Ipswich group monitors the parcels, and individuals from the group communicate with the property owners every six months; Susan noted her similar efforts to nurture relationships with property owners.

The Ipswich group evaluated each parcel, which included getting permission from the 85 owners to walk on the land. A given parcel could have value simply as a means of access to other parcels in the same area. The Ipswich group also accounted for certain parcel characteristics—coastal land, etc.—that could qualify for state matching funds.

About five years ago, a “greenway ring” study of Ipswich led to the decision to cluster potential open space on the periphery of the town, in contrast to Acton where open space is more fragmented.

When the Ipswich group initially proposed bond-funding, the proposal had support on the Finance Committee and the Board of Selectmen. The bond proposal was part of a larger program covering all 85 parcels, with bonding and acquisitions to be incremental. At Town Meeting, the town voted that the group could buy the parcels without Town Meeting approval, except for proposed expenditures of \$1.5 million or more. The group started to implement the proposal immediately after Town Meeting, so there was less opportunity for opposition to build. Ipswich has sold three bonds for an aggregate of \$7 million (though some of that might have been debt-exclusion). The group has a part-time staff person funded out of the open-space fund, not bond-funding.

Committee members questioned whether the Ipswich bond-funding approach would work in Acton, noting the failure on an override vote of the proposed acquisition of the Robbins Mill Pond parcel. The Acton community as a whole is not aware of open-space parcels to the same degree as the Open Space Committee, so having a formal program would be better. Susan mentioned a Trust acquisition in an area where numerous contiguous parcels are landlocked but the owners are holding on to the parcels in the belief that they will be worth a lot one day.

- III. Theatre III Presentation and Request (continued from June 11 meeting). Pamela Furnace of Theatre III and Michaela Moran, Historic District Commission (HDC) Vice Chair, were present. The Committee resumed its discussion of the Theatre III request to use the remaining \$4,500 to repair the rear windows. Tory said that Theatre III would have to request permission from the HDC to amend the original CPA application to add the rear windows. Committee members expressed concern about the proposed use of CPA funds for windows that the original application and the warrant article had omitted. The Committee agreed that the Applicant instead should submit a new application covering the rear windows, as well as other repairs. Ms. Moran said that the HDC certification lapses within one year of issuance if work does not commence but remains in effect beyond one year if work is ongoing.
- IV. Piper Lane Maintenance Issue. Roland Bartl reported that the Town has borne the cost of heating and maintaining the Piper Lane house since the Town acquired the house and associated land pursuant to Town Meeting approval in 2008. In discussing the proposed acquisition, the Committee did not contemplate long-term maintenance costs. Although the Piper Lane property is Town-owned and therefore arguably the Town’s responsibility to maintain, the Town maintenance budget already is at the limit, and maintaining the Piper Lane property means that the Town has fewer funds available for other Town properties. Dean Charter, Town Municipal Properties Director, suggested that a portion of the \$730,000 authorized for the purchase and related expenses might be available for maintenance expenses.

The Committee agreed on the need for:

- a) The opinion of Town Counsel
- b) Detailed information on the maintenance cost to the Town thus far

- c) Detailed information on what the Town has been doing to maintain the house
- d) Information on the balance remaining of the original \$730,000

The Committee also discussed the need, due to the change in the parcel configuration, for the Town to satisfy the frontage requirement for the house parcel, whether by acquiring abutting land, securing a variance (for which the parcel would not qualify) or making Piper Lane a public way (which would create other problems).

- V. Approval of 6/11/2009 Minutes. The minutes of 6/11/2009 were approved as amended.
- VI. Review of 2010 CP Plan. Roland Bartl has incorporated all suggested changes to date. The plan will remain in draft form until the Committee's discussion of the Plan at the next meeting on September 17th.
- VII. Legislative Update: SB 90. Jon referred to his July 4, 2009 email status report, reflecting his conversation with State Senator Creem's Chief of Staff. Susan noted that the Town of Concord is re-considering its CPA participation, due to the diminishing state match. Committee members concluded that they were not prepared as a group to endorse the pending CPA amendment, whose varied provisions are the result of substantial political compromise, and which in any event is low on the Legislature's list of priorities and probably will not be acted on in this session.
- VIII. Other Business.

Iron Work Farm – Faulkner Homestead. Ms. Moran reported that the consultant has completed the Historical Register evaluation and identified some \$144,000 of "urgent items."

Next Meeting. The next meeting will be on Thursday, September 17, 2009, 7:30 p.m. (Room 204).

The meeting was adjourned at 9:45 p.m.

- Janet Adachi, Clerk