

**TOWN OF ACTON
OPEN SPACE COMMITTEE
MINUTES
June 3, 2016
7:30 AM
ACTON TOWN HALL – ROOM 9**

COMMITTEE MEMBERS PRESENT: Andy Magee, Terry Maitland, Jeff Clymer, Matt Mostoller, Franny Osman, Dick Hatfield, Tom Tidman (staff)

RECORDING SECRETARY: Fran Portante

VISITORS: Ashley Davies, Joe Will, Judy Werner, Bettina Abe, Bob Sekulen

1. Status of Minutes:

February 12 and March 13, 2016: accepted and posted to docushare

April 8, 2016: distributed and awaiting acceptance

May 6, 2016: Pending

2. Discussion of Committee Charter Changes – Membership

No discussion

3. Election of Chair and Vice Chair

No discussion

4. 176 Central Street – Update

Final sale pending

5. Piper Lane parcel - Update

Several attempts to find a way to access the property such that the value of the land would satisfy the owner and allow the Town to make a reasonable bid to purchase the property have not worked to date. The only viable path may be the acceptance of Mikaela Moran's offer to use her property as a right-of-way to the Piper land. She had missed the prior OSC meeting and hadn't been brought up to date on any discussion at that meeting. A subsequent letter of acceptance from Town Counsel was later sent to her. Her attorneys have told her not to sign it. The OSC spent time in discussion over the possibility of negative consequences should the ROW be accepted and finalized, e.g. what if the Town decided to build a road through her property; what if the Town doesn't purchase the Piper Lane parcel, could the ROW be rescinded? The seller (Mikaela Moran) must be involved in asking these and other pertinent questions. A large trust factor is required that the Town will abide by the spirit of the agreement. It was concluded that a discussion with Mikaela and her lawyer, as well as Town Counsel, must be conducted. It is incumbent upon Mikaela to raise the questions and issues rather than the OSC trying to come up with them.

The potential for a town-related entity having interest using the site for affordable housing has never been seriously discussed. It was suggested that this discussion should occur in the near future to ascertain if any such interest could arise. This property has a long term history of attempts to preserve and protect it.

Action: Franny and Michaela to meet with Town Counsel at the next regular Town Counsel session. Tom will check on the next meeting date.

Action: Andy and Franny to meet w/ Housing representatives to confirm they have no interest in the site that would compromise the discussions with Mikaela Moran.

6. 64 School Street – Update

Judy Werner, owner of the home on 3.68 acres at 64 School Street, attended the meeting. She was looking to possibly sell a small portion of land at the rear of her property.

The discussion about access to the Piper Lane properties through the Fire Station and Great Hill was reviewed. However, doing so would require a waiver from the ZBA as the road would be greater than 500 feet. A ROW through 64 School Street would face similar constraints. Also, Great Hill was purchased with Self-Help funds for passive recreation and conservation, so there may be additional constraints on a road at this location.

Ms. Werner was anticipating that an appraisal, as an interim step, would be conducted first, based on a conversation with Andrew Magee and Susan Mitchell-Hardt. However, no action had been taken to present time. (Susan M-H. was not in attendance at this meeting.) As a first step, there is a need to consult with Planning to determine potential use or restrictions on the existing property.

Action: Andy will follow up with Planning and determine steps to get an appraisal for the property.

Motion: Terry moved to allow chairman to proceed to authorize appraisal based on discussions w/Town Planner. Dick seconded the motion and it was voted unanimously.

7. Brief Review as necessary for following:

- **Morrison Farm:** MFC had voted to take the Farm House down. There is a portion of the property, in the far rear, that is wooded and could have a Conservation Restriction placed on it. This area would need to be rezoned and then an article approved at Town Meeting to move forward.
- **Stonefield Farm:** Ashley provided an update since the last meeting. She has met with the Simeone family, and reports they are open to having a CR placed on the property. The recent appraisal didn't take a CR into account. She has approached the appraiser who asked for a draft CR. This raised the question of whether to include the buildings or not. If not included, the Town would have no control over the use of that area. If they are included, the Town retains control. It was decided to do the appraisal both ways, with a draft CR including the buildings and a draft CR excluding the buildings.

Action: Ashley will provide two versions of a draft CR for the appraiser.

- **River Street (Lazarro parcel):** The appraisal has been completed. Based on the property supporting three buildable lots, the appraisal came in at around \$600K. This was significantly less than the owner had been expecting (approximately \$1M). As a counter to the possible construction of a 40B on the site, the Town is looking to enhance the appraisal value to be more appealing to the owner.
- **Martin Street (Zavolas Property): no update**

8. Update on other parcels:

- **Arlington Street property:** there is still the potential this could be used for the Senior Center.
- **Anderson property:** still awaiting word from family that they are ready to develop the upland portion. This will allow the CR process to move forward, as it has been out on hold in anticipation of including the open space associated with a PCRC on this property. The Town already owns about 20 acres which was purchased with CPA funds. Once the development plan is laid out, the non-buildable area of the remaining approximately 20 acres, adjacent to the Town-owned portion, can be included in the CR.

9. Discussion of Concord Water Department Proposal

Concord's request to have private meeting was turned down by the BoS. The BoS public meeting is scheduled for July 18. The OSC discussion included a recommendation that a time limit of 5 minutes be placed on individual presentations to permit sufficient time for all speakers to have a chance to present. It was also pointed out that Concord had made significant changes to their original plan, but has never had the chance to rebut the many objections. They should have their materials posted at least two weeks prior to the meeting. That includes the Environmental Impact Report.

Matt pointed out that 80 properties in Acton are supported by Nagog Water (Concord). Should the treatment facility be moved, it would result in costly infrastructure construction to supply those properties with water.

Terry mentioned that an Order of Conditions has been issued by the Conservation Commission. Based on the Order, Concord had relocated the Solar Array. While this was done in compliance with the Wetlands Protection Act and the Town Wetland Bylaw, there was not a lot of support from the Commission, even though the Order was issued.

10. Franny provided information on a MAPC meeting where a new database application was demonstrated for providing updates to properties. The Committee questioned its value as being most likely to be used by Realtors.

**Next Meeting – July 8, 2016,
7:30 AM
Acton Town Hall - Room 9**

**** Note: Room 9 ****