

**TOWN OF ACTON
OPEN SPACE COMMITTEE
MINUTES
May 6, 2016
7:30 AM
ACTON TOWN HALL – ROOM 204**

COMMITTEE MEMBERS PRESENT: Andy Magee, Terry Maitland, Jeff Clymer, Matt Mostoller, Franny Osman, Dick Hatfield

RECORDING SECRETARY: Fran Portante

VISITORS: Susan Mitchell-Hardt, Clare Siska, Jeff Chormann, Sandra Mika; Bob Sekular, Jim Snyder-Grant, Lindsey Nelson (Omni Properties), Mark Brooks (Omni Properties), Joe Will, Jim Willis,

The executive session closed at 8:55 and the regular meeting began.

- 1. Membership:** A brief discussion of the membership according to the Charter was conducted. Andy will stay on for the time being but Jeff and Dick will both be leaving within 6 months. Barbara Epstein has now been approved as a full member. One additional at-large member and one Planning Board representative to take Jeff's place will be needed. Frannie and Terry will remain as liaisons to their respective committees. In addition, a new chair and vice-chair will need to be elected.
- 2. 176 Central Street/12 Summer Street Parcel and Town Meeting decision:** Andy thanked the committee for their support and the success of the Town Meeting decision to purchase the property. The Purchase and Sale is still pending, and as soon as this is finalized the CR process can begin. As agreed, the Acton Conservation Trust will hold the CR, but the terms are still to be defined. Steve Marsh, the seller, has agreed to pay for the legal work in creating and setting up the CR. He is expected to give \$3K upfront for this expense. Phase 1, the environmental investigation, is underway. Mr. Marsh would no longer be involved with the transactions going forward. Frannie suggested that the CR cost be incorporated into the terms of the closing. Susan reviewed ACT's process of building the baseline documentation and working with SVT to construct and apply for the CR but could not actively do anything until the sale was finalized. Jim S-G asked about parcel X, the area adjacent to the Cemetery with a shed that had been traditionally considered owned by the Town as Cemetery property. Andy explained that the shed would continue to be available to the Cemetery, and the CR will be crafted to ensure perpetual rights for its use. After a long discussion, it was recommended that Town Counsel be asked to advise on the property rights. Susan M-H had found the original article passed by Town Meeting that specifically noted that the Cemetery would purchase parcel X from the Town.
- 3. Piper Lane Parcel: Hadley property:** *(Piper Rd. rear): The following comments were submitted by Shelby, and sent to Frannie. They are included in their entirety below:*

Since the last Open Space Committee meeting we have:

 - a) Worked with Engineering to sketch a concept subdivision access (to) the 5.7 acres through a 50' wide swath of 80 School Street. This yielded 3 lots in a by-right cul-de-sac.*
 - b) Met with Town Counsel to review the concept subdivision.*

- c) *Asked Town Counsel to draft Letter of Intent between the Town and owners of 80 School Street for access to the 5.7 acres*
- d) *Met with broker Mark Brooks, who has been retained by the owner of the 5.7 acres to work out an open space deal with the Town.*

Next steps:

- a) *Execute LOI with owners of 80 School Street*
- b) *Order appraisal*

Mark Brooks, representing Magoon/Hadley, reported that the client was enthusiastic about the town purchasing the land for preservation. Since this purchase will be using CPA funding, a serious commitment must be made. A letter of intent from the owner is required. Only because of Michaela's offer does this arrangement work.

Motion: Jeff moved to arrange for a new appraisal based on three lots and by-right cul-de-sac. Terry seconded the motion and it passed unanimously.

- 4. **64 School St.:** The rear of this property abuts Great Hill Conservation Area. The Werners (owners) would like to sell or have a CR placed on a rear portion of their property. It was suggested that an appraisal be done as a first step. The Committee considered having the Town buy the property and obtain an easement for access. They questioned the size of the rear portion and if it would qualify as a Hammerhead property, permitting the creation of up to three parcels. It was determined that they should go to Planning to discuss the potential use of the property before proceeding further. Tom would raise the question with Planning. This offers the possibility of another access into Great Hill.
- 5. **NAGOG Pond:** Matt referred to the OSRP as listing this as a high priority resource for preservation. This was an opportunity to add further restrictions, such as recreational rights and preservation as a Wildlife Corridor. Would the Town of Concord agree to a higher level of conservation? . The Committee was asked to give recommendations to BoS. It was noted that Breezy Point neighbors were concerned about the proposed fenced area that cuts them off from current access. The proposed fencing also blocks the wildlife corridor. Plans call for a 6 inch space below the fence line. Concord is also rethinking the solar field and perhaps moving to a co-generation facility instead. The BoS meeting is scheduled for June 18. Matt was asked to come up with a written recommendation, based on the OSRP, to present to them. He was to work with Frannie on this.
- 6. **Lazarro:** A follow up meeting was held. Awaiting appraisal.

Meeting adjourned at 8:45 AM

Next meeting: June 3, 7:30, Room 9.