

**Acton Open Space Committee  
Minutes of Oct. 9,2009 (comments from SMH, AM, DH, TM)**

Attending: Dick Hatfield, Andy Magee, Peter Ashton, Karen O'Neill, Charlie Carlson (by phone) Jeff Clymer, Terry Maitland, Susan Mitchell Hardt, Christa Collins, Jane Ceraso

Staff: Tom Tidman

Visitors: Christa Collins, Susan Mitchell Hardt and Mike Gowing

1. Board of Selectman meeting and oversight updates went well. Held last Monday night. Peter and Terry presented. Selectmen/women now understand more how difficult these land deals can be.
2. Terry provided an update on Chapter 61 meeting /forum and shared the interesting flow charts. One of the important changes notes that if the notification from the landowner is not in the proper form – the town can tell the landowner to resubmit and allow 30 more days. The notice to convert has to go to various boards – see statute – and DCR. One significant thing in paragraph F – The “offer” really means Purchase and Sale document. And the cash must be delivered at closing. Long term lot lease deals are no longer allowable. There is nothing in the statute about how the town gets to do the appraisal. The tax calculation is also simplified.

Terry also noted that some towns have established standing committees to deal with rights of first refusal as they come in. After discussion there was general agreement that this is the role of OSC .

Peter asked – should there be a policy and procedure? Future agenda note.

3. Senate Bill 90 was raised as a question at the recent Selectman’s meeting. Legislation in court now. Selectman are looking for feedback...should we (town) support this legislation? Andy noted that the Selectmen already voted to endorse it( in earlier round), a year ago. It expands “who gets funding” ...it preserves the match, but expands...maintaining the 75% minimum. Andy noted that others who support it are our allies. It’s not perfect, but it worth supporting. The Open Space Committee agrees that we should support this. Move to support SB 90. Seconded. All voted to Support. Peter will complete the form. ACTION.
4. STONEFIELD FARML AND CAOUCETTE -- After our last meeting, it was decided that SVT would talk to brothers to get details on what needs to be included in the appraisal. it was difficult to get the family to provide details on their other appraisal. It was noted that they did not consider using two entrances off Rt 27. They were however, getting very concerned about Caouette property. “Please do the Caouette property first!”

Peter talked to town manager about getting the appraisal done. It was noted that the town manager is very appreciative about SVT and ACT contributing money to fund the appraisal costs.

5. Caouette –Susan Crane and Andy Magee had met with landowner who expressed frustration with the slow process. They reminded her that and deal has to pass town meeting and that takes time. The town continues to be interested in purchasing the land, however, we need to start with an appraisal.

Landowner said that she has signed a Purchase and Sale however, But they are preparing a new one. On behalf of the OSC, Andy asked her to keep us informed and urged her to let the town do the appraisal. She said YES. Go ahead with the appraisal.

OSC discussed the opportunity (and potential cost savings) of doing both appraisals at the same time? It was decided that we should move quickly to do an appraisal of Caouette property. We also discussed the potential of a more collaborative deal with landowners and developers and noted that the rail trail abuts this property.

Christa Collins recommended ask the appraiser to do a simple appraisal in 3 parts:

- The appraised value of the entire parcel
- All of the above, minus the mothers house lot – conforming with current 2 acre zoning.
- The appraised value of the entire parcel with a Conservation Restriction over the farm fields

ACTION: Peter recommend that Andy and Susan Crane go back to landowner and ask her delay the P&S because it will give her more options...and the process won't take any longer. Andy will call her today Oct 9<sup>th</sup>.

OSC asked if the same contribution of funds from SVT and ACT will be forthcoming with this appraisal. ACT and SVT reps will go back to their organizations.

Motion was made to move forward with an appraisal of the Caouette property.. All voted yes enthusiastically!

ACTION: Christa Collins will talk to Paul Simeone about this vote and moving forward hopefully with Caouette.

6. Piper Lane and Piper Road – Susan MH had a conversation with landowner of abutting property, John Horn – he said he wants \$100,000. Not interested in the assessed value of ~\$20K. There is only \$48K left in the funds and we need to have town manager tell the landowner that we appreciate his valuation of the

land, but we can not pay more than appraised value. ACTION: Mike G will talk to TM about getting back to landowner.

Meeting adjourned.

NEXT MEETING: Friday, November 6<sup>th</sup>, at 7:30 PM

FUTURE meetings will be the First Friday of each Month.