



TOWN OF ACTON
OPEN SPACE COMMITTEE
Meeting Minutes
December 1st, 2023

7:30 am VIRTUAL and In Person

Acton Town Hall Room 9, 472 Main Street, Acton, MA 01720

Committee Members Present: Karen O'Neill (Chairing Meeting Co-Chair), Terry Maitland (Co-chair), Matt Mostoller (AWD), David Marshall, Michaela Moran (Planning Board Liaison), Brandon Comstock (Full Member), Jane Moosbruker (Full member), David Martin (Select Board Liaison)

Committee Members Absent:

Non-Committee Members present: Ann Budner of 9 Horseshoe Drive, Mike Gendron (Conservation Manager), Ian Bergemann (Land Stewardship Coordinator), Joe Cooney (ACT), Jody Harris (ACT), Susan Mitchell-Hardt (ACT), Alexander Wahlstrom (AWD), Bettina Abe

- I. Meeting is opened by Karen O'Neill (Chairperson) at 7:32 am.
- II. Minutes reviewed. Terry motioned. David seconded. – Voted and accepted at 7:33 am.
- III. Status of property conservation restrictions
 - a. Susan: Rob Johnson, Executive Director of Mass Land Coalition emailed everyone about State's CR pending status. The email provided additional email/contact information for individuals to reach out to find out about their CR status. Susan forwarded that to Matt. Susan asked if Mike had news from Dillis & Roy about the Anderson Land CR. Mike: No new updates, typically takes 6-8 weeks. They have been hired. He said he will follow up. Susan: Once it is ready, she will contact their BDR writer/surveyor. Susan mentioned the Conant CR. Matt: negotiated with the seller to decouple the CR recording and plans to close on next Thursday (Dec 7th) and he provided comments to town counsel last night. Matt will follow up with their CR reviewer at the State and he was aware of the email Susan had forwarded to him. He believes they are the 2nd highest priority CR for DCR and hope it will be recorded by New Year or a week or 2 after. However, despite the decoupling, the District needs the Cr recorded to start receiving grant funds. Grant funds are in place by March 19th.
 - b. Susan: introduced the Morrison Farm CR and asked Bettina to speak about it. Bettina: Morrison Farm CR is being promulgated by the Agricultural Commission, Susan Mitchell-Hardt, and Pete Westover from Conservation Works LLC. Morrison Farm CR is strongly supported by the Acton Conservation Trust. They voted to fund all costs related to the CR up to \$20,000. As a result, ACT hired Pete Westover from Conservation Works LLC to draft the CR. and get it ready for review by the Select Board as soon as possible. The hope is the Select Board will approve it and have a Warrant Article drafted for Spring Town Meeting. Susan: Pete Westover created exclusion boundaries so that it's only considering the land and not the historic structures. Bettina: this is not subdivided the property or segregation, it's putting permanent protection on the land and dedicating it to agriculture and conservation. Ian screenshared the map. Susan: Is there a list of the dog walkers? Would be good to have that because they are involved in using the land. Bettina: we have the community gardeners, Joe Will may have a list. Brandon: At the harvest fest there was a booth set up for people talking about a dog park, they may have a list. Bettina: The Acton Dog Park Committee. Susan: Check with Claire Cisco.
- IV. Review status of Wetherbee/Moritz Property
 - a. Karen: Does anyone have any new information about this project? We need to talk about the timeline for the next 6-8 months. She asked Mike to share the timeline. We have until May (Town Meeting) and

need to have the warrant article written and submitted by February. Have a lot of community fundraising activities and grants to do. Karen asked if Brandon could talk about grant options, specifically the MVP. Brandon: MVP grant – someone would contact Andrea in Sustainability. Mike: spoke with Andrea (Sustainability Director) and she has worked on a lot of MVP grants in the past. She has become the defacto connection. He talked with her if anything else is being worked on in the town for the MVP so we do not compete with anyone else. Andrea said they have nothing, Mike talked to Corey in DPW and they do not have any plans. Mike will talk to Town Manager about submitting an MVP. Expression of Interest is due Dec 15th. Mike mentioned Matt has some experience. Brandon: Michelle Howden or Routin(?) is his contact and she is happy to offer time to speak about this grant. Suggested we set up a time with her. Matt: The expression of interest is optional but we should not miss that, because once that date passes Michelle cannot provide much input after. Matt said that feedback was incredibly helpful and actually asked that they ask for more money in their application. Brandon: Add Dec 15th as EOI for MVP grant. Brandon: a few of us attended the LWCF grant webinar and big takeaways are adamant about OSRP plan is required and that Yellow Book appraisal needs to be communicated to State by Dec 4th to coordinate appraisal process. Brandon asked during the webinar what the Yellow Book appraisal was and they said your appraiser should know/be able to do it so Brandon suggested we confirm that with our appraiser. Feb 29th would be deadline for a yellow book appraisal. Karen: If we can contact the appraisal directly? Mike: yes, we can, but we should note after the webinar he reached out to Melissa to talk to her about the OSRP timeline and she said that having the OSRP requirement cannot be waived. So this time around we cannot get the LWCF grant. However, he said, LWCF grant is a Fed grant and the State has a similar grant, the LAND/ Park grants, and opens up in the Spring and would likely meet out timeline for OSRP. LAND grant should be the priority grant rather than trying the LWCF grant. Brandon: turn my attention to LAND grant and short list of Fed grants that he looked into like the Community Forest Grant which is due in January. The Community Forest and Open Space Conservation Program or the Community Forest Program is administered by the USDA Forest Service and is 50% project cost and 50% non-fed match and “funding to conserve forest, provide public access” and he determined the regional contact. Two others: Acres of America, America the Beautiful Challenge, Northeast Forest and Rivers Fund. Keep up to date on LAND grant dates/webinars. Karen: Any additional comments on grants? David Martin: 2 comments on the timeline, this committee does not need to worry about writing the article because it will need legal language about borrowing and such so Town Counsel/Town Manager will write it. Do not need to worry about deadline for that, Select Board can change it. Meeting with CPC needs to be on timeline to get them to agree to spending some set aside and bonding the property so they commit to paying back loan over time. A late Feb – Early March timeline and Karen should follow up with Dean on that date. Can't be done before we have a purchase and sale in place for the property, so David is working with chair of the Select Board to get an executive session so that we can give guidance to the Town Manager office and Counsel and begin negotiations. In the past the OSC chair has been invited to the session, Terry asked if Co-Chair may come as well. David said we will confirm. David asked for Executive Session, it may happen this month or the next. Terry: There's been an assumption that this will be bonded? David: Very rarely we use general funds to buy property. We typically don't get that good of a deal. Terry: What is the level of the set aside funds? David: Maybe 1.05 mil, that's just an estimate, so that plus whatever CPC adds this year. Karen: We asked 750k. David: so, it would be close to 2 mil, so it would likely be CPC bonding as the only alternative but it is not purely his decision. The financial situation is tough this year. Bettina: Regarding Town Meeting and grants, we need that information in advance so the arguments can be made during that process and CPC, the most important thing is to let the grantors know our timeline and let them know

we need to hear back. Susan has gotten small grants before. She said if we are a million \$ shy, then we are not going to get significant contribution from these State grants in time and they typically look to see what your matching funds are to see how needy a town is. We really need that to show leverage when we talk to CPC and Town Meeting. Karen: Excellent point. David: that's a really good point, the grants really help at Town meeting so ask Dean how late you can go to CPC maybe late march.

V. Review grant opportunities

- a. Karen: good summary of the lay of the land and what we need to do next, Community Fundraising will help show intent and involvement. Karen asked if Susan could talk about ACT's community fundraising and her take on community of Concord Land Trust and the residents. Susan: It would be helpful if SVT fundraise their members in Concord. Karen: Susan and Meredith and her should work together. Susan: ACT board discussed fundraising efforts and believe they can contribute \$100k but needs to confirm. The Board is excited but looks doable. Susan made a timeline on how they fundraised 60k for Piper Ln for a May Town Meeting, she asked when is Town Meeting. David: First Monday of May so must be May 6th. Susan: Would like to meet with Horse Shoe Drive to provide an update to them, she mentioned we had a letter writing campaign back in 2020 when there was a newspaper, but the Action Unlimited and Acton Exchange could do a letter campaign with them. Meet with Horse Shoe Dr to meet people and discuss. She said snail mail was used to mail nearly 900+ people with flyers. We asked the Town Clerks to provide residential addresses that abut the target property. Karen: Sounds like a very rich and detailed plans. Susan: Schedule a couple of walks (2-4 walks in April). David: Can connect people with Acton Exchange and his wife is on a team with them. One was written by Joe Cooney recently. Susan: We can do a letter writing campaign. David: We could do an article about fundraising or Wetherbee/Mortize property.

VI. Discuss fundraising

- a. Karen: Fundraising will be a constant conversation going forward.

VII. Any updates on Donald land or Triangle Farm

- a. Terry: Donald property is central to the Arboretum and my concern is running our set aside count down is we will have no powder when it comes to the market. It is a Chapter 61b property which means if there is a change of use the Town will have 120 days to respond. Mary Donald has moved to Vermont. Karen: Bettina, have you had any contact with the Donald's? Bettina: Phoebe Conant who is FAA President, expressed the Town is interested in acquiring the 5-acre property and she was very glad to hear that. Phoebe followed up with a letter expressing that, so the Donald's are definitely aware. Donalds have not given a timeline but Bettina drives by every day and has not seen dumpster or any efforts as of yet to empty the house. David: Terry's point, that based on analysis by Bill Alesbury, that bonding may be able to support two properties. Susan: Susan and ACT has a strong relationship with Mary Donald, she has come on every monitoring walk (ACT holds the CR). Bettina: Mary's land – all 3 parcels are in a trust so she doesn't have say about it, its up to her children but she can express her feelings. But Mary may want her family to be justly compensated.

VIII. Comments/Concerns/Announcements:

- IX. The next meeting is January 5th, 2024 at 7:30 am and will also be hybrid.

Meeting moved to close. David Marshall motioned to adjourn, Terry seconded. Unanimously adjourned Meeting adjourned at 8:29 AM.

Respectfully submitted,
Ian Bergemann, Land Stewardship Coordinator, Town of Acton