

Minutes
Town of Acton Community Preservation Committee (CPC)
September 28, 2017
Acton Memorial Library

Members Present: Bill Alesbury (Vice-Chair), Tory Beyer, Dean Charter (Associate), Walter Foster (Chair), Amy Green, Susan Mitchell-Hardt, Carolyn Kirkpatrick (Associate), Joe Will (Clerk), Ray Yacouby

Others Present: Roland Bourdon (Acton Finance Committee), Robert Hummel (Acton Assistant Planner), Gregory Johnson (Windsor Avenue resident), Tom Tidman (Acton Natural Resources Director)

Walter opened the meeting at 7:30 PM.

I. Citizen Concerns

- none

II. Minutes of September 14, 2017

- In the Minutes, Part VII, second bullet, sixth paragraph re the 2017 request from the Acton Housing Authority (AHA) that was denied by Town Meeting (TM), replace the original last sentence with, “The 2017 TM-approved funding for housing did not meet the 10% CPA requirement.”
- In the Minutes, Part VIII, third bullet: To clarify the issue with the widening of Main Street in front of the Hosmer House, replace the original second sentence with, “At issue is whether the Hosmer House historical restriction prevents any changes at all to the front including changes to Town-owned property.”

It was moved, seconded, and voted unanimously to approve the minutes with revisions shown above.

III. Fall/Winter Schedule

- An Open Space purchase proposal (see part IV) would go to the December Special TM, the Warrant for which closes on October 30. The CPC should invite public input on such a purchase before the Special TM. Meeting on the already-scheduled 10/26 date would give the purchase good time “to mature.” Also, on 10/26 the Acton Woman’s Club would like to host the CPC at the Club’s building. The CPC is cancelling the scheduled 10/12 meeting and will meet on 10/26 at the Acton Woman’s Club (Note: No Wi-Fi there). The Club will send out invitations. There will be wine and cheese beginning at 6:30. The 10/26 Agenda will show the meeting to start at 6:30, but there will be no discussion of business before 7:30.

The CPC will keep the remaining scheduled meeting dates for the time being.

IV. Review Possible Open Space Project to be Brought to December Special Town Meeting

- Tom made a PowerPoint presentation proposing purchase of approximately 11 acres of land at 161 Newtown road — land also known as The Hryniewich Land —

with the help of CPA funds. The asking price for the land has been reduced, making purchase of the land possible using \$770K from the Open Space set-aside and a small balance (est. ~\$30K) from some other Town funding source. This has the unanimous approval of the Open Space Committee and the Board of Selectmen, and has also been approved by the Town Manager. The small balance could come from the Town's Free Cash. The Acton Conservation Trust (ACT) has made it known that it could look to do some fundraising as it has done for other land purchases.

Comments/Questions:

- The Town has made an \$800K offer verbally. Next step for the Town would be to make the offer formal.
- While the owner has been asking for more than \$800K, feedback from the realtor and the owner says that \$800K is a “real” number.
- Splitting the property under consideration is a private strip of land that connects a private lot fronting on Newtown Road with Grassy Pond. Although negotiations could possibly merge this strip with the property under consideration, the owners have said that a 10-ft wide travel easement across that strip would be okay. The walking-trail easement would be part of the purchase agreement.
- Is there a chance the Town could also purchase the private lot referenced in the preceding paragraph? The Hryniewicz family will sell that lot separately.
- Is there any plan to do anything with the land? One possibility might be a little dock along Grassy Pond Brook. As for parking, none would be planned for this property. There may be 6-car parking on the nearby Town-owned Anderson land.
- What are the upland/wetlands percentages? About 50% each, maybe a little more wetlands than upland.
- ACT has agreed to support the project and fundraise as necessary. However, ACT would not begin any fundraising until a deal has been struck. ACT has hosted ~30 people in two separate walks of the Grassy Pond CL, and ACT will reach out to these people, among others.
- It would be good to see as much leverage, i.e., non-CPA funds, as possible. This land should be highly motivating for donations. In any case, the CPC would not want the Town to come later to the CPC for additional funding related to this purchase.
- Tom and Cathy Hatfield (Friends of the Acton Arboretum President) have been looking as state grants and have identified two that could be reimbursement funds.
- The CPC agrees that grant \$ would be “fantastic”.
- The CPC members agree that this would be a great purchase.
- Tom: We would do a Phase 1 Environmental Site Assessment of the property. Right now, he doesn't see any old roads. There would be a couple test holes. It looks like a pristine parcel.

From this meeting, Tom would like CPC approval that the CPC is comfortable w/spending up to \$770K.

- The CPC has \$2.3M in the Open Space set-aside fund. It can expect, maybe, \$0.9–\$1.0M for this year's funding. If the CPC is going to approve this request, from which bucket should it take the \$? The CPC should take it from the \$2.3M. That's what it's there for. From the Open Space Committee's point of view, “as soon as possible” would be the way to go.

It was moved and seconded that the CPC approve allocating \$770K from the Open Space set-aside fund for purchase of this property (the property under discussion).

Discussion re the motion:

– Another big Open Space prospect is purchase of the Stonefield Farm development rights.

\$2.3M – \$0.77M + whatever the CPC allocates for 2018 would probably put the Open Space set-aside back to about \$2M, which would accommodate a Stonefield purchase. The timing of any Stonefield action is indefinite.

– Another parcel under consideration is one near Piper Road (~\$300K), but that's mired down.

– This is a bit of a rush process because there is not a lot of time to do this for the Special TM. In the future, it would be good to give the CPC more time so the public could have a chance to react. There should be an opportunity for public input between a project proposal and a vote on the project.

– This is exactly what the set-aside fund is for.

It was voted unanimously to approve the motion.

Tom is to keep the CPC informed as to what develops in pursuit of this parcel.

V. Discussion of any other Potential Projects

- None.

VI. Status of the SJC lawsuit

- Peter Berry has reported that there has been no change in the status of the lawsuit. The Committee recognized a “wonderful job” by Peter on a Public Broadcasting Service report on the lawsuit.

VII. Administrative Updates

- Robert shared a 10/06/17 “update” of the Open Meeting Law (OML) Guide. The Guide includes (pp. 16-17) information on contents and timeliness of meeting minutes. A discussion ensued on the handling of minutes approved without change and minutes approved with change. In either case, Town staff will archive the minutes. It will use, in the former case, the minutes as submitted prior to the approval meeting, and, in the latter case, the minutes approved with changes after the changes have been implemented by the CPC Clerk and submitted to the Town.
 - Another change noted in the OML Guide is that no reason need be given for a member's remote participation in a meeting.

8:31 PM — It was moved, seconded, and voted unanimously to adjourn.

Remaining 2017 meeting schedule: 10/26, 11/02, 11/16, 12/07, 12/21.