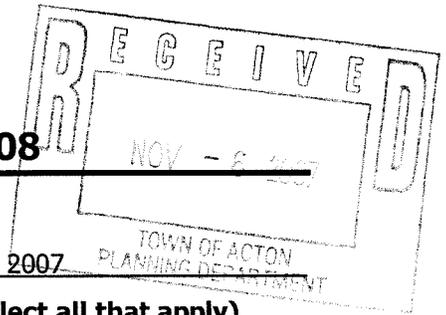


# PROJECT APPLICATION FORM – 2008



**Applicant:** TOWN OF ACTON      **Submission Date:** NOVEMBER 5, 2007

**Applicant's Address, Phone Number and Email**      **Purpose: (Please select all that apply)**

John Murray, Temporary Town Manager  
472 Main Street, Acton, MA 01720  
978-264-9612 manager@acton-ma.gov

- Open Space
- Community Housing
- Historic Preservation
- Recreation

**Town Committee (if applicable):** Open Space Committee

**Project Name:** Open Space Acquisition/Protection Set-Aside Funds

**Project Location/Address:** N/A

**Amount Requested: \$** \$500,000

**Project Summary:** In the space below, provide a brief summary of the project.

The Town of Acton Open Space Committee requests that the Town of Acton Community Preservation Committee (CPC) recommend to Town Meeting that \$500,000 of 2008 Town of Acton Community Preservation Funds be set aside for future open space acquisition and/or land protection projects. This action would be consistent with previous recommendations made by the CPC and approved by Town Meeting for the set aside of Open Space Acquisition/Protection funds.

**Estimated Date for Commencement of Project:** N/A

**Estimated Date for Completion of Project:** N/A



**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts, 01720  
Telephone (978) 264-9631  
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November 5, 2007

Mr. Ken Sghia-Hughes, Chair  
Town of Acton Community Preservation Committee  
c/o Planning Department  
Acton Town Hall  
472 Main Street  
Acton, MA 01720

RE: Community Preservation Plan Project Application Form  
Open Space Set Aside Funds

Dear Mr. Sghia-Hughes and Members:

On behalf of the Town of Acton, the Town of Acton Open Space Committee is pleased to submit the attached Project Application Form for the set aside of Community Preservation Act funds for the purchase/protection of open space lands. The Open Space Committee suggests that this proposal is consistent with previous recommendations made by the Community Preservation Committee and approved by Town Meeting.

The Open Space Committee thanks you for your consideration of this proposal and looks forward to working with the Community Preservation Committee in advancing this proposal to Town Meeting.

Respectfully yours,

Andrew D. Magee, Chair  
Town of Acton Open Space Committee

## Project Narrative

On behalf of the Town of Acton, the Open Space Committee is asking that the Community Preservation Committee (CPC) recommend to Town Meeting that \$500,000 of the 2008 Town of Acton Community Preservation Funds be set aside for future open space acquisition and/or land protection projects. This action would be consistent with previous recommendations made by the CPC and approved by Town Meeting for the set-aside of open space acquisition and protection funds.

**Background.** In May of 2001, as part of the development of the *Town of Acton Open Space and Recreation Plan 2002 -2007*, a survey form requesting information on open space and recreation needs was sent to all of Acton's 6,700 households. Over 1,400 surveys were completed and returned, a better than 20 percent response rate. Of the respondents, 81 percent stated they would vote for town-supported land purchases.

In 2005, in response to a recommendation of the *Town of Acton Open Space and Recreation Plan 2002 -2007*, the Board of Selectman created the Town of Acton Open Space Committee as an advisory committee to the Board of Selectmen. The mission of the Open Space Committee is to advise the Board of Selectmen and other Town boards on land acquisition/protection opportunities, identify state and federal funding opportunities for open space protection, and to act as sponsor and/or advocate for open space protection funding proposals to be presented to the CPC through the Board of Selectman. The Open Space Committee has up to seven members, of which one member is from the Board of Selectman, one member is from the Conservation Commission and one member is from the Planning Board.

One of the keystones of the Community Preservation Act (CPA) is the preservation of open space. In its first three years the Town of Acton CPC did not receive any applications specifically designated for open space/land acquisition, although several proposals, such as the Assabet River Rail trail, did include modest associated land purchase. In lieu of specific land purchases, and in recognition that land acquisition will likely require significant funds, the CPC recommended to Town Meeting in each of the three initial years the incremental set aside of CPA funds for the future acquisition and protection of open space. Specifically, the CPC recommended and Town Meeting approved the set aside of \$200,000 in 2004, \$300,000 in 2005 and \$400,000 in 2006 toward this purpose.

In 2007 the CPC recommended an additional set aside of \$450,000 toward the acquisition and protection of open space. However, at the time of the CPC vote it was recognized that \$100,000 of this set aside might be diverted to a specific land purchase, the negotiations of which were then on-going. Ultimately, an agreement was reached with the particular land owner and the CPC modified its recommendation to the 2007 Town Meeting to include \$350,000 of set aside monies and \$100,000 toward the purchase of the Groener property, a twelve acre parcel abutting the Nagog Hill Conservation Land. To date the CPC has therefore set aside \$1,250,000 toward open space acquisition.

**Project Scope.** Recently the Acton Conservation Trust has identified and brought to the attention of the Open Space Committee a number of potential land acquisition/protection opportunities. These include opportunities to protect both conservation land and agricultural land within the Town of Acton. While it is possible at least one of these opportunities will mature in time to be brought to the 2008 Town Meeting, the Open Space Committee is not proposing, as it did last year with the Groener property, to earmark a portion of the \$500,000 set aside requested herein toward any of these potentialities. This decision was made, in part, because of the very early stage of the specific property assessments, and in recognition that the net dollar requirement may well exceed the combined current and proposed set aside. As such, other decisions may be necessitated, including the potential prioritization of any and all of the given opportunities.

In its initial years the Open Space Committee noted that (1) the likelihood of a significant land acquisition in Acton Massachusetts would depend upon an owner interested in land protection over full development potential, and (2) that initial CPA funds set-asides for land acquisition would likely be inadequate to initiate a discussion of a land acquisition of any significant size or area. With the set aside reaching \$1,250,000 last year, and with the successful purchase of the Groener property utilizing CPA funds, the potential for more serious discussions with potential landowners has been achieved. Assuming the CPC recommends the requested set-aside, a balance of \$1,750,000 will have been reached. It is the hope of the Open Space Committee that such a balance will allow for the advancement of a significant land protection opportunity(ies) within a relatively short time frame.

## **Review and Recommendation Criteria**

As noted above, the acquisition and preservation of open space is one of the cornerstones of the CPA. The following section reviews the applicability of designating an open space set-aside in relation to the Review and Recommendation Criteria of the *Town of Acton Community Preservation Plan 2008* as presented on page 20 of the Plan.

### **Consistency with the Town of Acton Community Preservation Plan.**

The acquisition and preservation of open space is a basic tenant of the CPA. The Town of Acton Community Preservation Plan fully adopts the CPA's focus to the point of quoting from the Act the definition of community preservation as including "the acquisition, creation and preservation of open space...".

### **Consistency with Town of Acton Planning Documents**

The set-aside of funding dedicated to the acquisition and preservation of open space is highly consistent with both the *Town of Acton Open Space and Recreation Plan 2002 - 2007* and the *1998 Master Plan Update*.

The *Town of Acton Open Space and Recreation Plan 2002 -2007* identified three specific goals: the preservation of the remaining elements of Acton's rural character, environmental protection, and improved recreational opportunities. The objectives of these goals specifically reference the preservation of "open space" and the creation of "public open spaces and parklands." The Plan objectives include the preservation of "natural and man-made features that contribute to Acton's character such as open field, woodlands, ponds, country roads, scenic vistas" and makes specific mention of the importance of protecting the Town's remaining farmlands. Clearly, a CPA open space acquisition set-aside would be consistent with this Plan.

The set-aside is also clearly consistent with the *1998 Master Plan Update*. The Master Plan goals and objectives specifically includes reference to the protection of Acton's remaining farmland, the conservation of open space parcels, the creation of green belts, and the management and enhancement of Acton's existing conservation lands.

### **Economic Feasibility**

The acquisition and preservation of open space in a town like Acton, where real estate values have sky-rocketed, is an expensive proposition. Buying large parcels of land at market rates will require funds in excess of those available through CPA funding alone. Hence, significant open space purchases will likely require a number of convergent circumstances, such as a seller interested in land protection over maximized dollar value, and the participation of other entities in the funding process. The intent of the open space acquisition set-aside is to continue to develop a pool of money for land protection that begins to give credibility to the concept of land purchase in the eyes of both a potential seller and a potential acquisition partner. To-date the CPA set-aside for land acquisition is \$1,250,000 which, while not insignificant, likely represents only a portion of the amount that will be necessary for a significant land purchase in the town of Acton. The addition of \$500,000 of set-aside moneys, potentially combined with additional funding in the following year and monies from a funding partner, begins to approach amounts that may be of interest to a seller intent on a reasonable income from a land sale rather than full market value.

### **Population Served**

To the degree open space preservation serves the entire population it also serves an under-served population. Acton has a number a superb conservation lands and public open spaces. They are used for a range of passive and active recreational purposes, offer environmental protection for our water supplies, and scenic vistas for us as we go about our business. Similarly, there are a number of such spaces, some of which serve similar purposes, that are not currently protected as conservation lands or otherwise protected by conservation restrictions. As these parcels disappear, so does a portion of what makes Acton the livable community it is today. The open space set-aside offers the hope of protecting some of these parcels that touch the lives of all of our citizens.

**Multiple Needs and CPA Focus Areas**

As noted above, the Town purchased of an approximately 12.5 acre parcel adjacent to an existing Town-owned conservation parcel with CPA monies in 2007. It can be presumed that any similar land acquisition or preservation effort will entail properties that contribute open space of passive value, such as the preservation of town and rural character, a site of passive and/or active recreational value, a site of potentially historic value either as direct preservation of historic or archeological resources or heritage vista, or properties that offer specific environmental benefits, such as groundwater protection.

**Leverage of Funding**

It is presumed that any significant land acquisition or preservation effort will require certain leveraging actions, including the likely surrender of some value of the land by the seller, and/or the contribution of additional funds by local or regional land trusts, governmental grants, and/or private funding initiatives. The initiation of the discussions concerning the parcels alluded to above, for example, was the result of persistence and on-going contribution of significant time and effort on the part of the Acton Conservation Trust, the Sudbury Valley Trustees, and the Town of Acton Open Space Committee.

**Relation to Town Assets**

The potential for expanding existing Town lands or creating links between existing and neighboring town lands is always possible. The parcels currently under consideration abut and would therefore expand specific Town-owned conservation parcels, and/or would result in the preservation of a portion of Acton's remaining agricultural heritage.

**Consistency with Past Town Meeting Actions**

The Project is consistent with recent Town of Acton Town Meeting actions, which included the setting aside of \$200,000, \$300,000, \$400,000, and \$450,000 of CPA funds for open space acquisition and preservation in 2004, 2005, 2006, and 2007, respectively.

**Competency to Implement**

It is presumed that the Town of Acton will be applicant or co-applicant of any proposal to utilize CPA open space set-aside funds. The Town has successfully demonstrated competency in the implementation of CPA projects.

**Site Control**

It is presumed that ownership and/or a conservation restriction to which the Town is party will be required for any CPA open space land acquisition or preservation proposal funded with set-aside funds.