

To: Acton Town Natural Resources department
Attention: Tom Tidman

To: The Conservation Committee

472 Main Street
Acton, MA
01720

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From: Karen O'Neill, on behalf of the Acton Conservation Trust

The Acton Conservation Trust is working with landowner, Bill Kingman, on a conservation restriction for his property. The state requires that the town conservation commission signs off on these CR's (in order to "vouch" for the public benefit).

I have attached the forms and the maps. The property is located at 65 Estabrook Rd. The CR will be on the lots A and C – as described on the next page. Please let me know if you have questions or concerns. We hope to submit this to the state by November 1.

Thank you,


Karen O'Neill

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only submit duplicate originals of the documents and photograph negatives with the application. The documents will be permanently preserved in the State Archives, 220 Morrissey Boulevard, Boston, MA 02125, and will be available for viewing or recovery as needed.

MUNICIPAL CERTIFICATION

(We) the undersigned Conservation Commission of ACTON (the certifier/holder) hereby certify that the proposed conservation restriction is in the public interest in that it (describe public benefit):

Provides valuable open space in the form of 'open pasture' in east Acton. The approximately 6 acres of open fields abutting Esterbrook Road, is aesthetically pleasing and with permission of the owners, easily accessible to the public. The open pasture and wetlands edge provide excellent birding opportunities.

Date: 11/1/2006

Signed: Terrence Mantland
William Foster
Ann Wagner
Julia Miles
Linda Scrofani

NOTES:

This certification by the conservation commission may be submitted separately from the application and filed with the submission of the executed conservation restriction, it being recognized that the applicant may want to submit the application with a draft copy of the conservation restriction for review prior to actual submission of the executed document.

Conservation restriction lands which overlap municipal boundaries must be approved and certified by the appropriate officials of both municipalities.

The commissioners' certification should state why the property is significant and why the conservation restriction is important.

APPENDIX C

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DIVISION OF CONSERVATION SERVICES
251 Causeway Street
Boston, MA 02114-2150
(617) 626-1012

DATE: _____
MUNICIPALITY: _____
NUMERIC ASSIGNMENT: _____

CONSERVATION RESTRICTION FIELD INSPECTION

- 1. MUNICIPALITY: ACTON LOCATION (street,road,etc): 65 Esterbrook Road
- 2. GRANTOR: William & Nancy Kingman GRANTEE: Acton Conservation Trust
- 3. NEW SITE: X ADDITION TO SITE: _____ TOTAL ACRES: 6.4 TERM: _____
- 4. ARE BUILDINGS INCLUDED? YES NO
If yes, estimate value, condition, and existing or proposed use. (include photographs and negatives)
- 5. PRESENT AND PAST USE OF SUBJECT PROPERTY AND ADJACENT LANDS:
(please include USGS topographical maps showing subject and adjacent public lands, if any)
Forest, woodlots, horse pasture & open meadow.
- 6. BRIEF DESCRIPTION OF PROPERTY INCLUDING NATURAL RESOURCES AND ANY UNIQUE FEATURES:
The property contains a tributary to Nashoba Brook and associated red maple swamp. Greater than four contiguous acres of the property is open meadow/pasture habitat. All of the pasture/swamp border represents valuable 'edge' habitat.
- a. Are prohibited activities sufficient to protect the resource values? Yes No
- b. Are retained uses compatible with the preservation or protection of the natural resources?
 Yes No (if answers to 6a or 6b are no, please explain in 8 below)
- 7. ARE PUBLIC ACTIVITIES PERMITTED? Yes No
If yes, please explain NATURE and SCOPE: passive recreation with permission of the landowner.
- 8. COMMENTS AND RECOMMENDATIONS: A beautiful old pasture and associated tributary well worth protection.

INSPECTOR *[Signature]* . ACTON NATURAL RESOURCES DEPT. DATE: 11.6.06
Terry Tidman
ACCOMPANIED BY: TERRY MAITLAND - CHAIRMAN. ACTON CONSERVATION COMMISSION

APPENDIX D

PLANS, POLICIES, PROGRAMS, AND LANDS HELPFUL IN DEMONSTRATING STATE AND LOCAL PUBLIC BENEFIT

1. Municipal Open Space and Recreation Plans
2. Regional Open Space Plans (Regional Planning Authorities)
3. Statewide Comprehensive Outdoor Recreation Plan
 - * State Trail System
 - * Scenic Rivers Program
 - * Unique Geological Inventory
 - * Bay Circuit Program
4. Massachusetts Natural Heritage Inventory of Rare and Endangered Botanical and Zoological Species Habitat and National Endangered Species Act
5. Areas of Critical Environmental Concern - designated areas
6. Coastal Zone Management Plan - Significant Resource Areas
 - * Barrier Beaches
 - * Primary Dunes
 - * Sandy Beaches
 - * Saltwater Marshes
 - * Shellfish Beds
 - * Salt Ponds
 - * Estuaries
 - * Coastal Embayments
 - * Anadromous Fish Runs
 - * Erosion Areas
 - * Designated Ports
 - * Accretion Areas
 - * View Points
 - * Historic Sites (also on Massachusetts Historical Commission inventory)
 - * Recreational Beaches
 - * Boat Ramps, Marinas
7. Massachusetts Historical Commission
 - * Massachusetts Historical Sites
 - * National Historic Register Sites (P.L. 89-665), eligible for inclusion
 - * Known Cultural and Archeological Sites
8. Scenic roads, Chapter 40, §15C
9. Scenic Mountains, Chapter 131, §39A
10. Historic Districts
11. Flood Disaster Protection Act of 1973, land within flood lines. See also P.L. 566 Small Watershed Projects.
12. USDA Soil Conservation Service (SCS) - various inventories of potential reservoir sites
13. Massachusetts Water Resources Commission - inventory of regionally important wetlands, (identified in Massachusetts Water Supply Statement May 2, 1978, 353 pp.)
14. National Natural Landmarks (i.e. Gay Head Cliffs, Lynnfield Marsh)
15. Town well-fields (existing and proven reserves and reservoirs)
16. Agricultural land - SCS identified prime, Massachusetts unique
17. Wetlands Restrictions Program

- * Chapter 131, §40
- * Chapter 130, §105
- * Restricted areas and areas to be restricted

18. Executive Orders

- * #181 Barrier Beaches
- * #193 Agricultural lands

19. Department of Environmental Protection Great Pond Inventory

20. Department of Environmental Management Scenic Landscape Inventory, 1982

21. Department of Environmental Protection Water Quality Plans or Programs, various