

**Minutes**  
**Town of Acton Community Preservation Committee**  
**October 22, 2015**  
**Acton Memorial Library**

Members Present: Peter Ashton (Chair), Tory Beyer, Jeff Clymer, Paula Goodwin, Susan Mitchell-Hardt, Ken Sghia-Hughes, Joe Will (Clerk)

Others Present: Roland Bartl (Acton Planning Director), Roland Bourdon (Finance Committee observer), Neil Gordon (The Discovery Museums CEO), Michael Katin (Member, The Discovery Museums Board of Directors)

Peter A opened the meeting at 7:35 PM.

**I. Minutes of September 10, 2015**

- It was moved, seconded, and voted unanimously to approve the minutes with two spelling corrections.

**II. Citizen Concerns**

- None

**III. Appointment: Neil Gordon – The Discovery Museums (TDM) Discussion of 2015 project award – Discovery Woods & Creativity Playscape**

- Neil described two purposes of his visit tonight with the CPC:

1) To update the CPC on the status of the project

The CPC funded the Playscape area in Discovery Woods and the trailhead into the Great Hill Conservation Land (\$150K). The Playscape area is under construction. Paving is scheduled for 11/6 and 7.

2) To discuss the Recreational Use description and access easement

TDM agreed to a Recreational Use restriction, and to an easement across the property to access the trailhead. TDM would like to make a couple proposals re the easement and the restriction.

a) The easement across the property would provide in perpetuity a path for any Acton resident during TDM normal business hours, but TDM would like to have the right to change the path over time. Reason for “normal business hours” (generally 9-4:30), is that TDM cannot be responsible for people crossing the property when TDM is not open. The easement would essentially allow a resident to cross any portion of property.

Persons’ paths could vary and at some point TDM may have to draw a line. But for now, TDM would like to consider the pathway a “variable pathway.”

b) TDM proposes that the Use restriction, designated for Discovery Woods, outline the boundary of Discovery Woods and that the Use restriction have a life that matches the lives of the items on the property; that would be 30 years. Also, the Use restriction would be for TDM “normal business hours” (see above). And in the unlikely event that TDM liquidates or sells the Discovery Woods, then the Use restriction would terminate. (Note again that the conservation easement would be in perpetuity and would continue to exist.)

Comments:

- A Use restriction can be used only for a certain purpose — in this case recreation — and would be for Discovery Woods.

- About the only thing that TDM might yet want to have in Discovery Woods is an outside restroom, but it's not yet in the plans.
- TDM has no intention of putting up any entrance barrier unless “down the road” there would be public abuse, which could lead to a gate at night.
- Perhaps the restriction should obligate TDM to guarantee that the items on the property would be in good condition.
- A renewal clause would be good.
- Also good would be specifications as to what would happen to CPA \$ if the project is not completed.
- If the CPC is comfortable with TDM proposals, what are the next steps?
- Roland needs policy direction from the CPC before he would take these TDM matters to Town Counsel.
- Re the relocation of the easement, Roland sees a need for a minimum standard of accessibility (typically a 10' wide trail) in order to be sure of the ability to get equipment from Main Street to TDM's Great Hill trailhead.
- Per Roland, the summary provided by TDM needs to be revised to address the points discussed tonight, all of which seem reasonable. The revision should then go to Roland who will get them to Town Counsel and ask Town Counsel to work with TDM to iron out the details. It is important that we get this done and in place before Spring, 2016. Michael Katin suggests that this be done by the end-of-year holidays.

#### **IV. Project Reports and Updates**

- Per Roland, there have been numerous iterations of the historic preservation restriction for West Acton Baptist Church. CPA \$ won't be paid until the restriction is set.
- The Town website now includes a Rail Trail blog.
- As best Roland knows now, there are not too many Town projects coming to the CPC.
- Joe thought that Recreation would be coming back with the Skatepark proposal (Boxborough Rec is pursuing a Boxborough CPA grant for the Skatepark); also something related to security at NARA.
- There likely will be two applications from the Congregational Church.

#### **V. Administrative updates**

- Board of Selectmen will hear about Town projects at its 11/02 meeting.
- There is no word yet from the State on 2016 funding. Per Peter A, we usually find out in the next 2-3 weeks.

8:35 pm — It was moved, seconded, and voted unanimously to adjourn.

#### **Schedule:**

10/28/15 First meeting of the CPA Study Committee (Report to BoS by 01/16)  
 11/16/15 2016 Project Applications due  
 11/19/15 CPC meeting  
 12/03/15 CPC meeting  
 12/17/15 CPC meeting