

**ACTON CONSERVATION COMMISSION
MINUTES**

January 8, 2014

1:00 PM

**TOWN HALL - 472 MAIN STREET
ROOM 204**

Meeting between the Town of Acton Conservation Commission, Planning Department, Pulte Homes of New England, and representative counselors to discuss specific language of the Conservation Restriction to be placed on the nine hole golf course at the Quail Ridge Country Club, located at 354 Great Road.

Attendees: Mark Mastroianni of Pulte Homes, Kristine Sheehy of Johnson and Borenstein LLC, Stephanie Dubanowitz of Anderson & Kreger, LLP, Kristen Guichard from Planning, Tom Tidman from Natural Resources, Andrew Magee, James Colman, and Tom Arnold, Conservation Commissioners.

Recording Secretary: Fran Portante

Meeting opened at 1:15.

The latest version of the Conservation Restriction document, as of 10/28 was discussed. The version included language that had been modified by Kristen Sheehy after a meeting between herself, Tom Tidman and Roland Bartl.

Mr. Magee disclosed that he and his company, Epsilon Inc., have had prior business relationships with Pulte Homes, but did not think this would influence his participation for the purposes of this conservation restriction. All present accepted this disclosure and the meeting proceeded.

Discussion centered around the permitted and prohibited uses as stated in the current draft. It was agreed that Pulte Homes had done an excellent job in meeting the requirements of the town for the Quail Ridge development and that the concern over the existing language was primarily concern for the future. Pulte will eventually turn over the management of the "Common Land" that comprises the current nine-hole golf course to the Condominium Association. It, in turn, will contract the management of the course to another entity. It could decide to erect large structures. The Conservation Commission made clear that it's imperative that the language of the Conservation Restriction anticipate the possibilities of future proposals that would be in conflict with the intention of the restriction to protect the conservation interests of the property in perpetuity.

Another area of concern was for future use, Section IV. The current language states that should the land no longer be used as a golf course, it shall be allowed to return to its natural state. The commissioners wanted specific language to address how long a period of time the land must remain inactive in order to be returned to its natural state.

The Commission also asked if the CR holder would be responsible for removing abandoned buildings.

A number of concerns and suggestions were discussed, the positions of the Town and Pulte clarified, and four follow-up actions agreed upon.

1. Rather than attempt to anticipate all possible future activities, include a square footage limit so that any proposed structure above that limit would require the review and approval of the holder of the CR. Jim Colman suggested a limit of 1,000 square feet.
2. Pulte will make a counter proposal.
3. Pulte will reexamine the language of abandonment in Section IV that addresses Future Use
4. Ms. Dubanowitz will discuss Paragraph III, B. 12 with EOEEA to see if it is commonly used in CRs.

A follow up meeting is targeted for the end of **January or early February**.

If there is agreement on a final draft after the follow-up meeting, that draft will be sent to Irene Del-Bono at EOEEA for review and perhaps further discussion.

Meeting closed at 2:30.