

**ACTON CONSERVATION COMMISSION  
Subcommittee Meeting  
September 16, 2014**

**MINUTES  
12:45 PM  
TOWN HALL - 472 MAIN STREET  
ROOM 121**

**COMMISSIONERS PRESENT:** Tom Arnold, Andrew Magee, Jim Colman, Roland Bartl, Stephanie Dubanowitz

**NATURAL RESOURCES DIRECTOR and recording secretary:** Tom Tidman

A sub-committee of the Conservation Commission meeting to discuss a planned Conservation Restriction for the Quail ridge Golf Course.

Meeting was convened at 12:45 PM. Ms. Dubanowitz and Mr. Bartl participated via conference call.

Current status: Pulte Homes has refused to accept the "future use" section of the draft CR that requires them to assume responsibility for removing any structures remaining on the premises if and when the golf course ceases to operate.

Mr. Magee raised a question about liability. Where does the town stand on this and does the town want to take on that liability? Mr. Bartl pointed out that the Planning Board decision was to obtain an Open Space Conservation Restriction on parcel "A," and that needs to be recorded. Attorney Dubanowitz said the town would have property interest and does have some liability.

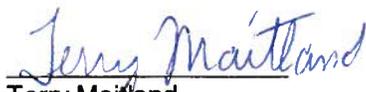
Mr. Colman pointed out that in refusing to be responsible for removing the structures, Pulte has never explained why they've taken this position. Ms. Dubanowitz said that, regardless, Pulte is the owner and still has responsibility and is obligated to follow the law.

Mr. Coleman asked if language could be added such as "the town (grantee), at its sole discretion, has the right to secure and/or remove structures." Mr. Bartl said that this was intended as another legal instrument to protect the project as approved. This is something outside of the Planning Board approval process.

Mr. Colman asked if the Commission, through the CR, will be committing the town to some unknown future expense and wondered if any money will be set aside for such expenses. He discussed the "future use" section with the sub-committee and town counsel.

Attorney Dubanowitz will draft language for the Commission meeting tomorrow (Sept. 17) night.

Meeting adjourned at 1:20 PM.



Terry Maitland  
Chairperson