

**BOARD OF SELECTMEN
MINUTES
Special Meeting
May 16, 2016
Slade Building**

Members present: Daniel Galante, Chair
Michael Stauder, Clerk
Patrick Girouard

Members absent: Jeffrey Williams

Staff present: Raeanne Siegel, Interim Town Administrator; Jeannette Elsevier, Town Secretary, Joyce Green, Town Clerk, Marcel Chartier, Animal Inspector, Dennis Perron, Police Chief.

Others present: Cheryl Stack, ACO Gardner, Bill Murray, Places Associates, Zak Farkes, Borrego Solar, Janet Morrison, Land Conservation Consulting.

Meeting was called to order at 6:32 p.m. by Dan Galante. Mr. Galante announced that the meeting was being live broadcasted on the Peg Access channel.

Open Session: No open session items.

Discussion on animal attack protocol

Chief Perron, Marcel Chartier and Cheryl Stack reviewed with the board the current procedure that takes place when there is an animal attack. Currently, Marcel will issue the quarantine and then pass that information on to the state. Marcel mentioned that there is a loophole in that Hubbardston and Gardner ACO do not have the same information. Cheryl stated that currently she will inform the Gardner police of an animal attack, but not the other town where the attack took place. Chief Perron presented a new protocol for animal attacks to be reported to Rutland Dispatch, who will then in turn create a case file in the database, so that going forward, attacks can be searched.

Special Town Meeting Warrant

The board was asked to re-open the STM warrant for June 7, 2016, in order to add an article pertaining to the lease at Breezy Corners, also known as Fire Station 2.

Motion: M. Stauder

2nd: P. Girouard

To open the STM warrant

Vote: All in Favor

Motion: M. Stauder

2nd: P. Girouard

To approve Article 2 to be added to the STM warrant

Vote: All in Favor

Motion: M. Stauder

2nd: P. Girouard

To close the STM warrant

Vote: All in Favor

June 7th ATM warrant assignments

The board reviewed which members would be assigned to articles at town meeting, in the event that the public have questions.

Signatures for warrants

Joyce Green, Town Clerk was present to obtain signatures for the warrants that are to be posted in the 5 designated areas around town, and the town election warrant.

Motion: M. Stauder

To approve the election warrant

2nd: P. Girouard

Vote: All in Favor

Borrego Solar discussion

Zak Farkes from Borrego Solar discussed with the board the solar projects, and the board settling on a 2.5% escalator PILOT with Borrego. Zak stated that he is hopeful that after the contracts are reviewed by Kopelman and Paige, with approval at ATM, that the board will approve and execute the contract for the PILOT program. The board asked how the project was coming along. Zak stated that they are looking at less than 30 days from beginning. They will be filing for their building and electrical permits this week, and have already been through the Planning Board and Conservation Committee back in January. The board decided to wait for final contract review from Kopelman and Paige to sign the contract. Zak asked to be added to the agenda for the first meeting after ATM to sign the contract.

Sharron Petition – Donation of 49 acres of land to the Conservation Commission

Regarding the donation of 49 acres of land situated on the westerly side of Geordie Lane by Jason Sharron.

Motion: M. Stauder

To accept the donation of land as presented

2nd: P. Girouard

Vote: All in Favor

Appointments

Appointment of Christine Bolduc as the Police Administrative Assistant.

Motion: M. Stauder

**To appoint Christine Bolduc as the Police Admin Assistant, retroactive to April 11th,
waiving the notification period**

2nd: P. Girouard

Vote: All in Favor

Contracts

The board signed the negotiated Fire Union contract, as well as approved and signed the Interim Town Administrator contract.

Motion: M. Stauder

To approve the Interim Town Administrator contract

2nd: P. Girouard

Vote: All in Favor

Town Administrator Report – See attached

Ms. Siegel presented several items for approval: remote participation, protocol for contact with town counsel, public hearing for citizen's petition article and Hubbardston Library Race.

To approve remote participation for boards and committees

Motion: P. Girouard

To approve the protocol for contact with town council

Motion: M. Stauder

2nd: M. Stauder

Vote: All in Favor

2nd: P. Girouard

Board discussed the rumors of the school closing at the end of the school year. The school is not closing July 1st, the fire station is not moving to the school July 1st. Dan stated that all options are on the table.

To approve to hold the annual Hubbardston Road Race on Sept. 10th

Motion: M. Stauder

Vote: All in Favor

2nd: P. Girouard

Meeting Minutes Approved

To approve minutes of February 7, 2016

Motion: M. Stauder

Vote: All in Favor

2nd: P. Girouard

Discussion in regards to land for Senior Center

Bill Murray, representing the Building Committee had a few items to review with the board. The committee is looking to get a test well on the proposed Senior Center site. The DEP representative is concerned with the wetlands on the site. Before the well can be drilled, deficiencies need to be addressed. One item that is being requested from the Building Committee to address this issue is a letter to DCR, requesting an easement.

To authorize a letter to be written to DCR/DEP requesting an easement, long term lease and memorandum of understanding

Motion: M. Stauder

Vote: All in Favor

2nd: P.Girouard

Bill Murray offered his letter of resignation from the Building Committee, due to a conflict of interest. He will begin working on another project with the architect for the senior center, and therefore would not be able to

To accept Bill Murray's resignation with regret and understanding

Motion: M. Stauder

Vote: All in Favor

2nd: P.Girouard

Update from Planning Board regarding the status of the gravel pits

Discussion to be moved to a June meeting, due to lack of time.

Committee Updates

250th Committee – Michael Stauder stated that the committee is working on fundraising, and is currently looking for sponsors to purchase flags that will be hung on Main Street for one year.

Building Committee – Dan Galante gave an additional update on the site clearing that is currently taking place at the Senior Center site. There is a new set of plans for the center, scaling down the size of the building, and moving the building closer to the road in order to save on site costs.

QRSD Task Force – Dan Galante reviewed the past joint meeting with the Task Force and School Committee, to discuss consolidation. There were nine scenarios that were discussed, with no recommendations. Due to the new regional agreement, there are specific hearings and notifications that need to take place in a particular time frame. No school will be closed without getting approval at a town meeting that would be held to discuss and vote on only the issue of the school. There is no consolidation for the coming school year that will take place. There are many rumors, there is nothing that has been decided at this time, and nothing can be decided without the town deciding themselves.

Town Center Committee – Dan Galante stated that there is not much to update. A member of the committee has created a flyer for town meeting to inform about the \$20,000 that is being asked for the purpose of funding a preliminary design for the reconstruction. Then will take a hiatus until the WPI students return in the fall, and being to work on the project.

Michael Stauder returned to the Task Force discussion, asking how likely the task force feels that the schools will close. Dan Galante discussed the Collins Center work that will begin soon, as a result of the district receiving the Community Compact grant. The Collins Center will also be looking at if a town has a school close, what other uses could be used for the building.

Prior to entering into executive session, discussion regarding the Sharron donation of land near Geordie Lane to place with Janet Morrison from the Land Conservation Consulting, who arrived

after approval of the donation. Janet reviewed with the board where the land is located, and the process that took place for the donation.

To enter into Executive Session pursuant to MGL C30A, s. 21, Exemption 6 to conduct the purchase, exchange, lease or value of real estate, and Exemption 3 to discuss strategy with respect to union collective bargaining and litigation and to adjourn not returning to open meeting.

Roll Call Vote: Mr. Stauder –yes, Mr. Galante– yes & Mr. Girourad- yes

*******Executive Session Minutes are Separate*******

Respectfully submitted,

Raeanne Siegel

Approved:

06.13.2016

**TO THE HONORABLE BOARD OF SELECTMEN
OF THE TOWN OF HUBBARDSTON**

Ladies and Gentlemen:

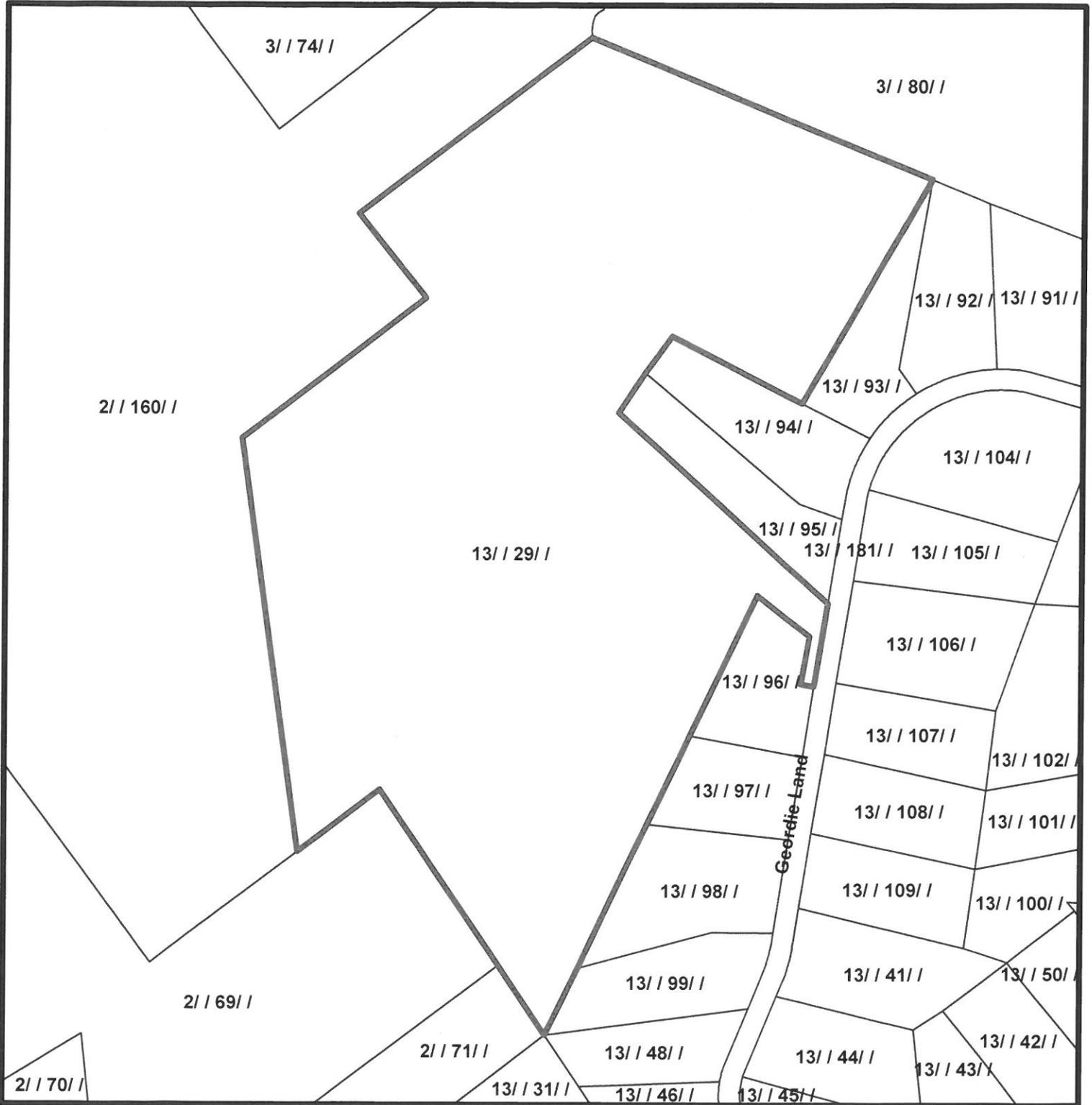
The undersigned Petitions your Honorable Body

To authorize the Town to accept the donation of approximately 49 acres of open land to be placed under the care and custody of the Town of Hubbardston Conservation Commission, pursuant to M.G.L Chapter 40, Section 8, Article 97 of the Amendments to the Massachusetts Constitution, and the Forest Legacy Program of the United States Department of Agriculture,(16 USC Section 2103c), being Hubbardston Assessors' Parcel Map 13, Lot 29, located on Geordie Lane, and that the Chairman of the Board of Selectmen be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of Town of Hubbardston to effect said land donation.

Respectfully submitted by:

Steve Mossey, Chairman
Hubbardston Conservation Commission

Sharron - Hubbardston

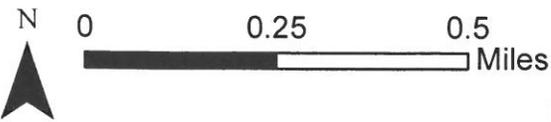
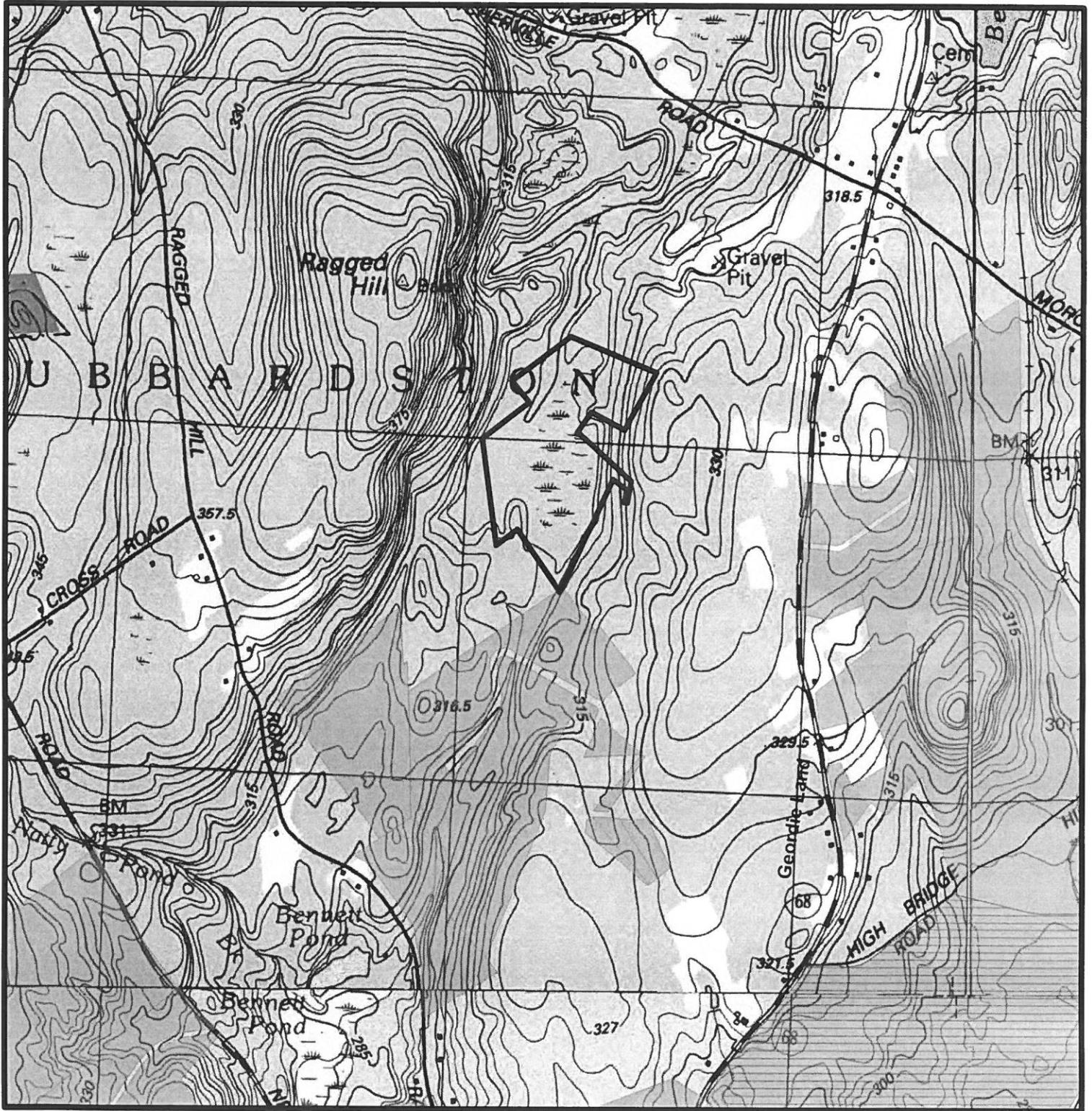


Sharron

NORTH COUNTY
Land Trust, Inc.



Sharron - Hubbardston



 Sharron

Protected Open Space

-  DCR-Water Supply Protection
-  Other Legal Interest

NORTH COUNTY
Land Trust, Inc



Quitclaim Deed

I, Jason C. Sharron, of 12 Indian Point Drive, Ashburnham, Worcester County, Massachusetts

With Donative Intent and for consideration of less than One Dollar (\$1.00),

With Quitclaim Covenants,

Grant to the Town of Hubbardston, a Massachusetts municipal corporation with a business address of 7 Main Street, Hubbardston, MA 01452, under the care custody and control of its Conservation Commission, in perpetuity and for the purposes of Article 97 of the Amendments to the Massachusetts Constitution and consistent with the objectives of the Forest Legacy Program of the United States Department of Agriculture established in Section 1217 of Title XII of the Food, Agriculture, Conservation and Trade Act of 1990 (Public Law 101-624; 104 stat. 3359; 16 USC Section 2103c), which was created to protect environmentally important private forest lands threatened with conversion to non-forest uses, for purposes of retaining land predominantly in its natural, scenic, and open condition; protecting and promoting the conservation of biological diversity, forests, soils, natural watercourses, ponds, wetlands, water supplies, and wildlife; protecting the natural resources; protecting and enhancing the natural resource value of abutting and nearby conservation areas, creating an unfragmented corridor linking the Quabbin Reservoir watershed lands with the Wachusett Reservoir watershed lands; protecting the scenic qualities of open space resources; enhancing compatible recreational use; and allowing for sustainable and sound management of forest resources, and encouraging the long-term professional stewardship of these resources in conformance with an approved Forest Stewardship Plan, or Multi-Resource Management Plan, the following described land:

A certain parcel of land situated on the westerly side of Georgie Lane (a private way) in Hubbardston, Worcester County, Massachusetts bounded and described as follows:

Beginning at the northeasterly corner thereof, at a point in the westerly line of Georgie Lane, at a corner of other land now or formerly of Muirs Inc., being shown as a point of Lot "311" on a plan filed at the Worcester District Registry of Deeds in

Plan Book 740, Plan 29, said point being located 253.03 feet southerly of a concrete bound at a point of tangency;

Thence S. 08° 24' 00" W. by said road line 200.00 feet to a corner of land formerly of Muirs Inc. and being now land of one Flann, shown as Lot "313" on said Plan Book 740, Plan 29;

Thence N. 81° 36' 00" W. 15.79 feet;

Thence N. 08° 24' 00" E. 151.03 feet;

Thence N. 50° 00' 00" W. 153.45 feet, the preceding three courses being by said Flann land and said Lot "313" by land of one Charest, being Lot "314", by land of one Drouin et als, being Lot "315", and by other land now or formerly of Muirs Inc., being Lot "316", a total distance of 1187.72 feet to a point in line of land of Marcello & Joanne Yavano, all of the preceding lots being shown on said Plan Book 740, Plan 29;

Thence S. 84° 41' 55" W. by said Yavano land 127.99 feet to a pile of stones at a corner of other land now or formerly of Dogwood Road Realty Trust and a corner of land of Elmer Dimmick;

Thence N. 38° 35' 36" W. 602.97 feet;

Thence S 52° 37' 30" W. 202.80 feet to a stone on stone at a corner of land of John & James Fletcher, the preceding two courses being by said Dimmick land;

Thence N. 07° 03' 13" W. 713.46;

Thence N. 09° 03' 13" W. 264.00 feet;

Thence N. 50° 40' 29" E. 750.75 feet;

Thence N. 43° 00' 17" W. 387.00 feet to a corner of land of Ragged Hill Inc., the preceding four courses being by said Fletcher land;

Thence N. 50° 33' 10" E. 513.95 feet to an iron pipe;

Thence S. 69° 25' 37" E. 545.95 feet to a drill hole at the end of a stone wall;

Thence S. 69° 41' 59" E. 224.90 feet to a drill hole;

Thence S. 69° 47' 14" E. 273.00 feet to a corner of land of Brian & Shelly A. Boisse, the preceding two courses being by a stone wall and preceding four courses being by said Ragged Hill Inc. land;

Thence S. 33° 11' 08" W. by said Boisse land 647.65 feet to a point in line of land now or formerly of Muirs Inc. and being shown as Lot "310" on a plan filed at the Worcester District Registry of Deeds in Plan Book 740 Plan 29;

Thence N. 68° 35' 30" W. by said Lot "310", 285.15 feet;

Thence S. 56° 23' 47" W. still by said lot "310" and by first mentioned Lot "311", 206.64 feet;

Thence S. 50° 00' 00" E. still by said Lot "311", 700.00 feet to the westerly line of Geordie Lane and the point of beginning, the preceding three courses being by said Muirs land.

Containing 49.143 acres.

Being shown as Parcel "BB" on a plan entitled "Plot Plan prepared for Dogwood Road Realty Trust (owner) Hubbardston, MA, June 27, 2002, Szoc Surveyors, 32 Pleasant Street, Gardner, MA", filed at the Worcester District Registry of Deeds in Plan Book 783, Plan 100.

Being the same premises conveyed to the Grantor by deed of Jason C. Sharron, Trustee of the Ragged Valley Trust, dated October 31, 2012 and recorded at the Worcester District Registry of Deeds in Book 49927, Page 321.

There are no new boundaries created by this deed.

Witness my hand and seal this ____ day _____ of 2015

Jason C. Sharron

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this _____ Day of _____, 20__, before me, the undersigned Notary Public, personally appeared Jason C. Sharron, ___ personally known to me;

___ proved to me on the basis of satisfactory evidence of identification, which was (state _____ method _____ of _____ identification)

_____ to be the person whose name is signed on the within document, and acknowledged to me that he signed it voluntarily for its stated purpose, in his individual capacity.

Witness my hand and seal,

Notary Public

My commission expires:

Application # _____
Municipality _____
Date Received _____
FOR OFFICE USE ONLY

MASSACHUSETTS CONSERVATION LAND TAX CREDIT (CLTC)
(301 CMR 14:00)

Application 2015

Complete Part I* of this application and return the original signed application with all requested documentation to:

EEA/DCS/Tax Credit Program
ATTN: Tom Anderson
100 Cambridge Street, 9th Floor
Boston, MA 02114

Important notes about the CLTC process

- This application must be filled out for all applicants seeking a CLTC **before** the deed or the conservation restriction is donated and recorded. Under the regulations, property that has already been donated is not eligible for a Conservation Land Tax Credit.
- Please do not submit Parts II & III of this application until you are notified by EEA that your donation is eligible for Pre-CLTC. Once you have received notice of eligibility, you must complete and submit Part II of the application within 30 days. EEA then will issue a *Notice to Proceed*.
- Complete and submit Part III within 60 days. Once everything has been completed and approved by EEA, EEA will issue a Pre-CLTC approval letter and the applicant may record the donation. Documentation of the recording must be provided back to EEA within 30 days.
- Once the documentation is back, EEA will issue a Land Identification Number (LIN).
- Upon receipt of a Land Identification Number (LIN), the applicant **MUST** apply to the Department of Revenue (DOR) for an individual CLTC Certificate Number. DOR will issue each owner listed in the application a unique CLTC Certificate Number which is to be used on their state tax form in order to claim the tax credit.

- The total amount of tax credits allowed each year under the Conservation Land Tax Credit Program is limited to \$2 million.
- If you are proposing a donation of land to a public conservation agency this year (such as the Department of Fish and Game or a municipal Conservation Commission), you are not automatically eligible for the tax credit. You must apply to EEA prior to granting the property interest, the donation must meet the eligibility criteria for the CLTC, you **MUST** follow EEA's application process prior to granting the property interest, and you must submit all of the required documentation.

APPLICATION FOR PRE-CERTIFICATION

Part I

Landowner/Donor Information (list all additional owners on a separate sheet if more than one owner)

Landowner(s)/Donor(s) Jason C. Sharron

Mailing Address 12 Indian Point Drive

City/Town Ashburnham State MA

Zip 01430

Phone #(s) 978-549-5590 Fax _____

Email drumboy71@comcast.net

Type of ownership ___ Joint Tenancy, ___ Tenants by the Entirety,
 ___ Tenants in Common, ___ Life Estate,
 other (describe) Individual

Type of Entity Individual(s), ___ Sole Proprietor, ___ Trust,
 ___ Estate, ___ Corporation (describe) _____
 ___ Limited Liability Corporation, ___ Partnership, ___ Limited Partnership,
 ___ Limited Liability Partnership, ___ Subchapter S Organization,
 ___ Other Pass-Through Entity (describe) _____

Check here if you've added an additional sheet of owner(s)

Deed or Conservation Restriction Gift/Bargain Sale

Attach copy of proposed deed with quitclaim covenants

Deed Recipient is a Qualified Organization? Yes No (The recipient must be qualified under 501(c)(3) of the Internal Revenue Code of 1986, as amended or a public conservation agency.) *Deed donations to non state or local government entities must also meet the perpetual protection requirement through the granting of a conservation restriction to an eligible entity.

OR

Attach copy of proposed conservation restriction with quitclaim covenants

Restriction Holder is a Qualified Organization? Yes No (The recipient must be qualified under M.G.L. c. 184 sec. 32 and 501(c)(3) of the Internal Revenue Code of 1986, as amended or a public conservation agency.)

Please check here if your proposed conservation restriction has previously been submitted to or reviewed by the Executive Office of Energy & Environmental Affairs. Do you have a reference number if previously submitted? _____

Please check here if your donation is to a state agency or is receiving state or federal grant funds.

Recipient/Restriction Holder

Organization Town of Hubbardston, Conservation Commission
Contact Name/Title Toni Walker, Administrative Clerk
Mailing Address 7 Main Street, Unit #2
City/Town Hubbardston State MA
Zip 01452
Phone #(s) 978-928-1400 x 212 Fax 978-928-1402
Email concom@hubbardstonma.us

Contact Person for this CLTC application

(this is the person we'll be in contact with regarding questions on the application, the conservation value of the land and the surrounding area, and to distribute information to all the owner(s) when needed.)

Contact Name Janet Morrison, Executive Director
Organization / Title North County Land Trust
Mailing Address 325 Lindell Ave
City/Town Leominster State MA
Zip 01453
Phone #(s) 978 466-3900 Fax _____
Email jmorrison@northcountylandtrust.org

Property Information

(attach any additional information or documentation needed)

Definitions

Property – all parcels including all donated areas and unrestricted areas reserved to the owner(s).

Parcels – all separately described lots that make up the Property.

Unrestricted area – unrestricted areas of the Parcels that are not being donated or restricted and are reserved to the owner(s).

Restriction (premises) – the parcels, or portions of parcels that will be subject to a perpetual conservation restriction

Property Location

Street Address of tract(s) Geordie Lane
City/Town Hubbardston County Worcester
Zip 01452

Property Recording Information (attach copies)

Registry Worcester District Book 49927 Page 321
Registry _____ Book _____ Page _____
Registry _____ Book _____ Page _____
Registry _____ Book _____ Page _____

Plan Book 783 Plan number or page 100
Plan Book _____ Plan number or page _____

Assessor information

(attach copy of assessors map showing property to be donated)

Assessor map 13 parcel 29 lot _____
Assessor map _____ parcel _____ lot _____
Assessor map _____ parcel _____ lot _____
Assessor map _____ parcel _____ lot _____

If only a portion, and not the entirety, of one or more parcels is being donated, sketch the location of the area(s) to be donated using a recorded plan or the assessors map, and label "Donated Land" or "Conservation Restriction" or "Unrestricted Area" as approximately located.

NOTE: If a donation is for part of a parcel, the final application must include a metes and bounds description or recordable survey describing the portion(s) to be donated and any exclusions.

Acreage

Total Acreage of Parcel(s): 49.14

Total Acreage of Parcel(s)/Restriction to be donated: 49.14

Total Un-donated area: 0

Is the property benefited or burdened by any other interest including easements, stipulations, reservations or rights? No

Explain and attach copies: (include any claims or potential claims of adverse possession or prescriptive easements) _____

Are there any liens, mortgages, reservations of rights, easement leases or other rights such as life estates, private restrictions, etc. that the property is subject to? Explain, providing recording information, if applicable, and attach documentation:

No

(Subordinations or releases of interest in the donation must be obtained from the lien holder(s) and recorded prior to the recording of the donation.)

Has the property been the subject of any applications for development, such as subdivision or special permits, in the preceding 10 years? Explain:

No

Gift/Donation/Bargain Sale Intentions

This Conservation Land Tax Credit application is for a gift/donation/bargain sale that is expected to have a value of: \$ 150,000 . *

Therefore, the potential tax credit is one half of this amount up to \$75,000. The tax credit is expected to be: \$ 75,000 . *

*these estimates will be used as the basis for the amount of tax credit reserved for this application.

If necessary, please provide us more detail on what the expected tax credit will be or why that estimate is not available as of yet?:

Property has frontage sufficient for

residential development. Property has valuable gravel deposits.

Other Property Information (if not applicable, write n/a)

Conservation Values and Purposes

Please indicate all of the following Conservation Values and Purposes that will be significantly advanced by the donation of the subject property (check all categories that apply and circle the attributes that the donated land will protect.) Attach maps or other documentation indicating where on the donated land the attribute(s) occur. Document each of the values that apply (a state map indicating the land contains a particular value will satisfy this requirement) and describe how the property will support each of the indicated Conservation Purposes. (Attach additional sheets and maps as necessary; refer to supporting documents as appropriate.) Please only note those resources that are relevant to the subject property. Direct links to resource maps have been provided.

a.) **Protection of water supply.** The donated land will protect substantial areas designated as Zone I, Zone II, Zone A and Zone B or High and Medium Yield Aquifers as identified by the Massachusetts Department of Environmental Protection. See: http://www.mass.gov/dep/service/my_comm/mycomm.htm

b.) **Wildlife habitat protection of statewide importance.** The conservation of areas that significantly contribute to the viability of high priority plants, animals, and habitats designated by the Massachusetts Natural Heritage and Endangered Species Program, including those listed as Endangered, Threatened or of Special Concern under the Massachusetts Endangered Species Act, Priority and Estimated Habitats, Critical Natural Landscapes contained in the BioMap 2 or the DFG Wildlife Action Plan. See: http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/priority_habitat/priority_habitat_home.htm

c.) **Preservation of prime or state important farmland and working farmlands.** Properties must consist of a minimum of five (5) contiguous acres preserved for production of, or actively devoted to, agricultural or horticultural uses and managed for those purposes in accordance with a Natural Resource Conservation Plan developed by the USDA Natural Resources Conservation Service using Best Management Practices that are consistent with the Clean Water Act and the US Environmental Protection Agency's Nonpoint Pollution Control Program. See: http://www.smallfarm.org/main/for_new_farmers/new_farmer_q_and_a/develop_a_conservation_or_land_use_plan

d.) **Preservation of prime or important forested soils and working forest lands.** Properties must consist of a minimum of five (5) contiguous acres preserved for production of timber products, or used and managed for those purposes according to Best Management Practices. Forestry must be in accordance with the Massachusetts Forest Cutting Practices Act or meet those thresholds, under a plan by a licensed forester, approved by the Massachusetts Department of Conservation and Recreation consistent with conservation purposes. See: <http://www.mass.gov/dcr/stewardship/forestry/service/steward.htm> and http://www.smallfarm.org/main/for_new_farmers/new_farmer_q_and_a/develop_a_conservation_or_land_use_plan/

Property is under a state-approved Forest Stewardship Plan.

e.) ___ **Protection of land that substantially contributes to identified federal, state, or local natural resource areas of regionally significant environmental importance**, such as Areas of Critical Environmental Concern. See:

<http://www.mass.gov/dcr/stewardship/acec/acecProgram.htm>

Describe significant features and how they contribute to or meet this requirement. **(Refer to baseline document, if available, photographs, maps, technical reports or surveys of these unique or significant features as appropriate).**

f.) **Protection of a substantial area of land that protects significant environmental areas and wildlife habitat identified on the Massachusetts BioMap2**: See: <http://maps.massgis.state.ma.us/dfg/biomap2.htm>

Describe which features on the BioMap2 and attach maps. **(Refer to baseline document, if available, photographs, maps, technical reports or surveys of these features).**

20% BioMap2 Core Habitat – Vernal Pool Core

g.) ___ **Protection of substantial areas that significantly contribute to the goals of the State Wildlife Action Plan**. See:

http://www.mass.gov/dfwele/dfw/habitat/cwcs/cwcs_background.htm

Describe how this land contributes. **(Refer to baseline document, if available, photographs, maps, technical reports or surveys as appropriate).**

h.) **Protection of water quality** and regional water supplies by protecting land that contains streams, rivers, natural wetlands, floodplains or abuts a water body such as a great pond, reservoir, or coastal wetlands with a minimum of a 100' permanently protected vegetated buffer zone that contribute to water quality, flood prevention, provides habitat, hydrologic connections, and prevents pollution. Attach maps, including an excerpt of a USGS map identifying the water quality features. See also: <http://www.mass.gov/dep/water/resources/caps.htm>

Describe and provide mapping identifying and showing the location of the water features. Explain how they protect water quality and regional water supplies. **(Refer to baseline document, if available, photographs, maps, technical reports or surveys as appropriate).**

90% of Property is within groundwater protection Zone II. 60% of Property is wooded swamp. See attached maps.

i.) **Protection of water-based habitat that contributes to Ecological Integrity** (maps currently available for Western Massachusetts only). 'Massachusetts Ecological Integrity Maps' and 'MassDEP Important Habitat Maps' for 112 cities and towns in Western Massachusetts. See: <http://www.mass.gov/dep/water/resources/caps.htm> and <http://www.masscaps.org/>

Describe and provide mapping identifying and showing how this land contributes to these goals. **(Refer to baseline document, if available, photographs, maps, technical reports or surveys as appropriate).**

j.) **Protection of land with significant archaeological and/or historic sites**, listed in or eligible for the Massachusetts or National Register of Historic Places either individually, or as a contributing building or land area within a historic district, or mapped as important for cultural resource protection. See, for individual regional and town reports: <http://www.sec.state.ma.us/mhc/mhchpp/TownSurveyRpts.htm> and for additional information, go to: <http://www.sec.state.ma.us/mhc>

Describe any unique or significant features of this land, including natural, historic, and archaeological resources of interest. Provide a letter from MHC stating the importance of preserving the land. The letter is obtained by sending a copy of a plan showing the area of the donated land, a copy of the proposed CR, and a completed *Project Notification Form*; (copy in appendix) to Mass Historical Commission, 220 Morrissey Boulevard, Boston, MA, 02125. **(Refer to baseline document, if available, photographs, maps, technical reports or surveys of these unique or significant features as appropriate).** They will provide you the letter within 30 days of receipt. Please have them copy us directly with their response to save time.

k.) **Creation of nature-based outdoor recreation opportunities** open to the general public, particularly in environmental justice areas. Please provide maps or population, density and demographic information showing that the donation is located in an environmental justice area. See: <http://maps.massgis.state.ma.us/EJ/viewer.htm>

Describe and provide mapping identifying and showing how this land contributes to these goals. **(Refer to baseline document, if available, photographs, maps, technical reports or surveys as appropriate).**

Property will be donated to Hubbardston Conservation Commission to be used for hunting and public recreation.

There are some trails on the Property

l.) **Provides habitat or recreational connectivity** through the protection of land contiguous with existing conservation lands. Provide maps from MassGIS, the local Open Space and Recreation Plan, or other maps showing connection or close proximity

2. Has the land been set-aside or used towards development requirements at any time in order to increase building density levels (e.g., dedicated "greenspace" within conservation or open space subdivisions or cluster developments)?

Yes ___ No^x___

If Yes, explain: _____

3. Is any area of the land used or planned for uses such as golf courses, soccer fields, softball fields, or other types of intensively managed or intensively active recreational or commercial uses?

Yes ___ No^x___

If Yes, explain: _____

4. Briefly describe the past and current uses of the subject property. Past uses should include historic uses for the past several decades, including structures, orchards, agriculture, mills, etc.

- 1) Gravel has been extracted from approximately 5 acres in northeast part of the property. This use has been discontinued.
 - 2) Current and past use for hiking and passive recreation.
- _____

5. How is/will the property be permanently protected to maintain the Conservation Purposes, what activities will be allowed and which will be prohibited?

 Perpetual conservation restriction (**provide a copy of a proposed draft Conservation Restriction**) with a grantee who has agreed to accept the restriction and has reviewed and approved the draft, subject to the understanding that DCS may require edits or suggest changes before it is signed. Describe what uses will be allowed on the property (including any public access), what activities will be prohibited, and how the land will be permanently protected and managed.

 x Fee simple donation to a public agency or a private agency. Provide a copy of the draft deed (and restriction, where applicable).

Explain how the fee simple donation will be protected for conservation uses only:

Property will be owned in fee by Hubbardston Conservation Commission and is protected under Article 97 of the Amendments to the Massachusetts State Constitution.

6. Briefly describe how the property will be managed and by whom, to maintain the conservation values being protected. **If available, provide a copy of the forest or agricultural conservation management plan.**

Forest Stewardship Plan is attached.

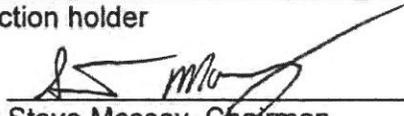
Recipient Organization Signature Page

I certify that our organization meets the criteria of a qualified organization as defined by the Massachusetts Conservation Land Tax Credit Program, and as an official representative of the qualifying organization, *acting with the authorization of the Conservation Commission*, I have the authority to accept the donation of the subject property in fee simple or by conservation restriction, *subject to an affirmative vote by the Hubbardston Board of Selectmen*. I certify that our organization has the capacity to manage the land if we retain title, or annually monitor and enforce the terms of the conservation restriction.

Signature of recipient/ restriction holder

2/19/15

Date



Steve Mossey, Chairman

Hubbardston Conservation Commission



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Charles D. Baker
GOVERNOR

Karyn E. Polito
LIEUTENANT GOVERNOR

Matthew A. Beaton
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1081
<http://www.mass.gov/eea>

Ms. Janet Morrison
North County Land Trust
325 Lindell Ave
Leominster, MA 01453-

November 19, 2015

Re: Conservation Land Tax Credit (CLTC), **Part 2 Approval**
Application # 0262
Geordie Lane, Hubbardston 01452, 49.1 Acres
Calendar Year 2016 Gift/Bargain Sale

Dear Janet:

We have completed our review of the documents and the appraisal you provided to us regarding the CLTC application for the above referenced project and determined that they meet EEA's requirements for Pre-CLTC approval. (301 CMR 14.03: (2), Part II, 5) Please accept this letter as your **Notice to Proceed** with Part III of the application process which includes closing on and the recording of the property transaction. Please note that we have reserved **\$49,000**, which represents the maximum tax credit that will be available for this application.

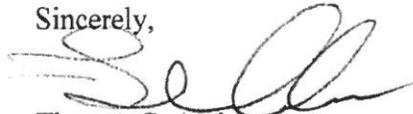
This approval is for a calendar year 2016 gift/bargain sale only. The closing and recording, along with submittal of all final documentation (including items in attachment A), **must be complete sometime after January 1, 2016**. Our records show that the window for this approval and funding will begin on January 1, 2016 and expire on 4/29/2016. If for any reason you cannot meet this deadline you must contact us and receive an extension.

Since any "exception" to "good record and marketable title" within the title exam could be critical in terms of receiving the tax credit, we recommend you have a title exam done now and submit it to us for review and approval prior to the closing. The title exam would have to be updated to the point of recording later on, but that would be more than offset by the benefit of being sure there are no issues that could delay or deny the tax credit.

Also, please note that EEA will issue the Landowner Identification Number (LIN) to be used to claim the tax credit with the DOR only after the property transaction has been recorded or registered with the appropriate Registry of Deeds. The applicant must provide proof of satisfactory recording to EEA. Please see *Attachment A* for a list of the final documentation needed.

We look forward to hearing from you with the completed package of information.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Anderson', written over a horizontal line.

Thomas C. Anderson
Program Coordinator

Attachment A

CLTC Application # 0262

Address: Geordie Lane

Final Documents required to be provided to EEA prior to issuance of a Land Identification Number:

___ Confirmation that the appraisal in our files and being used for calculating this tax credit not being more than 1 year old from date of recording of the gift/bargain sale.

___ Copy of recorded Deed with book and page number and date granting to an Agency, a Qualified Organization, or a Public Conservation Agency a Property Interest in Pre-CLTC land that meets EEA's criteria and conveyance standards, which perpetually protects the Qualified Donation and is recorded or registered at the appropriate Registry of Deeds;

___ A recorded survey showing the subject and/or metes and bounds description, referencing a recorded instrument or a sketch plan containing a metes and bounds description, and clearly delineating the land as Conservation Land or the restricted area as a Restriction, recorded with the instrument(s) granting the Property Interest. Excluded areas shall be described in the same manner, with permanent boundary markers in place or provided for in the Qualified Donation Instrument.

___ An electronic copy of completed Baseline Documentation Report sufficient to establish the condition of the property at the time of the donation. (unless already provided)

___ Notarized ***Affidavit Regarding Consideration*** completed by each owner/donor. (attached) This document must list all sources of consideration received, or anticipated to be received, in compensation for this land transaction.

___ Evidence of clear title/updated title exam to property of the **donor/owner/CLTC applicant** (e.g. title abstract, and if requested, title examination, title policy, attorney's opinion of title) and certification of title that complies with EEA title specifications and standards verifying all necessary signatories to the instruments conveying the Property Interest and that the Qualified Donation will have a first lien position. The title examination must list all ownership interests, the name, address and contact information for each owner, and the percentage of each owner's ownership interest in the donation if available, and evidence the capacity to convey a clear title;

___ Votes authorizing the transaction, and attested copies of votes granting authority, if applicable;

___ Satisfactory evidence that all liens affecting Certified Land have been released or subordinated prior to closing and recording;

___ If there is an encumbrance or interest affecting the Certified Land, EEA may require an agreement from the holders of said encumbrances or interest that they will exercise their rights only in a manner consistent with Natural Resource Protection, duly recorded with the registry of deeds;

Upon satisfactory receipt of the above, an LIN will be issued to the applicant, which verifies to the Department of Revenue the Certified Land's eligibility for the tax credit.

The LIN number will be used by the DOR to issue a unique CLTC number to each Owner/Donor. The CLTC number issued by the DOR is the only number the DOR will recognize on the state tax forms for verification of eligibility for the tax credit.