

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT FUNDING

This application may be completed electronically and emailed to cpc@wnewbury.org or printed and completed by hand and submitted to the CPC Administrator. All applications must be received by the CPC Office at least 2 weeks prior to a scheduled meeting in order to be considered by the Committee. For more information contact 978-363-1100 X131.

APPLICANT INFORMATION

Project Name:	Sawmill Brook Conservation Project
Project Address:	Archelaus Place and Poor House Lane
Map/Lot:	Map R14, Lots 30 and 30F
Applicant Name: (Group or Committee Affiliation)	Essex County Greenbelt Association, Inc. and West Newbury Open Space Committee
Contact Person:	Vanessa Johnson-Hall
Telephone:	978-768-8310
Address:	P.O. Box 1026, Essex, MA 01929
Email:	vkjohnson@ecga.org
Date of Application:	January 2023

PROJECT ELIGIBILITY

Community Preservation Category (ies)	
Date Approved by CPC	

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PROJECT NARRATIVE

Provide information for the following project components, providing attachments where necessary which clearly reference the heading. All project components listed must be addressed in order for the project to be considered by the CPC.

PROJECT SUMMARY - Provide a description of the Project, including the property involved and its proposed use.

The Town's acquisition of the two parcels of land comprising the Sawmill Brook Conservation Project, with assistance from Greenbelt, will permanently preserve 32 acres of important open space and wildlife habitat on the western side of the Town's Mill Pond / Pipestave Hill Conservation and Recreation Area. CPA funds would be 100% matched by either a state grant and/or fundraising by Greenbelt. Greenbelt will facilitate the real estate portion of the transaction, including holding the Purchase & Sale Agreement, and conducting due diligence (appraisal, title exam, and environmental site assessment). Greenbelt would hold the conservation restriction on the property as is required for municipal lands acquired with CPA funds. The acquisition would be for passive recreational use, expanding the Town's Pipestave Hill / Mill Pond conservation area, and allowing for trail expansion and the opportunity to enhance public access from Archelaus Place.

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PUBLIC BENEFIT – Describe in detail the benefits West Newbury will receive from the Project and how the Project meets the Community Preservation Committee’s Project Evaluation Criteria.

The addition of the property to Pipestave Hill / Mill Pond would have numerous public benefits:

- **Buffer and expand a popular public recreation area:** Sawmill Brook parcels would connect Pipestave Hill / Mill Pond to the open space component of the Deer Run development, expanding the natural area corridor.
- **Allow for trail expansion:** Trails are established on the southern Sawmill Brook parcel, though the current owner does permit public access. Acquiring this land will allow for public access to these parcels. Poor House Lane is currently frequented by walkers coming from Archelaus Place to access Mill Pond / Pipestave Hill.
- **Create opportunity for formal public access to the conservation area from Archelaus Place**
- **Protect water quality of Mill Pond and maintain integrity of high-quality wildlife habitat:**
 - The acquisition would protect Sawmill Brook and associated wetlands. Sawmill Brook is a perennial stream that flows into Mill Pond and ultimately the Merrimack River. Intact forests help filter pollutants out of water, and slow the surface flow of rainfall to reduce erosion and flooding. Preserving these 32 acres of forest will therefore further protect the water quality of Sawmill Brook, Mill Pond, and ultimately the Merrimack.
 - The Commonwealth’s new BioMap study, released in December 2022, shows the Sawmill Brook property as almost entirely within a large area mapped Core Habitat for Rare Species. This means that habitat on the property (which includes the stream corridor and wetlands) is extremely high quality and able to support wildlife whose habitat is dwindling elsewhere.

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CONTROL OF SITE - Indicate whether the applicant owns or has a purchase agreement for the Project site. If the property is under agreement, include a description of the agreement and the timing and conditions of the purchase. If the applicant does not have site control, explain how the project will go forward.

Essex County Greenbelt has a signed purchase & sale agreement with Austin Realty Trust to acquire the 32 acres for \$705,000. The agreement is contingent upon obtaining sufficient funding and satisfaction with due diligence. The funding contingency deadline is the end of July 2023, and the closing deadline is December 15, 2023.

FEASIBILITY - List all steps that may be required for completion of the Project, such as environmental assessment, zoning or other approvals, agreement on terms of any required conservation, affordability or historic preservation restrictions, and any other known issues. For projects that may affect abutters or the neighborhood, describe methods used to notify abutters of the proposal, and support or objections from those affected.

- Appraisal - complete
- Title Exam - complete
- Environmental Site Assessment – in progress
- Town Meeting Approval to authorize \$350,000 in CPA funds – April 24, 2023
- LAND grant application due from Town: early July 2023
- Funding Contingency Deadline – July 31, 2023
- LAND grant awards announced – typically October
- Closing deadline: December 15, 2023

SUPPORT – Seek input from relevant Town entities and members of the community. Provide documentation of their response.

Documentation of the following approvals will be submitted to the CPC prior to the January 19th meeting.

- Essex County Greenbelt Association Board of Directors approval to submit CPC application with West Newbury Open Space Committee – anticipated 2nd week of January 2023
- West Newbury Open Space Committee approval to submit CPC application with Greenbelt – anticipated 1/18/2023
- Verification that the W. Newbury Conservation Commission supports the project as presented and will oversee the project if funded – anticipated 1/9/2023

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SCOPE OF WORK - A scope of work is required to fully develop a time and cost plan for recommendation to Town Meeting. The scope is to be prepared by the Applicant and be detailed enough, in the opinion of the CPC, that a professional qualified to perform the work will be able to provide an estimate of the time and cost necessary to complete the proposed work. Attach the scope of work to this application.

N/A

PROJECT TIMELINE - Describe the anticipated steps or phases for completion of the Project. State whether the Project will be ready to proceed in the coming fiscal year. Will this be a multi-year project?

- Appraisal - complete
- Title Exam - complete
- Environmental Site Assessment – in progress
- Town Meeting Approval to authorize \$350,000 in CPA funds – April 24, 2023
- Greenbelt fundraising: May – December, 2023
- LAND grant application due from Town: early July 2023
- EEA grant awards announced – typically October
- Closing: December 15, 2023

FUNDING - Include a full budget, including itemization of major components and breakdown of construction costs. Describe The estimated annual cost of operating and maintaining the site/project after completion. Describe the basis for your budget and the sources of information you used.

Please see attached budget.

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OTHER - Please provide any other information which you think would be useful for the CPC to consider when evaluating this project's eligibility for funding (attach additional pages if needed):

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APPLICATION CHECKLIST:

To be completed by Applicant and approved by CPC Administrator prior to the application being reviewed by the CPC.

Y	N/A	Application Requirement
Y		Proof of ownership or control of the site, structure, or subject of Application.
by 1/19		Proof of authorization by the public agency, board, committee, or any entity governed by a board, trustees, corporation etc., showing a vote by the entity to submit the Applications and take responsibility for the project.
by 1/19		If the project involves public property, verification that the applicable public agency or department supports the project as presented and will oversee the project if funded.
Y		Assessor's map showing location of the Project.
Y		Photographs, including aerial photographs if available.
	N/A	Detailed scope of work for the project prepared by the Applicant.
	N/A	Recent cost and time to complete estimates from professionals qualified to complete the project.
	N/A	Proposed oversight and management plan for the Project.
	N/A	If the project involves a historic resource, evidence (date of listing on the state register or a letter from the West Newbury Historical Commission confirming its determination of significance) with the application that it meets these criteria.
	N/A	Architectural plans and specifications, for new construction or rehabilitation.
Y		Maps, renderings, site plans.
	N/A	Historic structures report, existing conditions report.
	N/A	Names and addresses of project architects, contractors and consultants.
by 1/19		Documentation of support from Town entities and Community.
	N/A	Permission from the property owner to display a CPC funded project sign.

Approval by CPC Administrator:

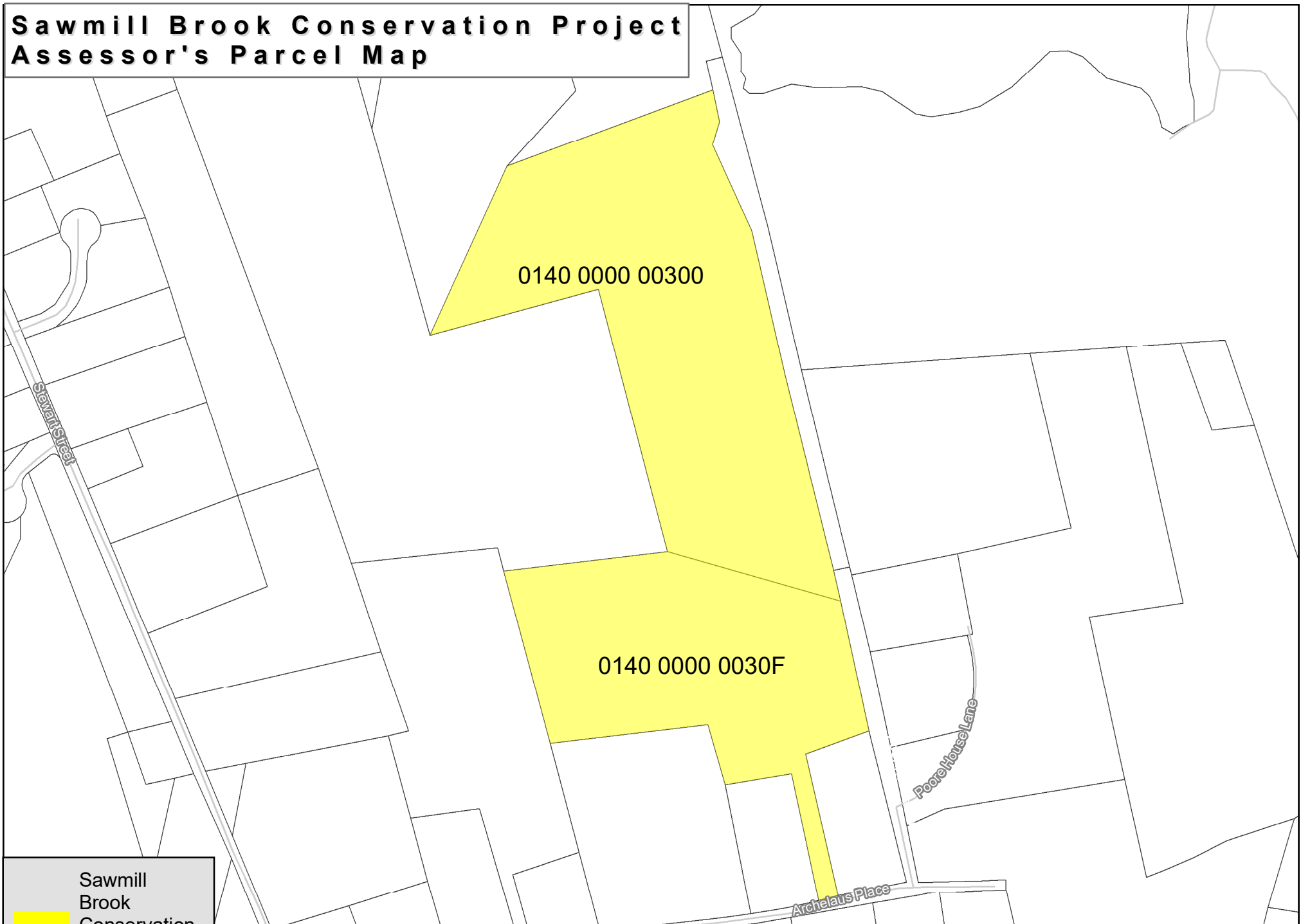
Signature	<i>Barbara Gaud Administrator</i>
Date	<i>1/9/2023</i>

Project Budget: Sawmill Brook Conservation Acquisition

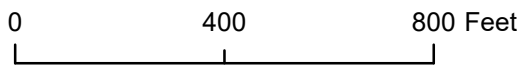
Project Expenses		Deadline / Status
Acquisition Cost	\$705,000	December 15, 2023
Transaction Costs (paid by Greenbelt)		
Title	\$1,300	complete
Phase 1 ESA	\$2,500	in progress
Appraisal	\$4,800	complete
Closing Costs	\$750	(estimated)
Legal Fees	\$5,000	(estimated)
Total Transaction	\$14,350	approved
Total Project Cost	\$719,350	
Funding Sources - Cost Scenarios		
Scenario 1: W. Newbury awarded LAND grant		
EEA LAND grant (W. Newbury)	\$394,800	
W Newbury Community Preservation Act fund	\$210,200	
Greenbelt private fundraising	\$100,000	
EEA Conservation Partnership Grant (Greenbelt)	\$0	
Greenbelt - transaction costs	\$14,350	approved
Total Funding	\$719,350	
Scenario 2: W. Newbury not awarded LAND grant		
EEA LAND grant (W. Newbury)	\$0	
W Newbury Community Preservation Act fund	\$350,000	
Greenbelt private fundraising	\$180,000	
EEA Conservation Partnership Grant (Greenbelt)*	\$175,000	
Greenbelt - transaction costs	\$14,350	approved
Total Funding	\$705,000	

**Greenbelt will apply for the EEA Conservation Partnership Grant concurrently with W. Newbury applying for EEA LAND Grant, and will notify EEA that the preference is for EEA to award the LAND grant to W. Newbury. Only one EEA grant is typically awarded per project*

Sawmill Brook Conservation Project Assessor's Parcel Map



Sawmill
Brook
Conservation
Project
(proposed)

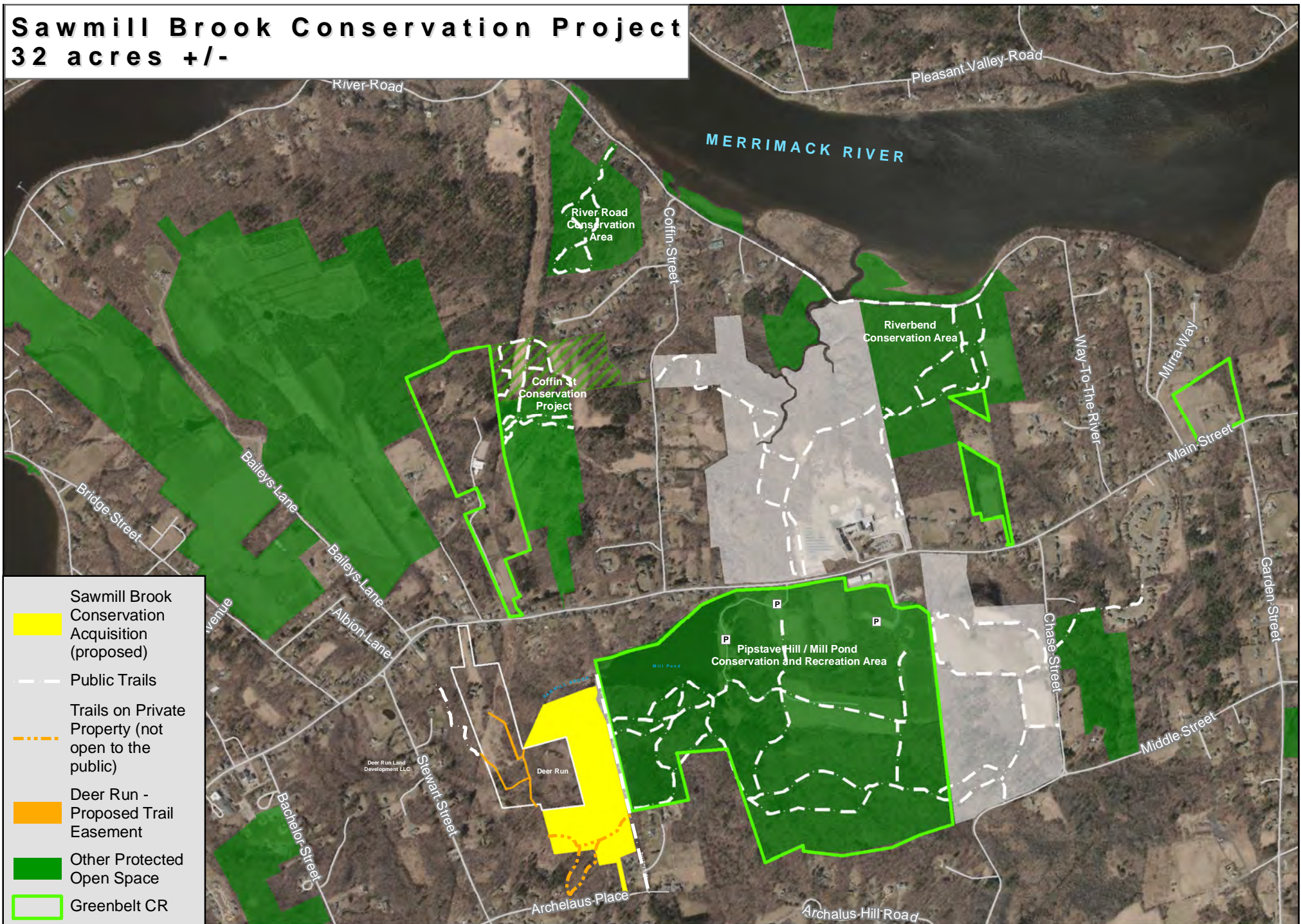


Map for illustrative purposes only. Boundaries are approximate and based on most currently-available assessor's data. 2019 Orthophotos; 1:5,000. All data other than Greenbelt properties from MassGIS. Map by Greenbelt, dated 12.29.22

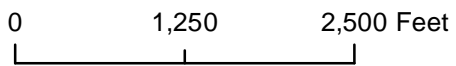


Sawmill Brook Conservation Project

32 acres +/-



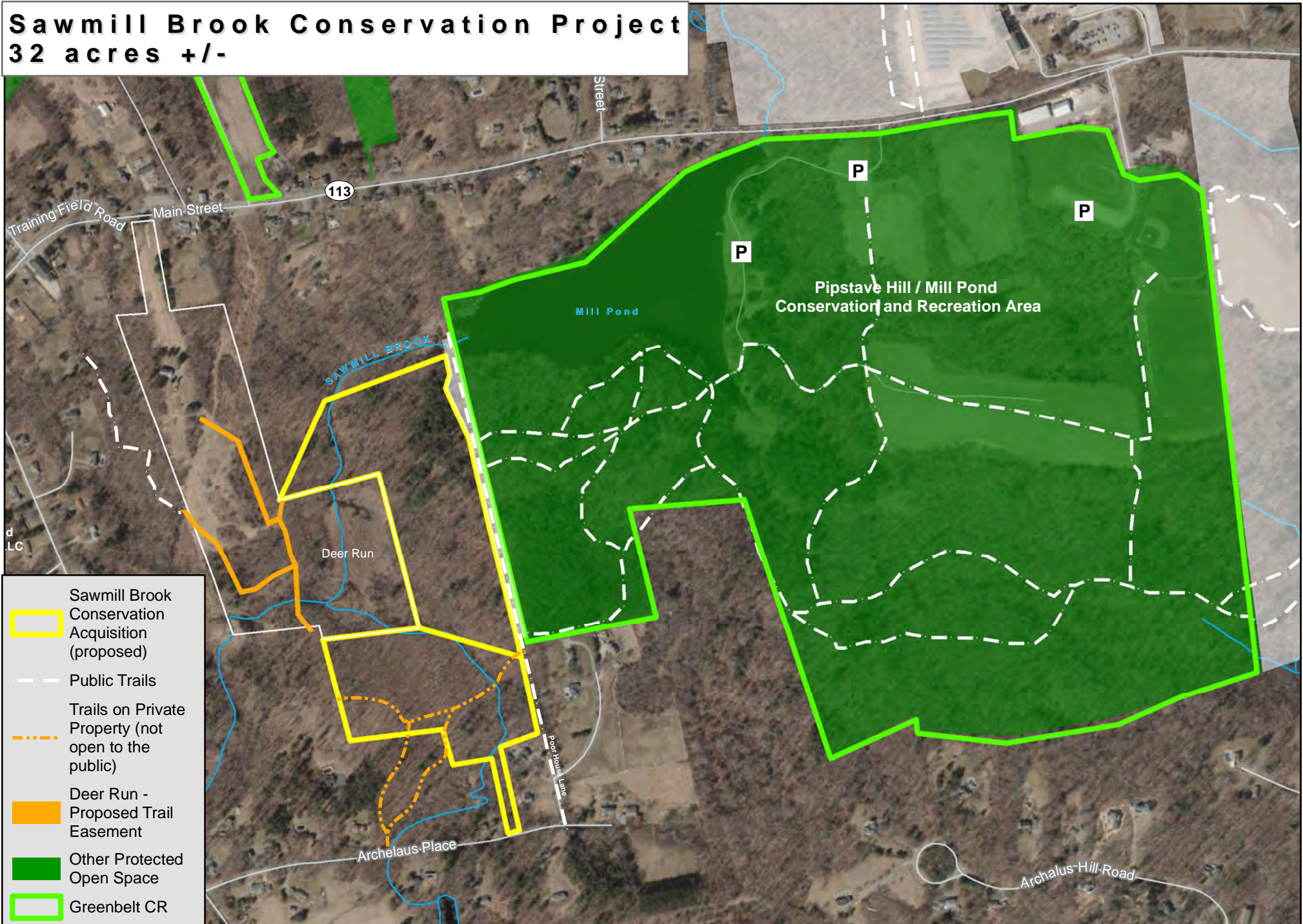
- Sawmill Brook Conservation Acquisition (proposed)
- Public Trails
- Trails on Private Property (not open to the public)
- Deer Run - Proposed Trail Easement
- Other Protected Open Space
- Greenbelt CR
- Other Municipal Land (not Article 97 protected)



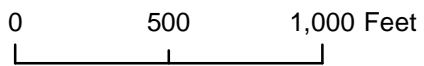
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Sawmill Brook Conservation Project 32 acres +/-

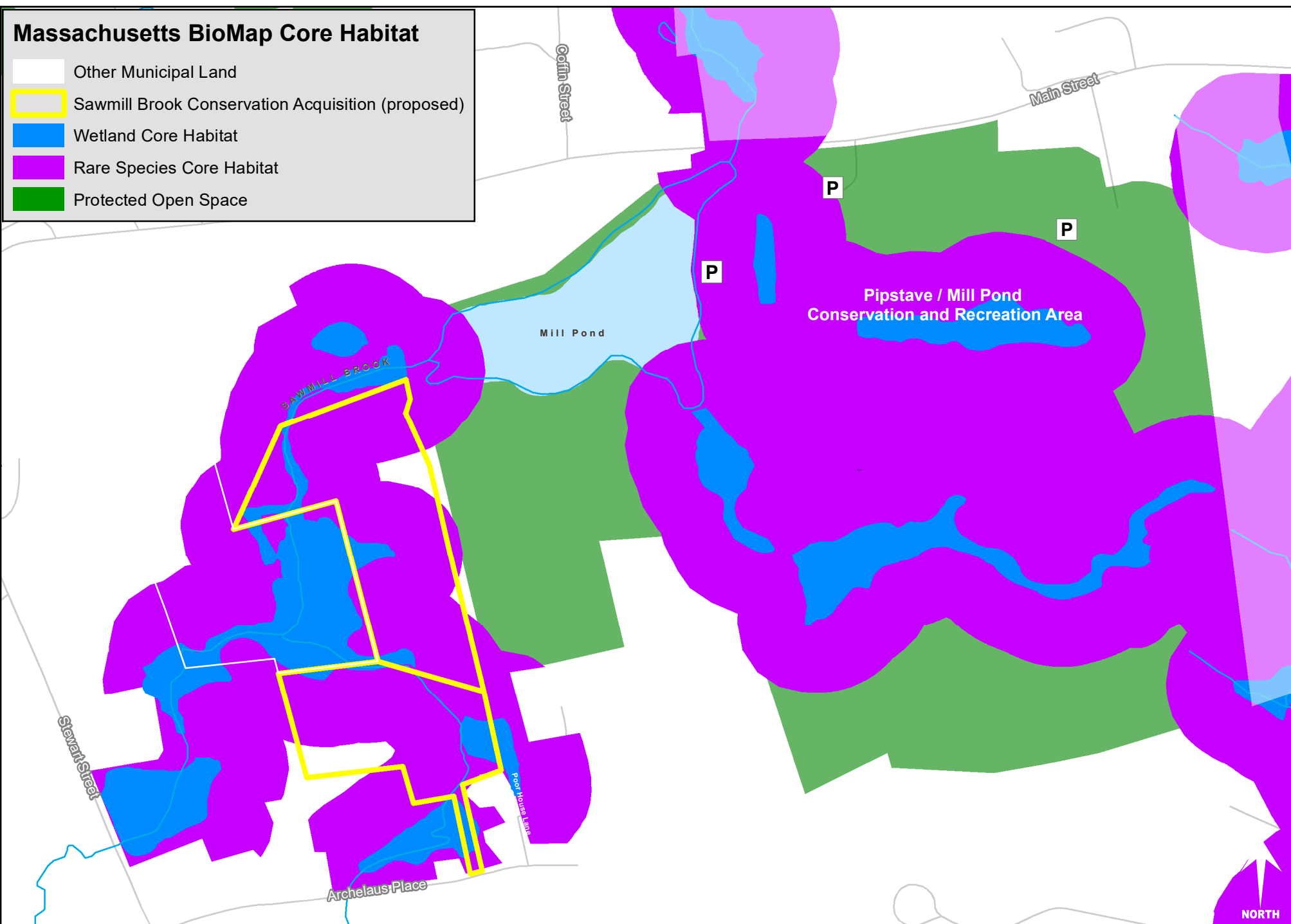


- Sawmill Brook Conservation Acquisition (proposed)
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- Deer Run - Proposed Trail Easement
- Other Protected Open Space
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- Other Municipal Land (not Article 97 protected)

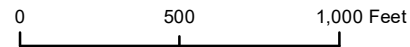


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Sawmill Brook Conservation Project
32 acres +/-

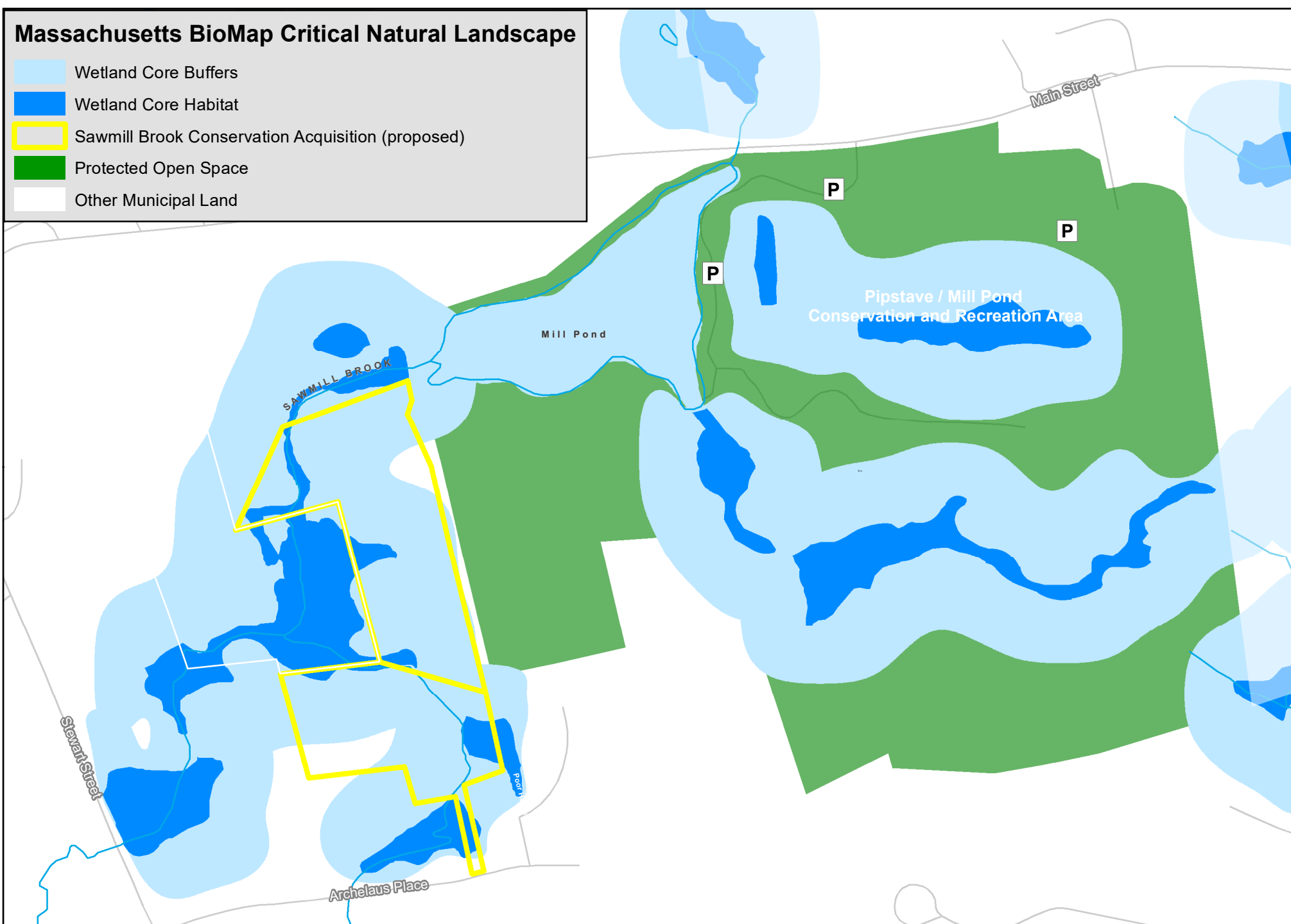


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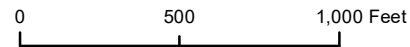


Massachusetts BioMap Critical Natural Landscape

- Wetland Core Buffers
- Wetland Core Habitat
- Sawmill Brook Conservation Acquisition (proposed)
- Protected Open Space
- Other Municipal Land

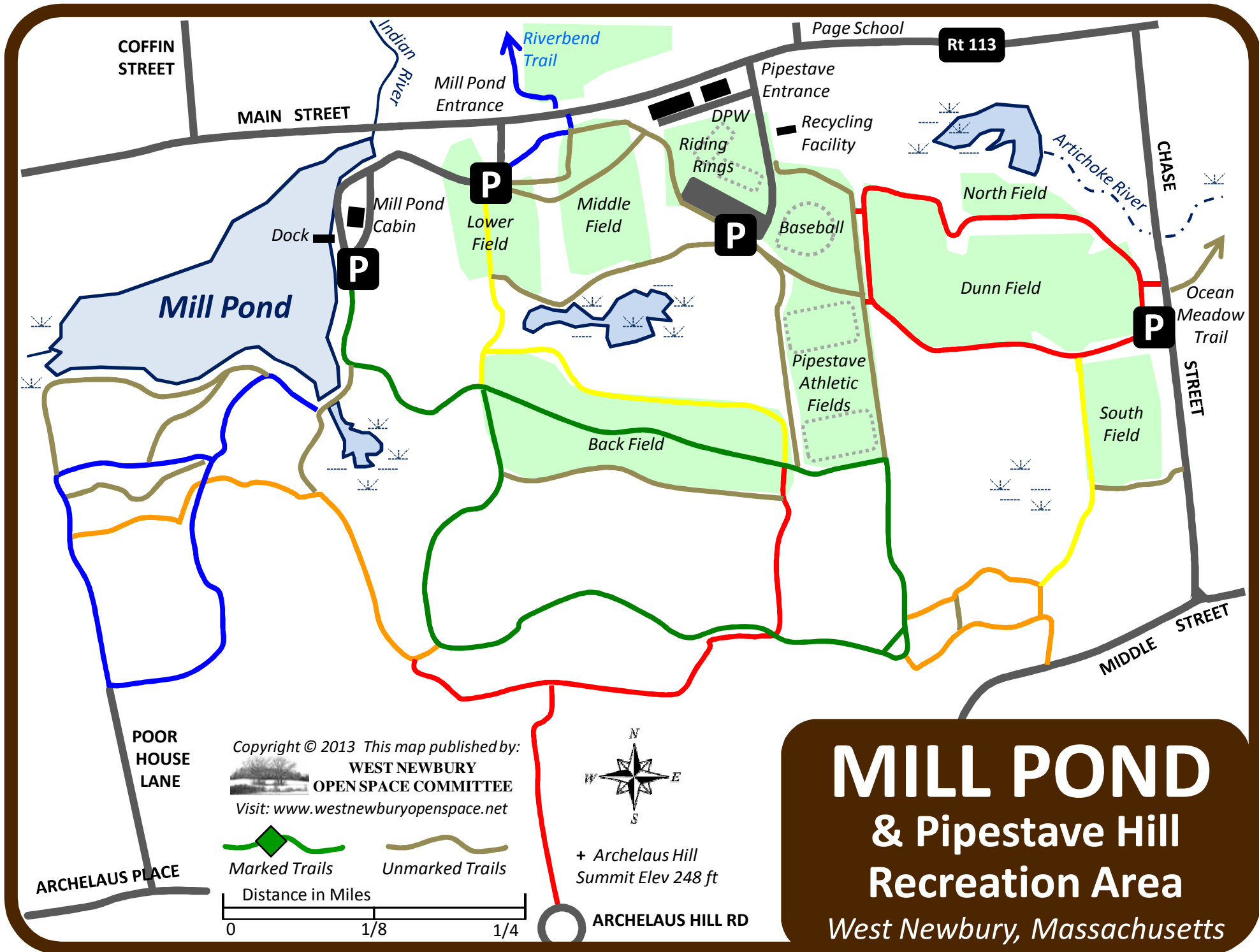


Sawmill Brook Conservation Project 32 acres +/-

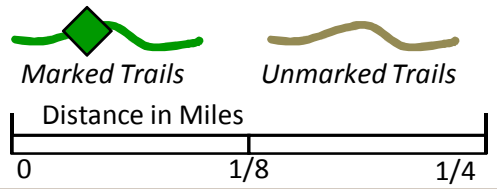


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**WEST NEWBURY
 OPEN SPACE COMMITTEE**
 Visit: www.westnewburyopenspace.net



+ Archelaus Hill
 Summit Elev 248 ft

ARCHELAUS HILL RD

MILL POND & Pipestave Hill Recreation Area

West Newbury, Massachusetts



Sawmill Brook in winter.



The Almshouse Cemetery from Poor House Lane. The proposed conservation acquisition is immediately behind the photographer.



Mill Pond from
Northern portion
of Poor House
Lane.



Poor House Lane. Sawmill
Brook property is on the
right.

CERTIFICATE OF CORPORATE VOTE

I, Peter Loring, do hereby certify that I am the Secretary of the Essex County Greenbelt Association, Inc., and that by unanimous vote on January 5, 2023, the Executive Committee of the Board of Directors of Essex County Greenbelt Association, Inc., authorized Essex County Greenbelt Association, Inc. to submit an application to the West Newbury Community Preservation Committee for \$350,000 for the Town's acquisition of 32.13± acres off of Poor House Lane in West Newbury (Assessor's Map R14 Parcels 30 and 30F), and authorized Greenbelt to facilitate the acquisition on behalf of and in cooperation with the Town of West Newbury.

I do further certify that the Essex County Greenbelt Association, Inc., is a duly organized nonprofit corporation under the laws of the Commonwealth of Massachusetts; that the foregoing vote is in accordance with the Charter and By-laws of the corporation; and that I am the duly elected and authorized Secretary/Clerk thereof.

DATED: January 9, 2023 at Essex, Massachusetts.

ATTEST: Peter B Loring
Peter Loring
Secretary, Board of Directors
Essex County Greenbelt Association, Inc.

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 9th day of January, 2023, before me, the undersigned notary public, personally appeared Peter Loring, proved to me through satisfactory evidence of identification, which was my personal knowledge of the principal's identity a Massachusetts driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Vanessa K. Johnson-Hall
Notary Public
My Commission Expires:

