

**Scituate Community Preservation Committee
Funding Request Form**

DATE and YEAR of Application: 9-29-15

APPLICANT INFORMATION

Project Sponsor or Organization: Maxwell Land Trust
Contact Name & Address: Cynde Robbins, 292 Clapp Rd, Scituate
Telephone Number: 781-545-4167 Email: Cynde.Robbins@Comcast.net

PROJECT INFORMATION

CPA CATEGORY (check all that apply):

- | | |
|------------------------------------------------|------------------------------------------------|
| <input checked="" type="checkbox"/> OPEN SPACE | <input checked="" type="checkbox"/> RECREATION |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> COMMUNITY HOUSING |

NAME OF PROJECT: Maxwell Land Trust 4 Parcel Open Space Project
BRIEF DESCRIPTION OF PROJECT: 4 parcels of Open Space are proposed for purchase by the Town

Attach additional pages including summary, budget, estimated timeline and justification of need.

Project Location or Address: 2 Money parcels off Bates Lane, Cowings Cove parcel off Summer St, Norwell, and Noonan parcel off Clapp Rd.
Please see attached narrative and exhibits.

If Open Space or Community Housing:

Assessor's Map Page, Block & Lot Number: Money 11-1-1A and 10-1-6 Scituate
Cowings Cove 3D-10-25 Norwell
Noonan 24-2-33, 34, 35 Scituate
Number of acres in parcel: Money 26.8, Cowings Cove 11.0, Noonan 3.5

Current Zoning Classification: Residential

Assessed Value: \$64,900. (14.8 ac) \$65,100. (12 ac) \$342,600. (11 ac Norwell)
Money 2003

Title in name of: Maxwell Land Trust Title Abstract Date: Cowings Cove 2010

Number of housing units proposed: NA

Summarize how this request benefits the Town of Scituate and meets the goals of the Community Preservation Act.

This project meets most of the CPC Open Space goals including Water Resource protection and passive recreation.

PERMITS AND APPROVALS

What permits and approvals are required? Have they been obtained or have you filed for them?

Name of Permit	Filed? (Y/N)	Filed (Date)	Obtained (Date)
<i>NA</i>			

Have you met with any other Town Boards or committees? If so, what were the outcomes of those meetings? (Letters of support from other Boards and committees should be included in the application or supplied at a later date.)

We will be meeting with the Water Resource Committee in October and the Conservation Commission as soon as possible.

Notes: _____

What non-financial support and services are necessary, and how will these be provided?

NA

FUNDING

Describe the proposed funding for this project. Identify other sources you are seeking funds from, and whether those funds are secured. Identify any funds you or your organizations are willing to provide.

CPC funds

Proposed Funding

Total Project Cost	CPC Funds Requested	Sources of Funds other than CPA	Amount	Funding Secured? (Y/N)*
\$ Money	\$ 389,415.00		\$	
Cowings Cove	5,352.84		\$	
Noonan	Est. 300.00		\$	
Total	\$ 395,067.84		\$	

* If the request is still outstanding, when do you expect to hear a decision?

OTHER COMMENTS

Provide any other information you think the CPC should be aware of in evaluating your request for funding.

Please see attached narrative & exhibits

By signing below, the Applicant represents he/she is duly authorized, agrees to the terms and conditions and all other requirements of this Application and agrees to be bound thereby if funding is granted for the Project.

Date: 9-29-15 Signature: Cynde Robbins
Director Maxwell Land Trust

FOR COMMUNITY PRESERVATION COMMITTEE USE

This request received by Scituate CPC on _____

Copies provided to CPC Members on _____

Additional information required: _____

Committee Vote

Votes:	Yes / No	Votes: Y/N/Abstain	Date
Recommend to Town Meeting			

Other: _____

Maxwell Land Trust 4 Parcel Proposal

Maxwell Land Trust History

Since 2002 when the Community Preservation Act was adopted by our town, there have been many different members on your committee. We thought it would be helpful to you all if we provided you with a brief history of the Maxwell Land Trust and the open space projects that we have brought to the Community Preservation Committee over the past 12 years.

The Maxwell Trust was formed in 1998 by Wayne and Cynde Robbins. It is a 501c3 with a Board of Directors and Executive Committee of advisors. Having been active members of the First Herring Brook Watershed Initiative and the North and South Rivers Watershed Association, they saw a need for open space preservation especially land that would protect our water supply. They saw that in congested areas like Scituate, the open space was disappearing quickly as the price of scarce pristine woodland rose dramatically every year making it more difficult to protect the resources that remain. This was a time in our state's history when lots of land trusts were being formed. It was also around the same time when the Community Preservation Act was proposed and passed into law and the CPA coalition was formed.

The Trust supported and worked for adoption of CPA in Scituate since one of its main goals was to preserve open space. The Trust's mission and vision was to work with landowners in town to develop workable plans to preserve open space and protect water resources for the future by bringing the landowners and the CPC together.

Shortly after forming the trust, we started developing relationships with landowners and educating them about the benefits of preservation for themselves and for the town. Many of these landowners owned land in the West End in the Bates Lane and Clapp Road area. This area had been farmland for most of Scituate's history so it is logical that there were large tracts of land in this area still in private ownership.

Most long term residents and landowners that we talked with wanted their property to remain as open space but had no idea how to accomplish that dream. Nor did they know if it was financially feasible. So we planted preservation seeds, nurtured them and waited for them to grow. Some did and some didn't but those that did are the projects that we have been able to facilitate and bring to CPC over the last 12 years. Maxwell Trust has facilitated 9 separate projects in 12 years totaling approximately 335 acres. A feat we were not at all sure was possible when we started given the rapidly rising land values. A Project Summary page is included in the write up.

We encourage you to visit our website www.MaxwellConservationTrust.org as there are newsletters and maps there that detail all of the Maxwell Trust land preservation projects.

Maxwell Land Trust Completed Project Summary

Below is a summary of the projects that Maxwell Land Trust and CPC have supported and brought to Town Meetings over the past 12 years. We are so thankful to the citizens of Scituate who have always unanimously approved open space acquisitions at Town Meeting.

<u>Maxwell Project list</u>	
	<u>Acres</u>
Moncy	70.6
Litchfield	40
Hennessy	32
Wheelwright	48
Crosbie	48
Hubbell	16.4
Higgins-MacAllister	31
Cowings Cove	11
<u>Damon</u>	<u>37.7</u>
Total	334.7

Total acres facilitated by Maxwell for protection since 1998 = 334.7 acres

The town had approximately 95 acres under conservation in the Bates Lane area when Maxwell started. This means that approximately **414 acres** are now preserved in the Bates Lane and Clapp Road Conservation area.

Maxwell Land Trust 4 Parcel Project Description

We are presenting 4 parcels of land for acquisition in this proposal and would like the committee to consider them as one proposal.

2 Moncy Parcels

Maxwell's first project was with Charles and Margaret Moncy to preserve 5 parcels of open space in the Bates Lane area totaling 76 acres. This application was the very first open space project to be presented by Maxwell to the brand new Community Preservation Committee chaired by Sue Phippen, former Selectwoman.

The proposed purchase price was \$1.3 million for 76 acres. CPC was very excited about the prospect of this acquisition but since it was the first year of their existence in town, they had not accumulated enough money to buy the entire 76 acres. They verbally proposed to Maxwell that the town buy 3 parcels totaling 44 acres for \$760,585. or \$17,247. per acre. They asked if Maxwell could possibly buy the remaining 2 parcels totaling 26.8 acres with the idea that Maxwell would sell the 2 parcels back to the town later.

The Maxwell Trust Board of Directors and the Executive Committee discussed this proposal at length. Maxwell Trust never wanted to actually own any land but they decided that it was such a worthwhile project that they would borrow funding to complete the purchase from the Moncys. That loan is still outstanding and thus the reason for this application for the town to purchase these 2 Moncy parcels is being submitted now. With most of the large developable parcels preserved now, we thought it an appropriate time to seek transfer of these properties to the town. We are asking that the town purchase the land from Maxwell Land Trust for \$389,415.00 which is an average of \$14,530. per acre and is below what has been paid for some of the other parcels that the town has purchased through CPC. This is the amount that was paid by Maxwell for these 2 Moncy parcels over a decade ago.

Maxwell Trust feels that we have completed our dream and vision of preservation in the Bates Lane Clapp Road area and that now is the time for the town to buy these parcels from us as was originally planned back in 2003. This land has yet to receive a formal conservation restriction status and thus could still be sold to anyone. We have included maps in our exhibits to help you locate these parcels. They are on the North side of Bates lane and are shown in the key.

The loan is still outstanding so we cannot simply give the land away. It must be sold. These 2 parcels complete the Bates Lane Conservation Area and we would prefer that they be under town ownership. We don't know how long Maxwell Trust will exist and the founders of the trust are starting to minimize their activities. Part of the Trust's long-term goal has always been to sell the assets and pay off the loan that made the very first CPC open space purchase possible.

These 2 Moncy parcels currently are part of the Bates Lane Conservation Area Trail system.

Cowings Cove Parcel

Maxwell Land Trust owns an 11 acre open space parcel that is part of the Cowings Cove development off Summer St. in Norwell. This land abuts South Swamp at the very spot that the First Herring Brook starts in the swamp. It is considered to be within the Zone C and Zone A DEP Approved Surface Water Protection Area. Some of this land is in Norwell and some is in Scituate.

This land was formerly owned by Mr. Apts whose family lived on Summer Street for many generations. Eugene Mattie, the developer who purchased the land from Mr. Apts, made an agreement with him to preserve some of the land. Mr. Mattie had previously talked with Maxwell Trust about the new concept emerging of Developer-Land Trust Partnerships. This was, at that time, an emerging model in which some of the land is developed and some is preserved with tax credits going to the developer to help defray his costs. The Hennessey family had used this model for the preservation of their land a few years before.

There is a drainage easement on the Cowings Cove open space parcel and a recorded agreement between Maxwell Trust and Cowings Cove LLC that deals with maintenance and insurance which is all provided by the developer at no cost to Maxwell. A copy of that agreement is included in this application. The parcel has some short trails developed on it.

Maxwell Trust felt that it was important to secure this parcel while we had the chance because of its importance as Water Resource Protection and its location next to South Swamp and First Herring Brook. We have included maps in our exhibits that will help you locate this parcel. It is on the South side of the swamp and is shown in the key.

We have incurred and paid legal costs to Attorney Richard Henderson in the amount of \$3852.84 and while negotiating the Cowings Cove Drainage Easement agreement and acquiring this land in 2010. Since then we have incurred other legal costs and have paid Attorney George Gormley \$1500.00. Total legal fees paid are \$5352.84. Copies of the legal bills are attached to the application.

As part of this 4 parcel proposal, we are offering the Cowings Cove 11 acre parcel, an important Water Resource parcel, to the town in exchange for reimbursement of the legal costs that Maxwell has incurred.

Noonan Parcel

Maxwell Trust owns a 3 acre parcel of back land known as the Noonan parcel. It is off Clapp Road near 185 Clapp Road and abuts South Swamp.

We have incurred some legal fees for the filing of the deed. As part of this 4 parcel proposal, we are offering the Noonan land in exchange for reimbursement of these legal fees which are estimated at \$300.00. Copies of the legal bills will be submitted at a later date.

Exhibit Listing

The following exhibits are attached to this proposal (*but are not on this website*):

South Swamp Protection Through Land Conservation Map

Money

Money Deeds, both Quitclaim and Confirmatory for 2 parcels

Money Parcel Map

Cowings Cove

Cowings Cove Deed

Cowings Cove Drainage Easement Agreement

Cowings Cove Development Plan

Cowings Cove Maxwell Trust Parcel Map

Cowings Cove Legal Bills from Attorney Henderson

Water Resource Map

Noonan

Noonan Deed (will be presented at a later date)