



# Town of Orleans

---

19 School Road Orleans Massachusetts 02653-3699  
Telephone (508) 240-3700 – Fax (508) 240-3388

## COMMUNITY PRESERVATION PROJECT APPLICATION

Submission Date: November 21, 2020

**Project Title:** Greenbelt Gateway (66 Portanimicut, Lot 2)

**Applicant** (*note if public or private*): Open Space Committee (Public)

**Address:** Open Space Committee mailbox, Town Hall; or PO Box 1564, East Orleans, MA 02643

**Telephone:** 508 240-7182

**Cell:** 781-223-1968

**Email:** lordrob44@gmail.com

**Federal Tax Identification Number** (if non-profit):

**Contact Person** (Name & Telephone): Robert Cunningham cell: 781 223-1968

**Project purpose** (*Check all that apply*):

Open Space     Historic Preservation     Community Housing     Recreation

**Project Location/Address:** Town of Orleans

**Community Preservation Funding Request:** \$250,000.

**Brief Project Summary, Including Justification of Project Category Checked Above:**

The Town's purchase of Lot 2 at 66 Portanimicut Road will complete the preservation of three lots at this address. *The Open Space Committee (OSC) proposes that the Town employ \$250,000 of CPA funds to acquire the 1.44-acre Lot 2.*

The preservation effort for these lots was initiated by the Orleans Conservation Trust (OCT). In January of 2020, OCT purchased Lots 1 and 3, with generous private gifts, a State grant, and a \$100,000 contribution from OCT's own funds. At OCT's request, the Compact of Cape Cod Conservation Trusts, Inc. (The Compact) purchased Lot 2 with financial assistance from OCT. However, while The Compact assists in land conservation, they are not a land trust and do not own land indefinitely. Consequently, OCT and the Conservation Commission have asked the OSC to pursue the Town's purchase of Lot 2.

Lot 2 directly abuts the Town's "Christian Property." OCT, the OSC and Town representatives have developed a plan under which the access, trail head, and parking area for the Christian Property will be moved to Lot 2. Direct road access at 66 Portanimicut will produce a dramatically improved public access to a trail on the Christian Property that skirts a beautiful Atlantic White Cedar grove and wetland.

The Town's purchase of Lot 2 will have a second and equally important benefit. Together, the three lots at 66 Portanimicut Road will constitute the key linkage between 100 acres of existing and future preserved land on both sides of Portanimicut. This "Portanimicut Greenbelt" will realize the *long term vision* of both the OCT and the Town: a continuous undisturbed natural habitat and walking trail stretching eventually from 66 Portanimicut directly east to the salt water of Pah Wah Pond. The whole will be far greater (in conservation/recreation values) than the sum of its high quality parts. Portanimicut Road is also designated as a Town Scenic Road.

## Narrative

**66 Portanimicut Background:** Lots 1 & 3 at 66 Portanimicut Road are entirely undeveloped forest land, and Lot 3 includes a vernal pool in the process of being certified by the state. Most of Lot 2 is also wooded, and in July, 2020, OCT funded demolition of a run-down cottage that had been on the property, after The Compact and OCT determined it was not a historic structure and could not be rehabilitated.

OCT applied for \$250,000 in CPA funding for preservation of this same property a year ago. Despite unanimous support of the project from the Community Preservation Committee (CPC), OCT ultimately decided to retract its application given the unprecedented number of CPC applications in 2019, with the intention of refileing the application in 2020. In response to OCT's decision, the CPC set aside \$125,000 in Open Space reserves. More recently, given the Town's strong interests in the property, including the opportunity for a new parking area and trailhead, the OSC has stepped in as the applicant after enthusiastically supporting the project when OCT applied in 2019.

In December of 2019, OCT purchased Lots 1 & 3, the two buildable lots that abut Lot 2 to the west and south. When combined with the Christian Property, these lots buffer Lot 2 on all sides (see map at Attachment 1). At the request of OCT, The Compact of Cape Cod Conservation Trusts (The Compact) purchased Lot 2 in January of 2020 to take the property off the market so the Town would have a chance to acquire it. OCT contributed \$100,000 towards the \$350,000 purchase price. The Compact assists in land preservation work but does not itself hold land long term and needs to dispose of this lot and recoup its \$250,000. Therefore, Lot 2 is not yet protected, and the Town has an important role to play in safeguarding this tremendous resource.

**Network of Preserved Land:** The three lots at 66 Portanimicut Road provide a critically needed connection between two large areas of conservation land to the north and south of Portanimicut Road, creating the "Portanimicut Greenbelt" (see map at Attachment 2). Lot 2, the Greenbelt Gateway, will serve as the starting point for visitors to the Greenbelt. There, they will park and view a kiosk that explains the various elements of the area's preserved lands. Some visitors will choose to explore 45 acres of preserved land to the south, which includes the Town's Quanset Wellfield (a Land Bank purchase in 2001), two OCT-owned wetlands (including an Atlantic white cedar swamp), and two OCT-held conservation restrictions on grassy upland. Other visitors will choose to access the preserved lands north of Portanimicut Road that currently include the 7.85 acre Christian Property (purchased by the Town with Land Bank funds in 1999), a large Town-owned white cedar swamp, and an upland parcel owned by OCT which fronts on Namequoit Road.

In the future, these northern lands will be supplemented with over 20 acres that will be bequeathed to OCT by longtime OCT supporter Rachia Heyelman. The Heyelman lands span both sides of Portanimicut Road and extend from the Christian Property to Paw Wah Pond and Little Pleasant Bay. Eventually, a trail will offer a mile and a half walk that showcases a vernal pool, white cedar swamp, salt marsh, and Pleasant Bay.

**The Vision for Lot 2:** The Orleans Conservation Commission would manage Lot 2, which is typical of Town open space acquisitions. OCT would hold a conservation restriction (CR) on the property. CRs are required by the state for CPA open space purchases. In many cases, OCT holds a CR on land owned by the Town, or vice versa. Orleans residents and visitors have benefitted from this partnership for decades, and this is another opportunity to secure tremendous benefit for generations.

The Conservation Commission has expressed enthusiastic support for the development of a parking area and trailhead on Lot 2, and the creation of a trail extension that would link to the existing trail on the Christian Property. Signage on Portanimitcut Road would advertise the location of the trailhead, which is not the case with the Christian Property trailhead. There, the Town does not own any road frontage but instead has an easement over a private driveway to access the Christian Property. The Conservation Department is excited about Lot 2's frontage on Portanimitcut Road, which will allow for improved access for new and previously preserved land. OCT is fully supportive of such uses, and they would be permitted in the OCT-held CR.

Because Lot 2 house was recently removed, there's an existing clearing, and minimal work is needed to create the above-described parking area and trailhead. The rest of the open area around the former home site would be allowed to grow up and naturalize. Since the Lot 2 purchase would provide improved and preferred access to the conservation area, the existing and rarely-used parking area on the Christian Property could revert to meadow, expanding the size of the existing meadow on that property.

**Public-Private Partnership:** The requested CPA grant will allow for the preservation of Lot 2 in perpetuity, securing the lot for the enjoyment of future generations of Orleans residents and visitors. Because of OCT's previous private fundraising efforts, the CPA funding will complete the protection of three buildable lots totaling 4.65 acres for just \$250,000. Each public dollar is matched, in effect, by nearly two private dollars while the land will benefit all Orleans landowners and visitors. The three lots were appraised at a combined value of \$1,020,000, and OCT negotiated a purchase price of just \$775,000. Lot 2's purchase represents a significant collaboration of OSC and OCT to the Town's long-term benefit.

**The Orleans Comprehensive Plan, and the Conservation, Open Space and Recreation Plan (CROS):** The Town's purchase of Lot 2, combined with OCT's previous purchases at #66, will go a long way towards meeting goals outlined in the Orleans Comprehensive Plan and the Conservation, Open Space, and Recreation (CROS) Plan.

The Natural Resources section of the Comprehensive Plan includes goals of groundwater and surface water resource protection, maintaining coastal water quality, and protecting wetland, wildlife, and plant habitat. Similarly, the CROS Plan includes protection of freshwater resources, and coastal and saltwater resources. The land at 66 Portanimitcut meets all of these goals, sitting entirely within the Pleasant Bay Marine Recharge Area, and containing about 0.5 acres of blueberry-maple swamp with a dense cooling canopy, offering prime conditions for vernal pool breeding activity. This kettlehole (no inlet or outlet) wetland is in the process of being certified as a vernal pool by the Natural Heritage and Endangered Species Program (NHESP). OCT documented "obligate species" in the wetland in May of 2020. The Comprehensive Plan prioritizes protection of these especially sensitive wetlands.

The Open Space and Recreation section of the Comprehensive Plan states that the Town should strive to “protect as open space as much land as possible, in order to preserve a healthy natural environment, safeguard ground water quality, provide habitat for wildlife, provide extensive opportunities for recreation and retain the picturesque quality of the Town.” Another goal is to provide, improve, and expand opportunities for passive recreation during all seasons to support the needs of residents and visitors of all ages. The CROS Plan reiterates much of the same and goes further to encourage protection of resources with recreational value.

The importance of the connection that the three lots at 66 Portanimicut provide cannot be overstated. Lot 2 is a keystone parcel in bringing these connections to fruition. It will secure and enhance a critical wildlife corridor connecting water resources including two Atlantic white cedar swamps, Paw Wah Pond, a large saltmarsh, and Pleasant Bay itself. Note, too, that five other conservation areas are located within one-third mile of this assemblage. Much of South Orleans is already a refuge for wildlife; continuing to fill gaps and expand this haven will provide tremendous benefit.

The same connection is equally as important for the recreational benefits that will be provided through new trails and improved public access at the new parking area and trailhead. The existing trailhead is difficult to find and traverses a private driveway.

Additionally, Portanimicut Road is one of the most scenic streetscapes in all of Orleans, and preserving this land will prevent erosion of the neighborhood’s rural and historic character. The Historic Preservation and Community Character section of the Comprehensive Plan has a goal of preserving the “important historic and cultural features of the Cape landscape.” A drive down Portanimicut Road is like a drive back to “Old Cape Cod,” which is very much a part of the allure of our seaside community.

Finally, it is worth emphasizing that permanently protecting Lot 2 will prevent the construction of a new home and its associated septic, traffic, and other impacts. Buildable lots like these are in high demand for new home construction in Orleans.

## **Financial Information**

OSC is seeking \$250,000 to acquire the “Greenbelt Gateway” for the Town and its visitors. When considering the purchase price of all three lots and the cost of demolition, this is an \$800,000 project. OCT has provided \$550,000 from private donors, foundations, and a State grant. The OSC is requesting just 31.25% of the project cost for the most valuable lot (appraised at \$420,000 in 2019). This project represents significant 2 to 1 leveraging of private funds for public benefit. See Attachment 4 for a summary of details.

OSC hopes to utilize the \$125,000 in reserved FY20 Open Space funds (“old money”), plus \$125,000 of FY21 funds (“new money”) to realize the \$250,000 needed to purchase Lot 2 from the holder of the Deed, The Compact of Cape Cod Conservation Trusts. In this context, OSC wishes to note several considerations: 1) It is highly likely that no OSC project funds from FY20 will be spent in FY21, beyond our \$7,500 pre-acquisition allocation. 12 Peck’s Way will be funded in FY21, but it will be through an Anticipation Note, with no payments until FY22; 2) “Legacy debt” service for early Land Bank open space acquisitions, continues to decrease, with a drop from \$380,000 in FY21 to \$331,000 in FY22 (an almost \$50,000 decrease).

In short, almost no other funds will be employed by the OSC in FY21, and the \$250,000 to be employed in this project can be viewed as a spending “catch up” for FY22, in terms of a minimum 10% per annum allocation of CPA Open Space funds. Given the high quality of the parcel, and the positive impact of the purchase on open space held by both the Town and the OCT, this \$250,000 price is a wise investment in the Town’s conservation efforts.

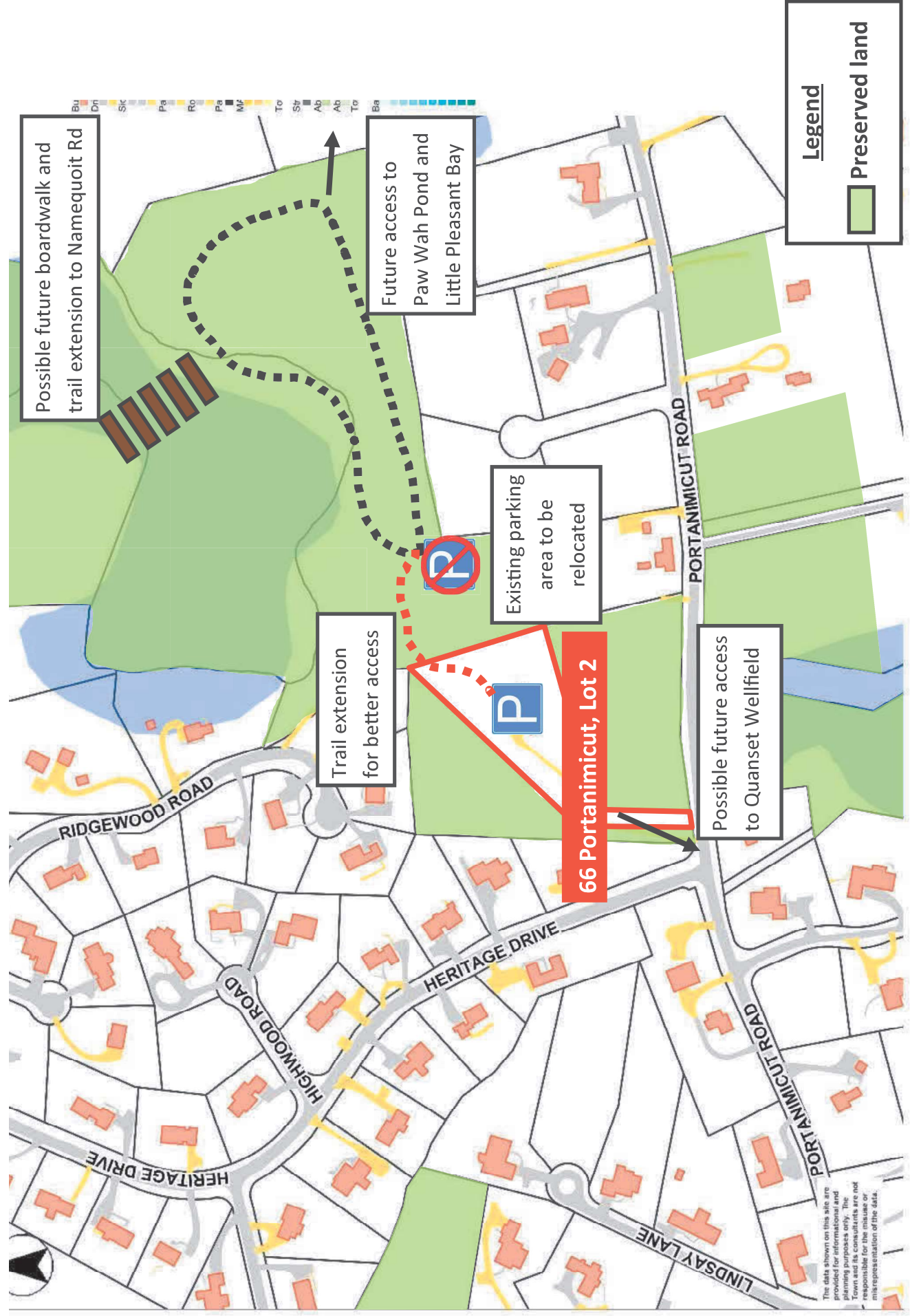
It is worth noting that OCT is privately fundraising for two additional land purchases in the same neighborhood, each within 1/3 mile of 66 Portanimicut Road. These properties (two buildable lots at 109 Portanimicut Road and another buildable lot at 22 Richwood Farm Lane) will undoubtedly add to the conservation and recreational value of Lot 2 and the Portanimicut Greenbelt. OCT does not anticipate approaching the CPC for funds for either of those acquisitions, which will be completed with private donations.

## **Summary**

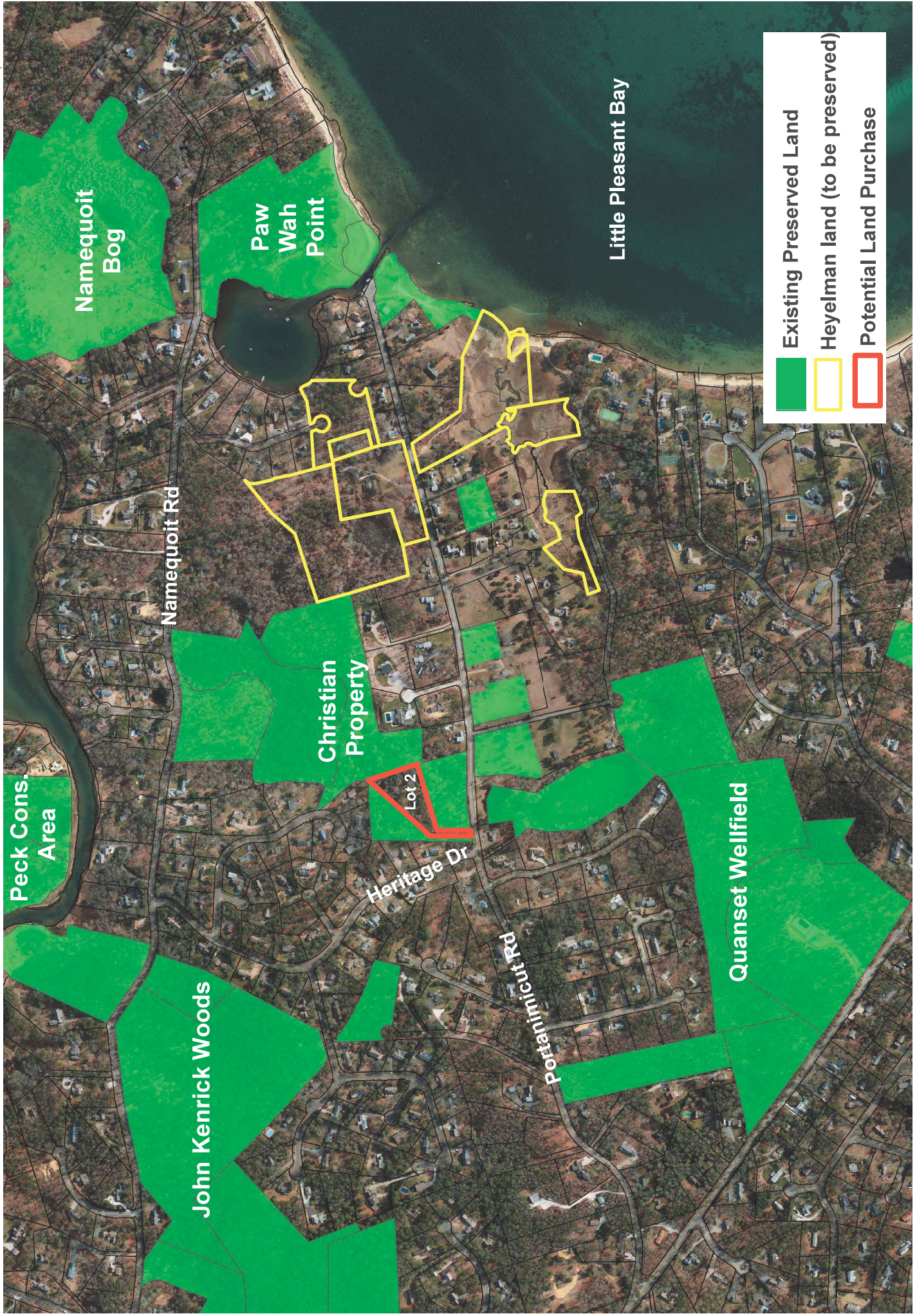
OCT and the Town have a long history of partnering in the preservation of Orleans lands. The project described here will connect 100 acres of open space, tying together several key land acquisition projects undertaken by OCT and the Town of Orleans. This project will provide immeasurable benefit to people and wildlife. It will protect water quality and a vernal pool, and it will provide new and improved access to existing preserved land. Eventually, the Greenbelt Gateway will provide for a long woodland walk terminating at Paw Wah Pond and Pleasant Bay. It will also preserve the historic and rural character of Portanimicut Road. All of these factors make the project a rare opportunity worthy of CPC support.

# Attachment 1

## Land Acquisition Opportunity: 66 Portanimicut Road, Lot 2



# Attachment 2 Portanimiticut Greenbelt



### Attachment 3

<b>Portanimicut Timeline: Past to Future</b>	
1999	Town purchases Christian property at 80 Portanimicut for \$345,000. Includes 7.85 acres of conservation land
June 30, 2019	OCT launches fundraising campaign to purchase 3 buildable lots at 66 Portanimicut Road.
September 25, 2019	OCT receives \$75,000 Mass. Conservation Partnership Grant
November, 2019	OCT submits application for CPA funds.
December 20, 2019	The Compact of Cape Cod Conservation Trusts (The Compact) closes on Lot 2, with financial assistance from OCT.
January 20, 2020	OCT closes on Lot 1 and Lot 3.
March 5, 2020	OCT retracts its CPC application, intending to resubmit in the fall.
July 1, 2020	OCT funds demolition of cottage on Lot 2.
November 23, 2020	The Open Space Committee submits CPC application for \$250,000 to buy Lot 2 and complete the 66 Portanimicut Road acquisition.
Jan-Feb, 2021	CPC approves Greenbelt Gateway project, for submission to Town Meeting
May, 2021	Town Meeting approves CPC project package, including the Greenbelt Gateway.
Late Summer, 2021	Town purchases Lot 2 from The Compact, securing permanent access to one of the largest conservation areas in Orleans. Simultaneously, the Town grants OCT a conservation restriction.
Fall, 2021	Town begins work to relocate parking from the Christian Property to Lot 2, and installs signage, a kiosk, and a bike rack.
The Future	The Heyelman bequest of 20 acres will be realized, and the Greenbelt Gateway allows for clear public passage from 66 Portanimicut Road to Paw Wah Pond and Pleasant Bay, completing a grand OCT/Town vision!

## Attachment 4

<b>Greenbelt Gateway (66 Portanimicut, Lot 2) Land Acquisition Financial Data</b>	
Purchase Price for 3 Lots	\$775,000.00
Appraisal	\$1,050.00
Legal Fees (closing costs, title research, etc.)	\$2,725.00
Cottage Demolition & Asbestos Abatement	\$24,240.00
Fundraising Expenses	\$700.00
Property Taxes (est'd for 1-yr until assessment change to exempt)	\$6,800.00
Staff Time	\$7,000.00
<b>TOTAL</b>	<b>\$817,515.00</b>
<b>Funds Raised by OCT</b>	
Private Gifts Received (Individuals and Foundations)	\$350,000.00
Massachusetts Conservation Partnership Grant	\$75,000.00
OCT Land Acquisition Fund Contribution	\$100,000.00
<b>TOTAL</b>	<b>\$525,000.00</b>
<b>Costs born by Orleans Conservation Trust</b>	
Payments for Lots 1 & 3	\$525,000.00
Appraisal	\$1,050.00
Legal Fees (closing costs, title research, etc.)	\$2,725.00
Cottage Demolition & Asbestos Abatement	\$24,240.00
Fundraising Expenses	\$700.00
Property Taxes (est'd for 1-yr until assessment change to exempt)	\$6,800.00
Staff Time	\$7,000.00
<b>Total</b>	<b>\$567,515.00</b>
<b>66 Portanimicut Project Cost Summary</b>	
<b>Overall 66 Portanimicut Costs:</b>	<b>\$817,515.00</b>
<b>Orleans Conservation Trust Expenditure:</b>	<b>\$567,515.00</b>
<b>Remaining Costs: Lot 2, Open Space Committee:</b>	<b>\$250,000.00</b>



# Town of Orleans Conservation Commission

Town Hall • 19 School Road • Orleans, Massachusetts 02653-3699

Tel: (508) 240-3700 Ext. 2425 / Fax: (508) 240-3388

Tuesday, November 3, 2020

Orleans Open Space Committee  
Robert Cunningham, Chair  
19 School Road, Orleans, MA 02653

Re: CPC Application for 66 Portanimicut Road, Orleans

Dear Mr. Cunningham,

At the meeting on November 3<sup>rd</sup>, 2020, the Commission reviewed your proposal to apply for Community Preservation funds for the acquisition and conservation of the land located at 66 Portanimicut Road. The Commission voted unanimously (7-0-0) to support this effort.

The proposed acquisition is particularly beneficial as it directly abuts the existing 7.8-acre Town-owned Christian Conservation property acquired in 1999. The acquisition will allow us to develop a new dedicated access drive from Portanimicut Road up to a new trailhead and parking area for the public. Trail connections can then easily be made to the abutting Conservation parcel and existing trail network. We understand a large mosaic of open space may soon connect this property all the way to Portanimicut landing. This key point of access will allow all residents of Orleans to enjoy this future South Orleans greenway.

Please feel free to contact the Conservation Department if you have any questions regarding our actions.

Sincerely,

Ginny Farber, Chair, Orleans Conservation Commission

cc: Chair, Community Preservation Committee

To: Orleans Community Preservation Committee

From: Tracy Murphy, Chair, Orleans Recreation Committee

Date: November 19, 2020

Re: Open Space Committee CPC Project Application for the Purchase of 66 Portanimicut Road, Lot 2

Dear Committee Members:

On November 19th, 2020, The Orleans Recreation Advisory Committee (RAC) voted unanimously (6-0-0) to endorse the Open Space Committee's Community Preservation Project application for the purchase of 66 Portanimicut Road, Lot 2.

In the year and a half that our committee has existed, we've sought ways to support and develop opportunities for active and passive recreation in Orleans. We continue to confront the challenge of improving *access* to recreation.

This proposal presents an important opportunity to dramatically improve access to the open space in the Portanimicut neighborhood, which will grow in the coming years with the acquisition of land from Rachia Heyelman. The preservation of 66 Portanimicut, Lot 2 will result in direct road frontage, parking, and signs pointing to the woodland walking trail. In the years to come, other small trails in the area can be formalized and a longer walking trail will stretch all the way to Pah Wah Pond. The opportunities for year round recreation for Orleans residents of all ages at this site are exciting, and RAC is eager to support them.

Sincerely,

Tracy Murphy

Chair, Orleans Recreation Advisory Committee

**ORLEANS  
CONSERVATION TRUST**  
Preserving land since 1970



**BOARD OF TRUSTEES**

Kevin Galligan, *President*

Mefford Runyon, *Vice-President*

Steven Koehler, *Treasurer*

Charles Carlson, *Clerk*

Rigney Cunningham

Sharon Davis

Jamie Demas

Steven Gass

Robert Granger

Diana Landau

Susan Meisinger

Judith Scanlon

Peter Van Oot

**STAFF**

Stephen O'Grady, *Executive  
Director*

Pam Schultz, *Administrative  
Assistant*

Alex Bates, *Land Stewardship  
Coordinator*

To: Orleans Community Preservation Committee  
From: Stephen O'Grady, Executive Director, Orleans Conservation Trust  
Date: November 16, 2020  
Re: Open Space Committee CPC Project Application for the Purchase of 66 Portanimitic Road, Lot 2

Dear Committee Members,

The Orleans Conservation Trust (OCT) wholeheartedly endorses the Open Space Committee's (OSC) Community Preservation Project Application for the preservation of 66 Portanimitic Road, Lot 2. As is outlined in the OSC application, OCT has put substantial resources into this project, and we see it as an ideal opportunity for public-private partnership.

As you know, the Christian Property, which abuts Lot 2, contains a nice trail that showcases an Atlantic white cedar swamp, but the trail is little-used because of mediocre access. The Town's purchase of Lot 2 will provide dedicated road frontage with signage that points visitors to the trail, and the location of the parking on Lot 2 will allow for a longer woodland walk than now exists.

Furthermore, the preservation of Lot 2 fills in a gap in the network of preserved open space in the Portanimitic neighborhood, which will allow for the connection of 100 acres of preserved land. When OCT learned from Rachia Heyelman that we would acquire her 20+ acres, we started investing in other projects in the Portanimitic neighborhood to leverage our limited conservation dollars. This project represents an opportunity for the Town to capitalize on private fundraising done by OCT to leverage its own limited resources for an outstanding project that will offer benefits to all the Town's citizens and visitors.

We look forward to the CPC's inclusion of this project in its budget for Town Meeting.

Sincerely,

Stephen O'Grady  
Executive Director



203 South Orleans Road  
Orleans, Massachusetts 02653



508-255-0183



[orleansconservationtrust.org](http://orleansconservationtrust.org)