



Mary Nadwairski <mnadwairski@boxborough-ma.gov>

Fwd: Comments - Public hearing for Park at Beaver Brook/Campanelli

1 message

Alexander Wade <awade@boxborough-ma.gov>
 To: Mary Nadwairski <mnadwairski@boxborough-ma.gov>

Wed, Nov 26, 2025 at 8:00 AM

For the Park at beaverbrook file and dropbox public hearing folder.

Thanks Mary!

----- Forwarded message -----

From: **Meredith Houghton** <mjhoughton@svtweb.org>
 Date: Thu, Nov 20, 2025 at 1:18 PM
 Subject: Comments - Public hearing for Park at Beaver Brook/Campanelli
 To: Alexander Wade <awade@boxborough-ma.gov>, Ian Gilson <igilson@boxborough-ma.gov>
 Cc: Rita Grossman - BCTrust.org <rgrossman@bctrust.org>, Dave Barnett <dbarnett@bctrust.org>

Chair Verner, Alec, Ian,
 (Alec, Ian - could you please forward to Chair Verner, as I do not see contact information on the Town's webpage)

On behalf of SVT and the Boxborough Conservation Trust, we would like to share our concerns as follows for the Planning Board's consideration. The following is not a legal opinion, rather a suggestion to seek more information.

At the recent Planning Board meetings and public hearings, there have been questions regarding the difference between a Conservation Restriction (CR) and an Open Space Restriction, acknowledging that these terms seem to be used somewhat interchangeably in the current draft permit decision. It is our understanding that currently there are both Conservation Restrictions (Book 31793/Page 464; Book 31793/Page 448) and an Open Space Restrictive Covenant (Book 32180/Page 260) recorded for the open space that was protected ~2000. These are two distinct conservation tools (CRs and Open Space Restrictive Covenants), and we suggest that Town Counsel review, or another appropriate legal review be conducted of the two different tools to help the Planning Board determine which best accomplishes the intent of protecting the additional ~94 acres of open space in perpetuity, as proposed.

We would also suggest that Town Counsel review or another appropriate legal review be conducted to provide a legal opinion on the existing Open Space Restrictive Covenants (Book 32180/Page 260) to ensure they are in effect in perpetuity (please see Sections IX - Effective Date and Duration; X - Recordation, page 8 of the Open Space Restrictive Covenant). It is our understanding that in some instances, restrictive covenants may only be legally enforceable for a certain amount of time (generally 30 years unless a term is specified, or if there is some other exception that applies). We express this concern for the existing and future restrictions to ensure that the land is permanently protected, as intended.

Please contact us with questions.

Best regards,
 Meredith Houghton, Senior Land Protection Specialist - SVT
 Rita Gibes Grossman, President - Boxborough Conservation Trust

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 Meredith Houghton
 Senior Land Protection Specialist
 she/her/hers



Sudbury Valley Trustees

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