

**TOWN OF BREWSTER**

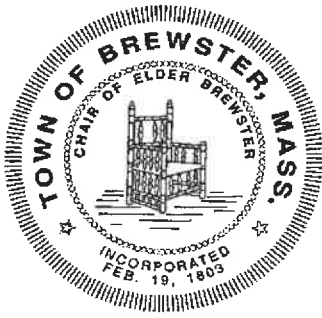
**SPRING 2024**

**COMMUNITY PRESERVATION COMMITTEE**

**APPLICATION: 0 MAIN STREET/WASHINGTON CHASE BOG  
CONSERVATION RESTRICTION**



**Old Washington Chase Cranberry Bog**



## APPLICATION FOR COMMUNITY PRESERVATION

**Date: February 9, 2024**

**Name of Applicant:** Brewster Open Space Committee  
**Contact Individual:** Elizabeth Taylor, Chair  
**Mailing Address:** Town Hall 2198 Main Street Brewster, MA 02631  
**Daytime Phone:** 774-216-1659    **e-mail:** "[etaylor@brewster-ma.gov](mailto:etaylor@brewster-ma.gov)"

**Name of Proposal:** Washington Chase Bog – Conservation Restriction

**Address of Proposal (or assessor's parcel ID:** 0 Main Street and a portion of 3571 Main Street, (126-4; 126-5; 126-9 and a portion of 114-60)

### **PROJECT SYNOPSIS:**

The Town of Brewster is working with the Brewster Conservation Trust (BCT) to protect a 12.36-acre parcel known as the Washington Chase Bog, comprised of 7.33 acres of upland and 5.04 acres of wetland. The property is located on the north side of Main Street in East Brewster. BCT is purchasing the property and asking the Town to share the cost, by purchasing the Conservation Restriction (CR). Previously having been run as a campground and a working cranberry bog, it remains a typical pine-oak woodland with existing paths and vehicle tracks running through the property. The wetland areas are now overgrown with trees and vegetation, which BCT would like to restore to a natural wetland (fresh marsh) habitat. The bog drains under the rail trail into Namskaket Marsh. This has the potential to be the most visible bog to marsh ecorestoration project on Cape Cod, along the historic Old Kings Highway. **Att. 3.A & 3.B.**

Restoration/protection of this parcel would contribute to the scenic and natural character of Brewster and will enhance the open-space value of these and nearby lands. The parcel is proximate to land already conserved, including 1700+ acres of contiguous open space owned and operated by the Massachusetts Department of Conservation and Recreation (DCR)-Nickerson State Park. It also abuts the DCR Cape Cod Rail Trail on its northern property boundary, which in turn abuts land owned and conserved by the Brewster Conservation Trust and connecting through to the 120+ acre Namskaket Marsh Town Conservation Area. **Att. 3.K.**

The Town Select Board, Town Manager, Natural Resources Department, Conservation Commission, and Open Space Committee support the purchase of a Conservation Restriction (CR), as does the Brewster Conservation Trust (BCT). **Att. 2.**

**Category (circle all that apply):** OPEN SPACE **Historic Preservation** RECREATION **Community Housing**

**CPA funding requested** \$225,000.                      **Total Cost of Proposed Project** \$706,660

## **1. PROJECT DESCRIPTION:**

The Town of Brewster is working with the Brewster Conservation Trust (BCT) to protect a 12.36-acre parcel known as the Washington Chase Bog, comprised of 7.33 acres of upland and 5.04 acres of wetland. The property is located on the north side of Main Street in East Brewster. BCT is purchasing the property and asking the Town to share the cost, by purchasing the Conservation Restriction. Previously having been run as a campground and a working cranberry bog, it remains a typical pine-oak woodland with existing paths and vehicle tracks running through the property. It is generally level, although the southeast border, near Main Street, slopes up steeply. Due to the steepness of this slope, there are guard rails along Main Street in this area. The wetland/bog areas are now overgrown with trees and vegetation, which BCT would like to restore to a natural wetland (fresh marsh) habitat. The bog drains under the rail trail into Namskaket Marsh. **Att. 3.C. & 3.I.**

Restoration/protection of this parcel would contribute to the scenic and natural character of Brewster and will enhance the open-space value of these and nearby lands. The parcel is proximate to land already conserved, including 1700+ acres of contiguous open space owned and operated by the Massachusetts Department of Conservation and Recreation (DCR)- Nickerson State Park. It also abuts the DCR Cape Cod Rail Trail on its northern property boundary, which in turn abuts land owned and conserved by the Brewster Conservation Trust and connecting through to the 120+ acre Namskaket Marsh Town Conservation Area. **Att. 3.B.**

This East Brewster property had been on BCT's radar for strategic acquisition for the past 40 years since they received a donation of 21 acres on Mitchell Lane to the north. The late Ms. Marian Dalgarn inherited the property from her father Washington Chase (1913-2008) who lived to be 95 years old. He ran a campground and cranberry bog on the property after World War II for most of his remaining years. BCT intends to purchase and protect in perpetuity, this highly visible, strategically located upland and wetland property with the potential to be the most visible bog to marsh ecorestoration project on Cape Cod, along the historic Old Kings Highway. **Att. 3.G. & 3.H.**

## **2. CPA GOALS/CRITERIA:**

The goals of this project encompass a number of the Community Preservation general criteria areas for community preservation and enhancement serving the purposes of Open Space and Recreation; saving resources that would otherwise be threatened; leveraging public funds and enhancing existing Town resources; all contributing to the preservation of Brewster's unique character.

**Preservation of these 12.36 acres will provide:**

### **Open Space Protection by:**

**Permanently protecting important wildlife habitat, including areas of significance for biodiversity, diversity of geological features and types of vegetation, containing a habitat type that is in danger of vanishing from Brewster or preserving habitat of threatened or endangered species of plants or animals**

### **Biodiversity.**

The parcel lies in close proximity (200 to 300 feet) to areas designated as BioMap Rare Species Core Habitat and BioMap Critical Natural Landscape Aquatic Core Buffer, as defined by the Massachusetts Natural Heritage and Endangered Species Program. BioMap, published in 2010 and updated in 2022, was designed to guide strategic biodiversity conservation in Massachusetts over the next decade by focusing land protection and stewardship on the areas that are most critical for ensuring the long-term persistence of rare and other native species and their habitats, exemplary natural communities, and a diversity of ecosystems. BioMap is also designed to include the habitats and species of conservation concern identified in the State Wildlife Action Plan.

This parcel connects hydrogeologically to land conserved by the Brewster Conservation Trust and Town of Brewster at Namskaket Marsh, part of an Area of Critical Environmental Concern. **Att. 3.E.**

The parcel is also home to rare Eastern Box turtles (*Terrapene carolina carolina*, a species of Special Concern), Fishers, coyote dens, and waterfowl, all documented by retired biology professor, current landowner David Dalgarn **Att. 3.L2.**

### **Water Quality And Wetlands**

Protection of vegetated upland buffers can help maintain water quality within wetlands and connected groundwater. In turn, protected wetlands can improve water quality by removing pollutants from surface water runoff from surrounding property. The wet meadow wetlands on the parcel provide valuable habitat for a diverse array of wildlife species as well as provide the many other public benefits of wetlands protection recognized by the Commonwealth of Massachusetts (Section 40 of Chapter 131 of the Massachusetts General Laws).

### **Habitat Restoration**

Protecting the parcel from development supports the Town's goals for maintaining water quality, open space, preserving the rural and scenic character of the area, and protecting habitat diversity. BCT would like to explore the restoration of the bog, back to its natural wetland (fresh marsh) habitat.

### **Unique soils**

The parcel specifically encompasses 5 acres± of Farmland of Unique Importance and 4.7 acres± of Prime Forest Land as identified by the USDA Natural Resources Conservation Service. The protection of the property will promote healthy soils and healthy soils practices as such terms are defined in Chapter 358 of the Acts of 2020, which added definitions of these terms to Section 7A of Chapter 128 of the Massachusetts General Laws. **Att. 3.D. & 3.F.**

### **Enhancing or protecting wildlife corridors, promoting connectivity of habitat and prevent fragmentation of habitats.**

As indicated above, this parcel is proximate to land already conserved, including 1700+ acres of contiguous open space owned and operated by the Massachusetts Department of Conservation and Recreation (DCR)- Nickerson State Park. It also abuts the DCR Cape Cod Rail Trail on its northern property boundary, which in turn abuts land owned and conserved by the Brewster Conservation Trust and connecting through to the 120+ acre Namskaket Marsh Town Conservation Area. The Chase Bog knits these lands together allowing wildlife corridors to connect from NSP thru to the saltmarshes. **Att. 3.K.**

**Preservation of these 12.36 acres will also provide:**

### **Recreational Benefits by:**

- Providing opportunities for passive recreation and environmental education available to all ages of Brewster residents and visitors.**
- Providing connections with existing trails or potential trail linkages connects to conservation areas**
- Preserving scenic views or bordering a scenic road.**

When the Town of Brewster updated its Open Space and Recreation Plan (OSRP) in 2021, additional goals were added including preservation of a variety of rural recreational activities and high-quality natural environments in close proximity to all residential areas. It stresses that recreation opportunities are incredibly important for a healthy and vibrant community. Recreation provides a common ground focused on inclusivity while fostering a culture of health and well-being in our community. Residents are looking for more

recreational opportunities for all ages. Respondents to the OSRP survey highlighted the need for future open space and recreational planning to focus on walking and hiking trails, specifically those that are accessible. The Brewster Vision Plan also highlights the need for more walking trails.

### **Public Access**

The Massachusetts Statewide Comprehensive Outdoor Recreation Plan (SCORP) is a planning document that discusses the available recreational resources in the Commonwealth, along with the needs of its residents, and identifies the gap between them. This land acquisition will support the SCORP trail initiative by providing an easily available new trail that connects to a number of existing trail systems. The state has indicated that Brewster needs to provide more accessible trails and this parcel lends itself to an interior ADA-feasible trail leading from the Cape Cod Rail Trail to see the bog. Public access to the parcel will be allowed for passive outdoor recreation, education, and nature study. **Att. 4.A-4.D.**

The property abuts 1,100 feet of the DCR Cape Cod Rail Trail, preserving scenic vistas for users of the rail trail and providing the opportunity to expand walking rail connections between Nickerson State Park, the Rail Trail and Cape Cod Bay beaches

- Is across Main Street from 1700+ acres of contiguous open space owned and operated by the State Division of Conservation & Recreation (DCR) as Nickerson State Park, the most popular campground in the DCR system;
- Abuts the DCR Cape Cod Rail Trail, the most popular DCR facility on Cape Cod;
- Fronts on Route 6A for 600 feet, protecting a rural scenic view enjoyed by 12,000 motorists (average) each day, in the Old Kings Highway Regional Historic District, the largest historic district in the US;
- Fronts Route 6A, named one of ten Most Outstanding Scenic Byways in America in 1993 **Att. 3.J.**

### **3. COMMUNITY BENEFITS:**

This acquisition will provide multiple benefits to numerous populations. The current population of Brewster (9,765 - Town Clerk, Jan 2024) will benefit, as will Brewster's 35,000+ annual visitors, many of whom will be able to enjoy this area.

Brewster voters have been approving land acquisition for over 60 years, accumulating over 1,200 acres to protect their drinking water and surface waters, wildlife corridors, rare and endangered species habitats, seacoast and massive recreation areas. This parcel has been identified as important for habitat and wildlife corridor protection, as well as providing excellent recreational trail connections. It has been endorsed by the Select Board, Town Manager, Natural Resources Department, Conservation Commission, and Open Space Committee.

Recent Town of Brewster surveys found that residents value the preservation of public lands for accessible peaceful recreation. In 2018, the Town completed the Vision Plan, the result of a significant public participation process which included three series of workshops and a public survey to gauge the importance of actions to achieve the vision. The Vision Plan is built on eight "building blocks", one being Open Space. These building blocks received the highest rankings of importance in the public survey. Throughout the planning process, citizens noted the contribution of open space to Brewster's character, the protection of water resources and natural habitat, and passive recreation.



In 2021 The Town updated its Open Space and Recreation Plan in 202, including a survey of Brewster residents to obtain their views on the Town's open space and recreation priorities. Pertinent goals and objectives from the updated OSRP include:

**For Open Space:**

- Provide more walking trails and expand ADA access to recreational areas.
- Provide open space and recreation opportunities that maintain Brewster's rural character
- Acquire and protect upland wooded, open field, coastal, and wetland parcels that preserve and enhance community character.
- Protect open space for the purpose of preserving Brewster's unique and fragile ecological habitats and augment the Town's network of wildlife corridors.

**Brewster Conservation Restriction Program**

Brewster has adopted a Conservation Restriction Program consisting of policies and guidelines approved by the Board of Selectmen, Assessors and Conservation Commission in 1989, to encourage the use of conservation restrictions as a means of "preserving open space, forest lands, and natural habitat of fish, wildlife or plants and providing scenic enjoyment, outdoor recreation and education of the public" in perpetuity. The Program further specified that purposes of a conservation restriction could include the following:

- o prevent the cutting of trees;
- o preserve a scenic view;
- o prevent disturbance of wetlands;
- o preserve important natural habitats; and,
- o limit or prevent construction on land of natural resource value.

Granting this Conservation Restriction, for the reasons outlined above, aligns with the goals of the Town of Brewster's Conservation Restriction Program. The Wildlife and Plant Habitat Goal will be advanced because the property contains important pine-oak woodland upland and wetland habitat and is in close proximity to Natural Heritage and endangered species Program (NHESP) Priority Habitat of Rare Species, and BioMap Core Habitat and Critical Natural Landscape. This Conservation Restriction will ensure that these important habitats remain undisturbed in perpetuity. The Open Space Goal will be served in preventing development on the Premises. The Town of Brewster values land conservation and the preservation of open space to maintain the Town's rural, small town character. The Town also values increasing the quantity and quality of its open space -- looking at high priority ecological contributions of properties.

**Consistency with Clearly Delineated State Conservation Policy**

The protection of the parcel supports the Massachusetts Statewide Comprehensive Outdoor Recreation Plan (SCORP) 2017 goal to support the Statewide Trails Initiative, specifically, to support the acquisition of land and development of new open spaces that can provide or connect with a trail network. This objective is supported by providing the opportunity to expand walking rail connections between Nickerson State Park, the Cape Cod Rail Trail and Cape Cod Bay beaches.

**Climate Change Resiliency**

The majority of this parcel (two thirds) is identified as an area of average to slightly above average Terrestrial Resilience according to The Nature Conservancy's (TNC) Resilient Land Mapping Tool, including slightly above average Landscape Diversity and average Local Connectedness. TNC's Resilient Land Mapping Tool was developed in order to map 'climate-resilient' sites that are 'more likely to sustain native plants, animals,

and natural processes into the future.’ The protection of these climate resilient sites is an important step in both reducing human and ecosystem vulnerability to climate change and adapting to changing conditions. Preventing clearing of the forested areas also helps to moderate temperatures, an important factor in mitigating climate change. Climate resilience will be enhanced by preserving this wetland and restoring the old bog back to a more natural wetland with freshwater marsh and shrubs. Some of these wetlands have reverted to their natural vegetative state and now provide important wildlife habitat, flood control and storm damage prevention, and work to greatly improve water quality. **Att. L1.**

**For Recreation:**

- Provide a variety of recreation and open space opportunities to promote healthy and active lifestyles for Brewster residents, ensuring equitable access for all users and abilities.
- Acquire and protect lands of recreational value.
- Enhance walking and biking opportunities that connect residential areas with open space and recreational resources.

This property meets these goals in providing connections to Town, BCT and state open space, preserving rare and native species, allowing for both open space and recreational opportunities, and offering members of the community options for local walking and birding activities. Connecting resources with walking and biking networks allows residents to access areas without using their vehicles, which helps reduce air pollution and promotes healthier choices. The state has indicated that Brewster needs to provide more accessible trails and this parcel lends itself to an interior ADA-feasible trail leading from the Cape Cod Rail Trail to see the bog. This acquisition fits squarely within these goals and purposes, clearly reflecting the priorities and vision of Brewster’s residents.

**Massachusetts Statewide Comprehensive Outdoor Recreation Plan SCORP 2017**

The most recent SCORP identified several priority goals, including the goal of providing open space access to underserved areas. Brewster is an Environmental Justice community and has protected open space acres per capita that is about average in the county.

The SCORP supports an increase in trails statewide, increase in water-based activities, and conservation of properties that allow community members and individuals within the neighborhood to experience outdoor recreation close to home. Specifically, the Washington Chase Bog purchase will conform with the Plan’s Goal of “Supporting the Statewide Trails Initiative” with Objectives: 1) Support the acquisition of land and development of new open spaces that can provide a trail network and 2) Fill in the gaps of existing trail networks. In addition, the extensive residential areas of East Brewster will benefit from this new open space closer to their homes.

**Protecting a State Priority Preservation Area/Support of Cape Cod Commission's Regional Policy Plan**

The Cape Cod Commission's 2018 Regional Policy Plan (RPP) guides development and land use in the county. Protection of this property supports the RPP's goals: 1) (wildlife and plant habitat) to protect, preserve or restore wildlife and plant habitat to maintain the region's natural diversity, 2) (open space) to maintain or increase the connectivity of open space, and 3) (open space) to conserve, preserve or enhance a network of open space that contributes to the region's natural and community resources and systems."

**Massachusetts Heritage Landscape Inventory Program** Further, this purchase will protect the road frontage along Main Street, a Town Scenic Road identified in the 2007 Massachusetts Heritage Landscape Inventory Program for Brewster as a Transportation feature worthy of protection in the plan.

### **Working with Native American Tribes**

The Brewster Conservation Trust has been in negotiation with the Native Land Conservancy, Inc. on a Cultural Agreement to work together on reviewing properties of mutual interest for their cultural significance and to develop educational programs together to inform the public about the cultural significance of these BCT properties, and the importance of the history of Native peoples on these lands. BCT also helped to financially sponsor the NLC in its founding year of 2012, incorporating properties such as the Washington Chase Bog. Working with BCT to further inform residents and visitors about the cultural significance of Brewster properties would serve to support and enhance Brewster's inclusion and diversity goals.

### **COMMUNITY SUPPORT:**

The Brewster Conservation Trust (BCT) has a full-time Land Stewardship Director, assisted by an AmeriCorps member and an active covey of volunteers/trail crew. A volunteer Land Monitor walks their trails at least monthly and reports on any management issues.

BCT will own the parcel, while Brewster will purchase a perpetual Conservation Restriction. The Town Select Board, Town Manager, Natural Resources Department, Conservation Commission, and Open Space Committee support this purchase of a Conservation Restriction.

Letter of Support is **Att. 6**.

### **5. CREDENTIALS:**

The Brewster Conservation Trust will have custody and control of this conservation area. The Town of Brewster will hold the Conservation Restriction, which will enable it to also participate in the management of this conservation area.

### **6. TIMELINE:**

<b>May 2023</b>	Offer accepted by Dalgarn
<b>July 2023</b>	State Conservation Partnership Grant submitted. By BCT
<b>October 2023</b>	Purchase and Sale signed between BCT and property owner
<b>November 2023</b>	State grant awards announced
<b>Dec 2023</b>	State contract signed
<b>February 2024</b>	CPC application for Funding for CR
<b>May 2024</b>	Town Meeting approval
<b>June 2024</b>	CR approved for local signatures
<b>June 2024</b>	Brewster Conservation Trust purchases property; CR conveyed to Town of Brewster
<b>July-2024</b>	Dedication/celebration





An Appraisal of the property's value by a licensed appraiser using customary appraising techniques is **Att. 8**

**Appraisal Summary:**        CATHERINE HAMMOND  
                                 APPRAISAL COMPANY OF CAPE COD, INC.  
                                 170 ROUTE 6A, PO BOX 1655  
                                 ORLEANS, MASSACHUSETTS  
                                 PHONE (508) 255-8822  
                                 **Opinion of Market Value: \$800,000        June 19,2023**

**The Brewster Open Space Committee  
February 9, 2024**

## **LIST OF ATTACHMENTS**

- 1. Town Meeting Article** (draft) authorizing CR purchase (to be voted May 2024)
- 2. Select Board Letter of Support for Conservation Restriction**
- 3. Resource Maps**
  - A. USGS Topographic Locus Map: USGS 1974 Harwich MA Quadrangle USGS
  - B. Assessor's 2023 Locus and Road Map
  - C. 2014 Aerial Photo
  - D. USGS Surficial Geology Map, 1962
  - E. 2022 Assessing Map showing BioMap Core Habitat and BioMap Critical Natural Landscapes
  - F. Primal Forest Soils
  - G. Survey Plan of Record, 1989
  - H. Updated Survey Sketch Locus 2024
  - I. Freshwater Wetlands indicating 50' and 100' Buffer Zones
  - J. Old Kings Highway Regional Historic District
  - K. Protected Open Space
  - L.1. Climate Resilience -The Nature Conservancy
  - L.2. Mesa -Listed Rare Species Documentation – Eastern Box Turtle – *Terrapene carolina carolina*
- 4. Site Photographs, 2023**
  - A. Boundary Abutting Cape Cod Rail Trail – Washington Chase Bog
  - B. Overgrown Wetland – Washington Chase Bog
  - C. Interior Vehicle Tracks – Washington Chase Bog
  - D. Trail Visitor – Washington Chase Bog
- 5. Conservation Restriction Forms**  
Draft Conservation Restriction –Brewster Conservation Trust to Town Conservation Commission  
(first page only)
- 6. Letter of Support**  
**Brewster Conservation Commission: Michael Tobin, Chair**
- 7. Site Background: Deed of Record**
- 8. Appraisal Report:**  
CATHERINE HAMMOND Appraisal Company of Cape Cod, Inc. – June 2023 (excerpt)Value of land

**ARTICLE NO. XX:****CONSERVATION RESTRICTION ACQUISITION: 0 MAIN STREET**

To see if the Town will vote to authorize the Select Board to acquire a perpetual conservation restriction under MGL Ch. 184, Secs. 31 through 33, on a parcel of land designated on Brewster Assessors' Map 126 as Parcel 4, 5 and 9 located at 0 Main Street, and a portion of the parcel currently designated on the Brewster Assessors' Map 114, Parcel 60 located at the rear of 3571 Main Street in Brewster, Barnstable County, Massachusetts, consisting of 12.36 acres as shown on a plan of land entitled, "Survey and Plan of Land in Brewster, Mass. as claimed by Washington E. & Mary F Chase, Scale 1 in = 60 ft. March 10, 1989, East Cape Engineering, Orleans MA." and recorded in the Barnstable County Registry of Deeds as Plan Book 459, Page 75, and as more particularly shown as Lot 2 and Lot 3 on a plan of land entitled, "Lot Study Sketch for Property at 3571 Main St, Brewster, MA 02631 Prepared for Brewster Conservation Trust, Scale 1 in. = 80 ft, July 3, 2023, Soule Land Surveying." a copy of which is on file with the Brewster Town Clerk; to acquire interests in said parcel by gift, purchase and/or eminent domain taking under MGL Ch. 79, or any other enabling authority; to acquire said conservation restriction for conservation and passive recreation purposes for the general public, consistent with the provisions of MGL Ch. 40 Sec. 8C and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, and in compliance with MGL Ch. 44B, Sec. 12(a), protecting the property for the purposes for which it is acquired; to transfer from available funds, including, without limitation, the Community Preservation Fund, the sum of Two Hundred Twenty-Five Thousand and 00/100 Dollars (\$225,000.00) to pay costs of this acquisition, and all other costs incidental and related thereto; further, to authorize the Conservation Commission to assume the monitoring and enforcement authority of the conservation restriction on the property; and to authorize the Select Board and Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary on behalf of the municipality to effect this purchase and obtain reimbursement funding;

Or to take any other action relative thereto.

(Community Preservation Committee)

( Majority Vote Required)

**Attachment 1. Town Meeting Article (draft) authorizing CR purchase (to be voted May 2024):**



Town of Brewster  
 2198 Main Street  
 Brewster, MA 02631  
 (508) 896-3701 [www.brewster-ma.gov](http://www.brewster-ma.gov)

Office of the:  
 Select Board  
 Town Manager

February 12, 2024

To the Brewster Community Preservation Committee:

Re: Washington Chase Bog Property

On February 7, 2024, the Brewster Select Board unanimously voted to support the Open Space Committee's request for \$225,000 in Community Preservation Act (CPA) funding to purchase a conservation restriction on 12.36 acres of the Washington Chase Bog property at 3571 Main Street.

The Brewster Conservation Trust's acquisition of this parcel, in conjunction with their plan to establish 3 deed-restricted affordable homes in partnership with Habitat for Humanity houses on the remaining 1.58 acres, will achieve two of the Select Board's priority goals - adding housing and conserving open space. The Select Board applauds Brewster Conservation Trust's plan to conserve and restore this former cranberry bog and preserve an area of open space that can be enjoyed by the public.

Community Preservation Act (CPA) funding helps our community plan a sustainable future. Your efforts to date have shaped Brewster in many important ways, and we believe this request is worthy of your support.

Respectfully,

Ned Chatelain

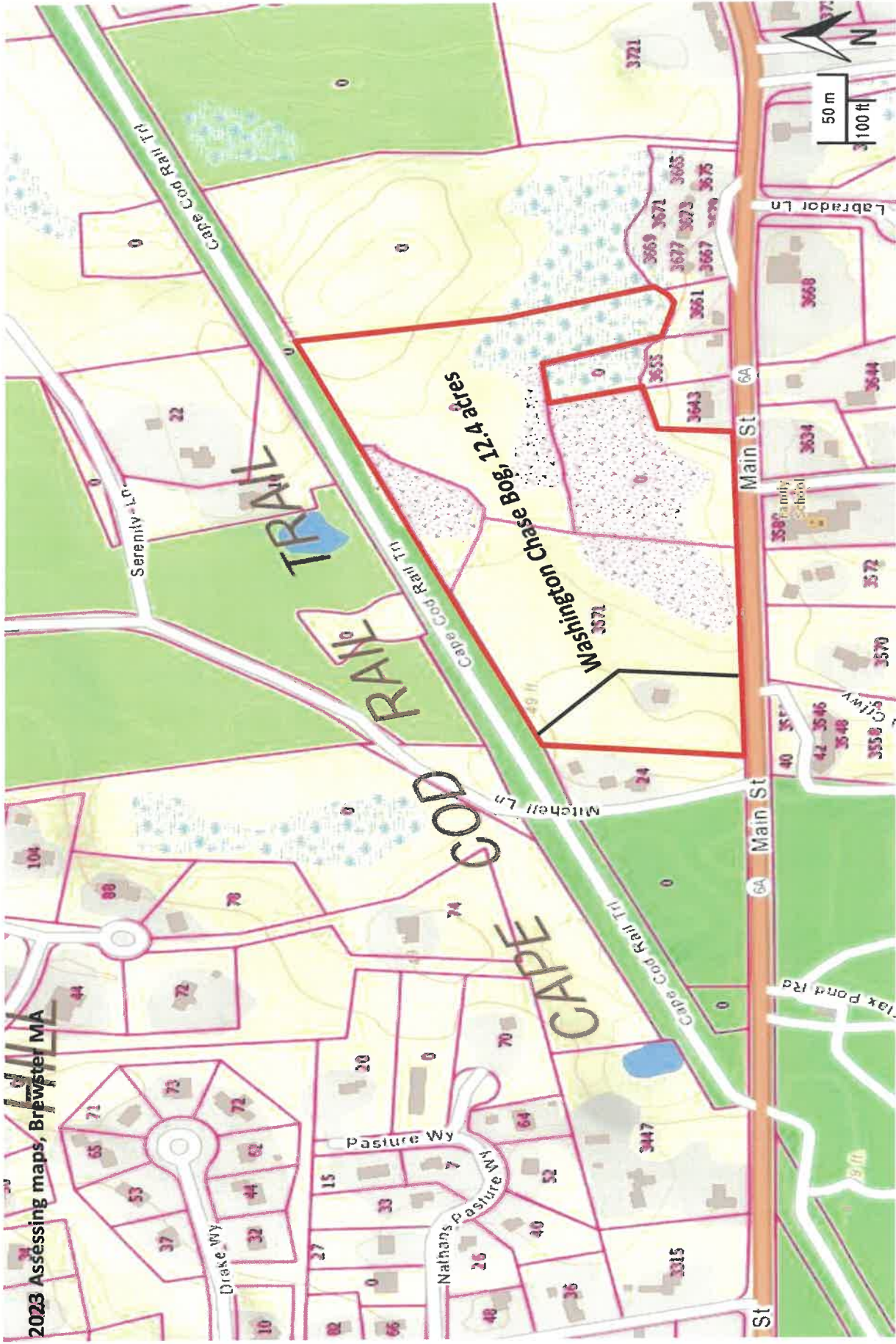
**Attachment 2. Select Board Letter of Support for Conservation Restriction:**





ATTACHMENT 3 A: USGS Topographic Locus Map: USGS 1974 Harwich MA Quadrangle USGS – Washington Chase Bog

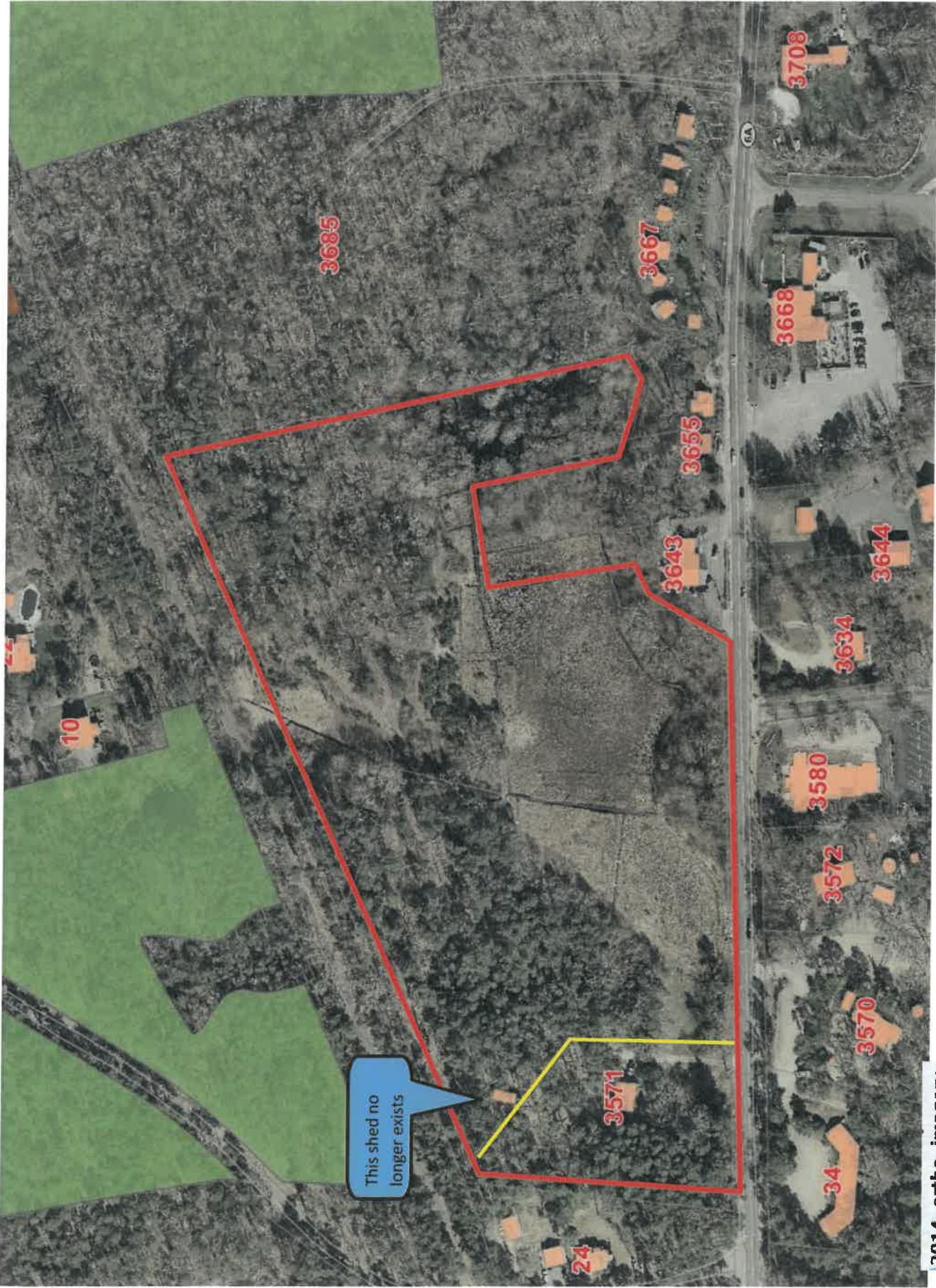




NOTE: BCT will purchase all 14 acres, but this grant application is only for the 12.4 acres

**ATTACHMENT 3 B: Assessor's 2023 Locus and Road Map – Washington Chase Bog**



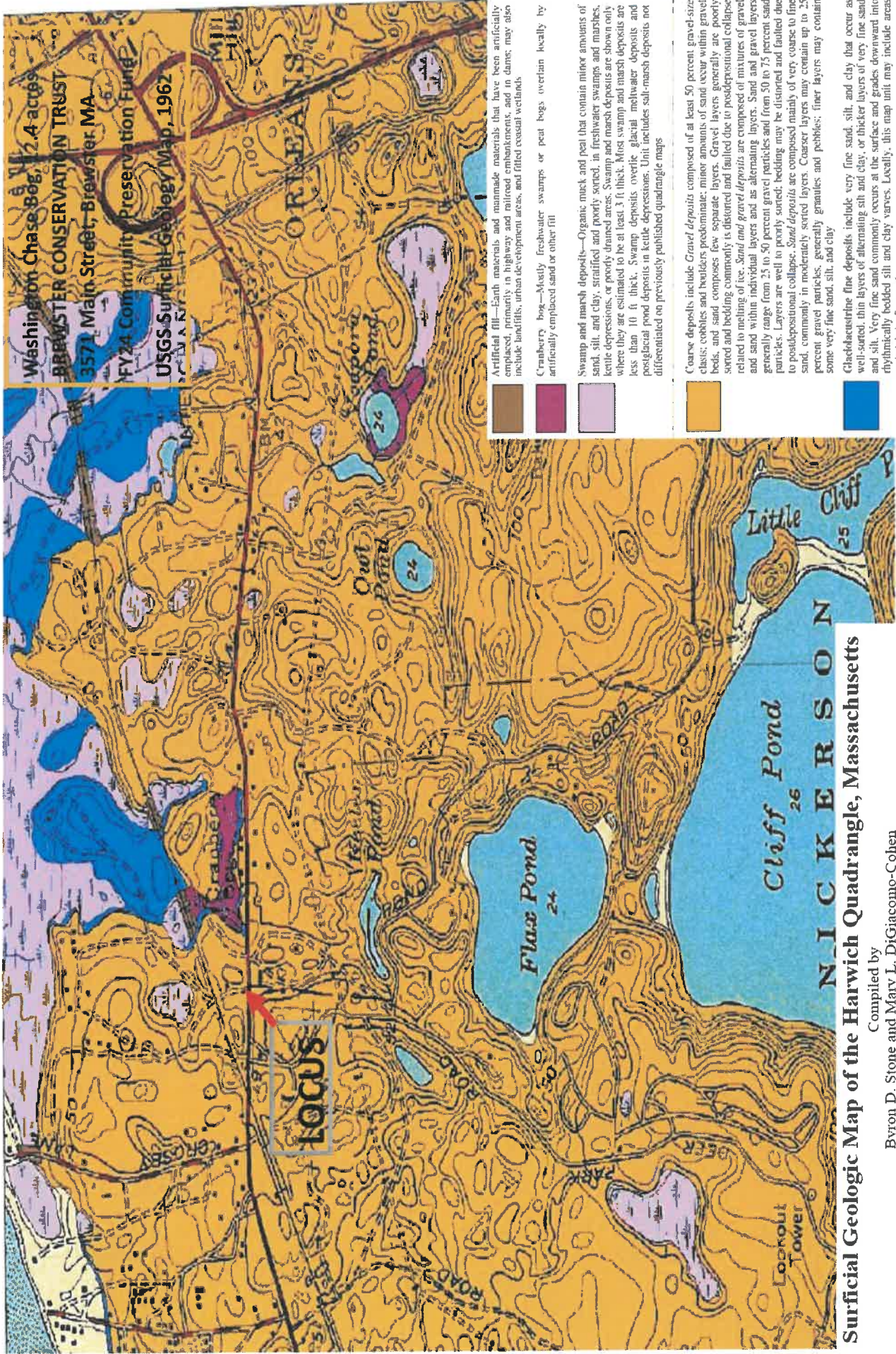


2014\_ortho\_imagery

**ATTACHMENT 3 C: 2014 Aerial Photo - Washington Chase Bog**



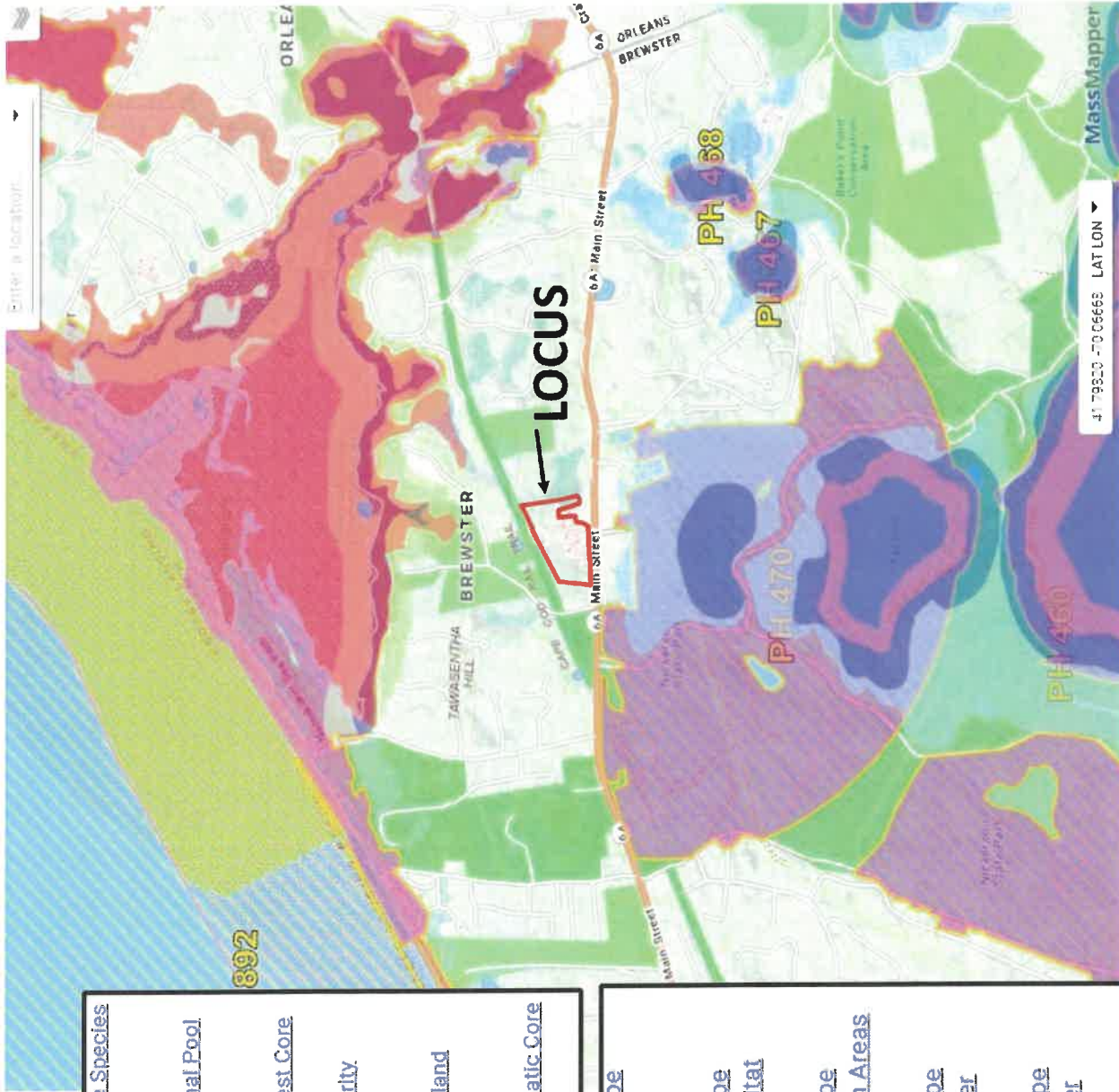
**ATTACHMENT 3 D: USGS Surficial Geology Map, 1962 – Washington Chase Bog**



**Surficial Geologic Map of the Harwich Quadrangle, Massachusetts**

Compiled by  
 Byron D. Stone and Mary L. DiGiacomo-Cohen  
 2009





- BioMap\_Core\_Habitat\_Components: Rare\_Species\_Core
- BioMap\_Core\_Habitat\_Components: Vernal\_Pool\_Core
- BioMap\_Core\_Habitat\_Components: Forest\_Core
- BioMap\_Core\_Habitat\_Components: Priority\_Natural\_Communities\_Core
- BioMap\_Core\_Habitat\_Components: Wetland\_Core
- BioMap\_Core\_Habitat\_Components: Aquatic\_Core

- BioMap\_Critical\_Natural\_Landscape\_Components: Landscape\_Blocks
- BioMap\_Critical\_Natural\_Landscape\_Components: Tern\_Foraging\_Habitat
- BioMap\_Critical\_Natural\_Landscape\_Components: Coastal\_Adaptation\_Areas
- BioMap\_Critical\_Natural\_Landscape\_Components: Wetland\_Core\_Buffer
- BioMap\_Critical\_Natural\_Landscape\_Components: Aquatic\_Core\_Buffer

**ATTACHMENT 3 E: 2022 Assessing Map Showing BioMap Core Habitat and BioMap Critical Natural Landscapes – Washington Chase Bog**



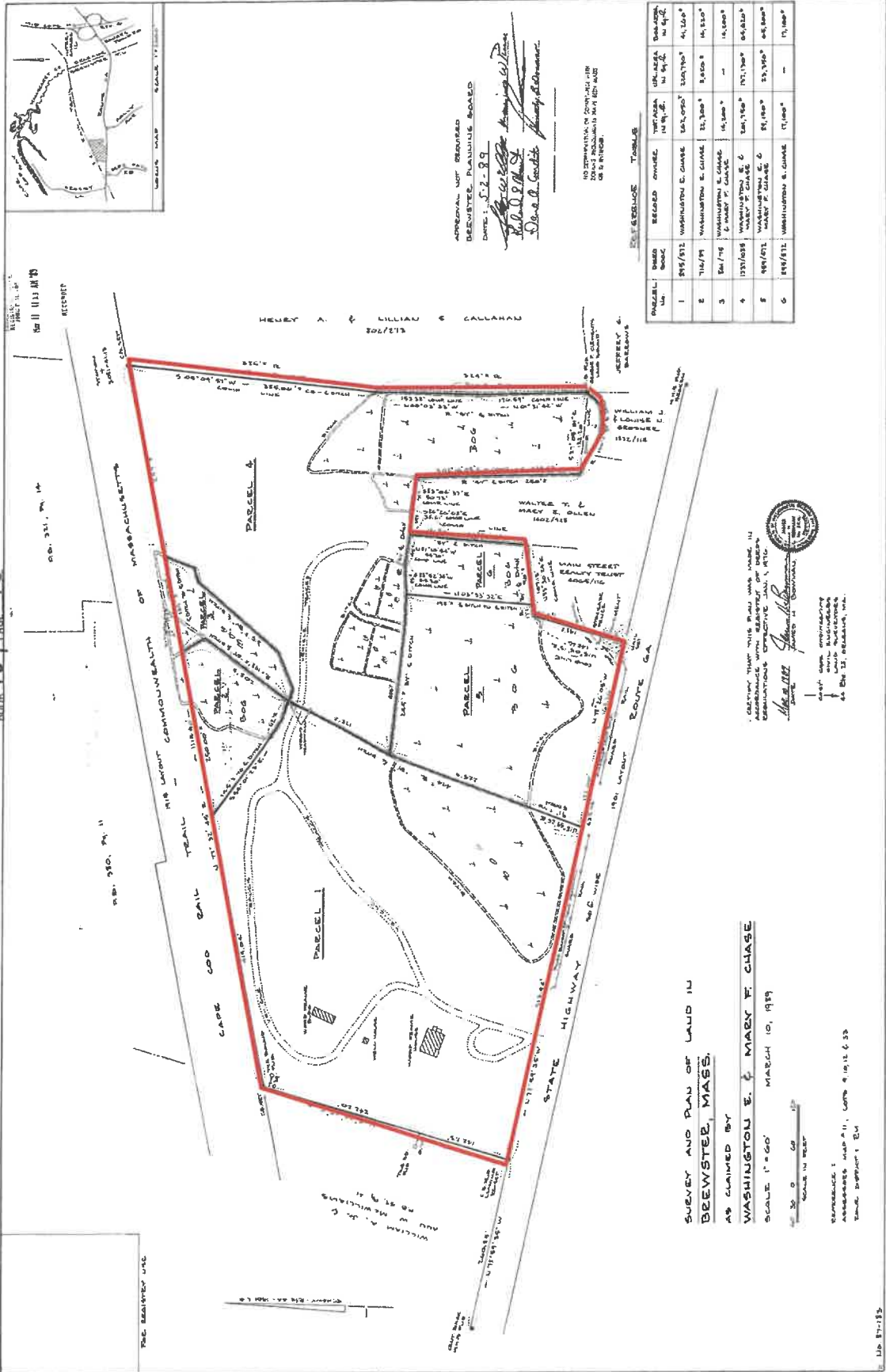
**NOTE:** The northern half of the locus 12.36 acres includes Prime 1 forest soils.

■ Prime 1

- Prime Forest Land**
- Prime 1
  - Prime 2
  - Prime 3
  - Statewide Importance
  - Local Importance
  - Prime 3 Wet
  - Statewide Importance Wet
  - Local Importance Wet
  - Unique Wet
  - Non-Forested Land

**Attachment 3 F: Primal Forest Soils – Washington Chase Bog**





ACREAGE TABLE

PARCEL NO.	RECORDED OWNER	TOTAL AREA IN ACRES	UPPER AREA IN ACRES	LOWER AREA IN ACRES
1	WASHINGTON E. CHASE	143,000'	143,000'	4,150'
2	WASHINGTON E. CHASE	14,300'	14,300'	14,300'
3	WASHINGTON E. CHASE & MARY F. CHASE	14,300'	14,300'	14,300'
4	WASHINGTON E. CHASE & MARY F. CHASE	14,300'	14,300'	14,300'
5	WASHINGTON E. CHASE & MARY F. CHASE	14,300'	14,300'	14,300'
6	WASHINGTON E. CHASE	14,300'	14,300'	14,300'

SURVEY AND PLAN OF LAND IN  
**BREWSTER, MASS.**  
 AS CLAIMED BY  
**WASHINGTON E. & MARY F. CHASE**  
 SCALE 1" = 60' MARCH 10, 1989

NOTARY PUBLIC  
 STATE OF MASSACHUSETTS  
 My Comm. Expires 12/31/90  
 My Comm. No. 123456789  
 My Comm. Issued 12/31/88

Attachment 3 G: Survey Plan of Record, 1989

459-75





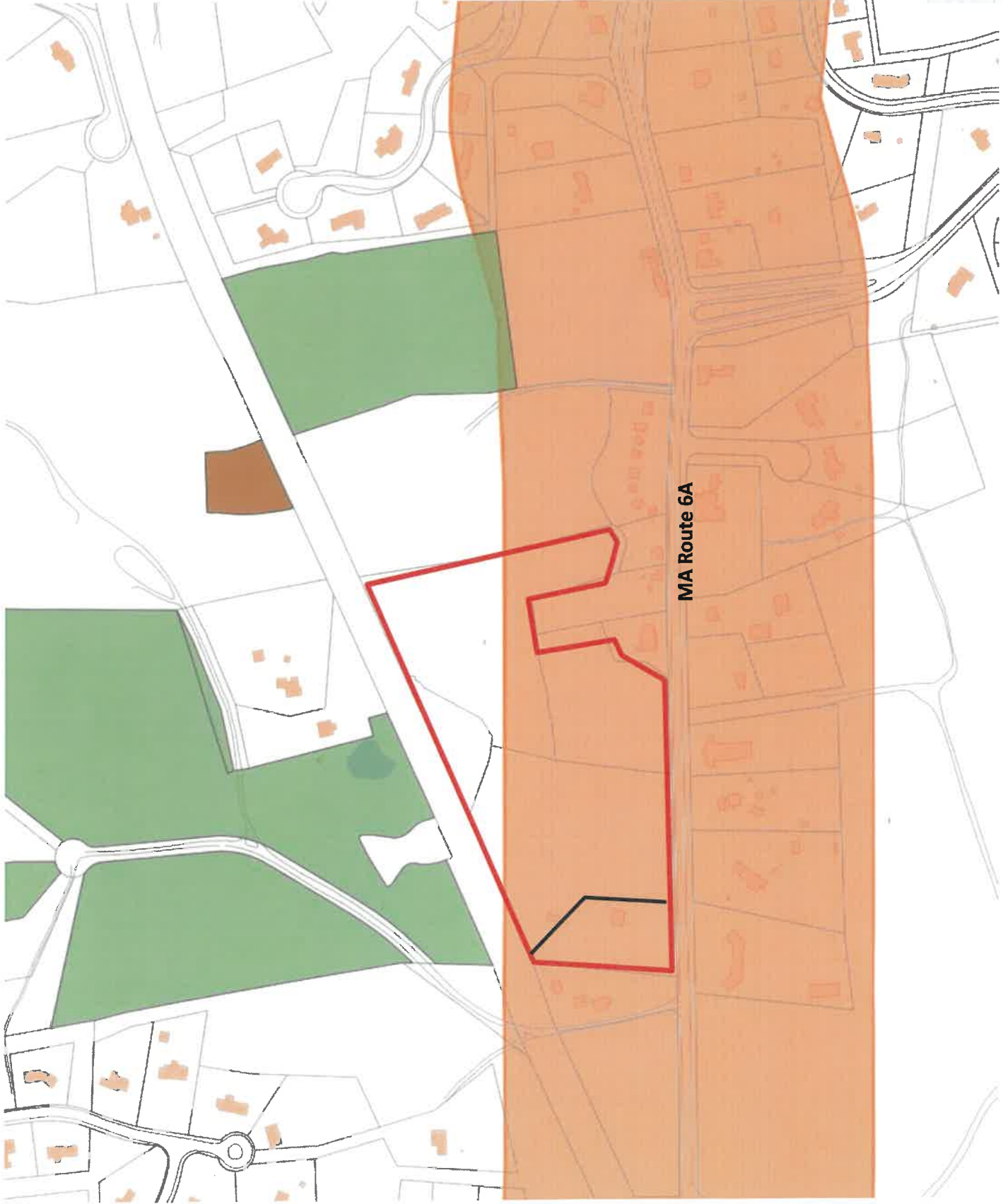
Cape Cod Bay



**NOTE:** The Chase Bog drains west and north under the CC Rail Trail to empty into Namskaket salt marsh on Cape Cod Bay.

- DEP Wetlands
- Wetland
- Cranberry Bog
- Wetlands 50' Buffer
- Wetlands 100' Buffer

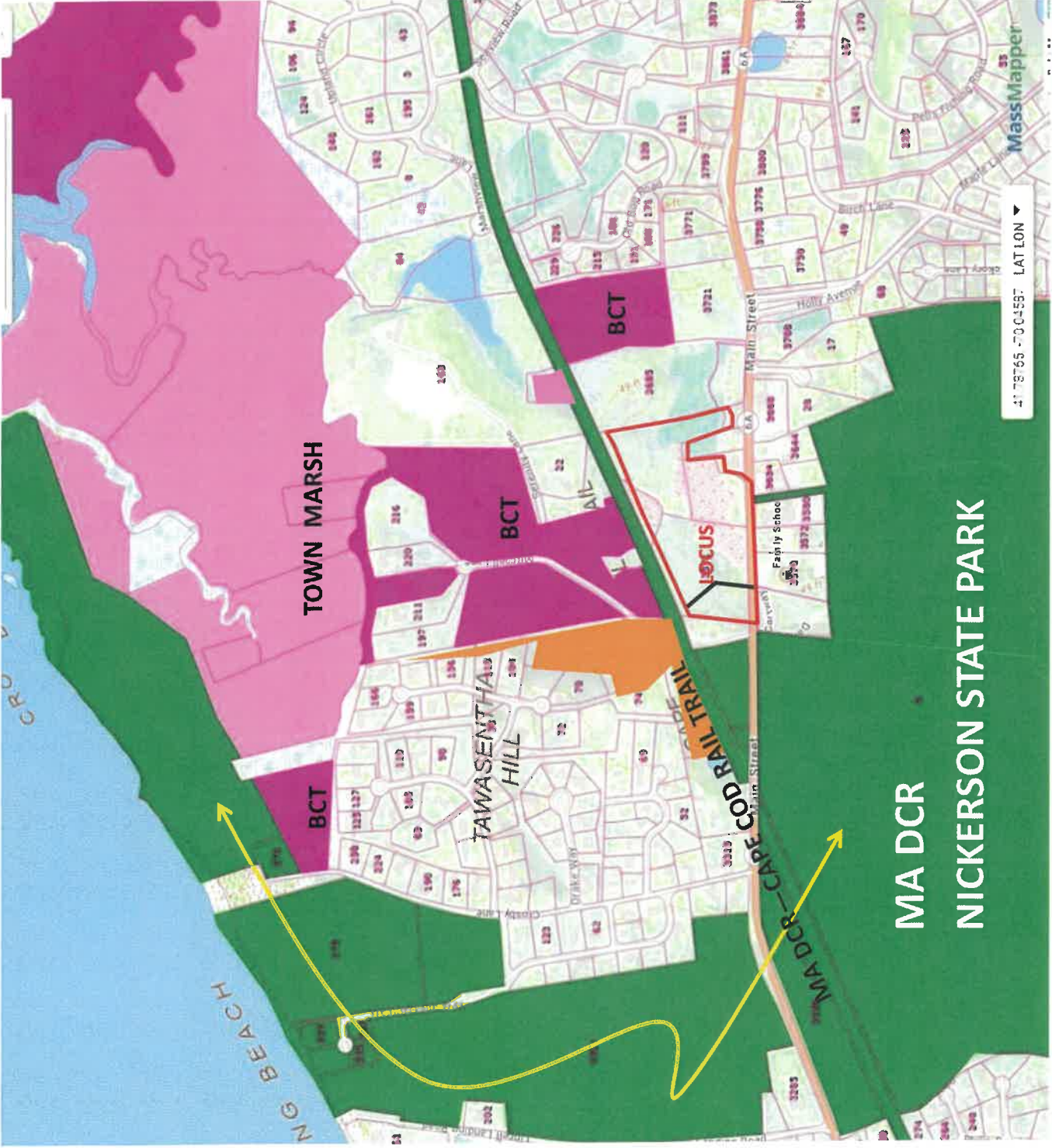
**Attachment 3 I: Freshwater Wetlands Indicating 50' and 100' Buffer Zones – Washington Chase Bog**



Historic District

**Attachment 3 J: Old King's Highway Regional Historic District – Washington Chase Bog**

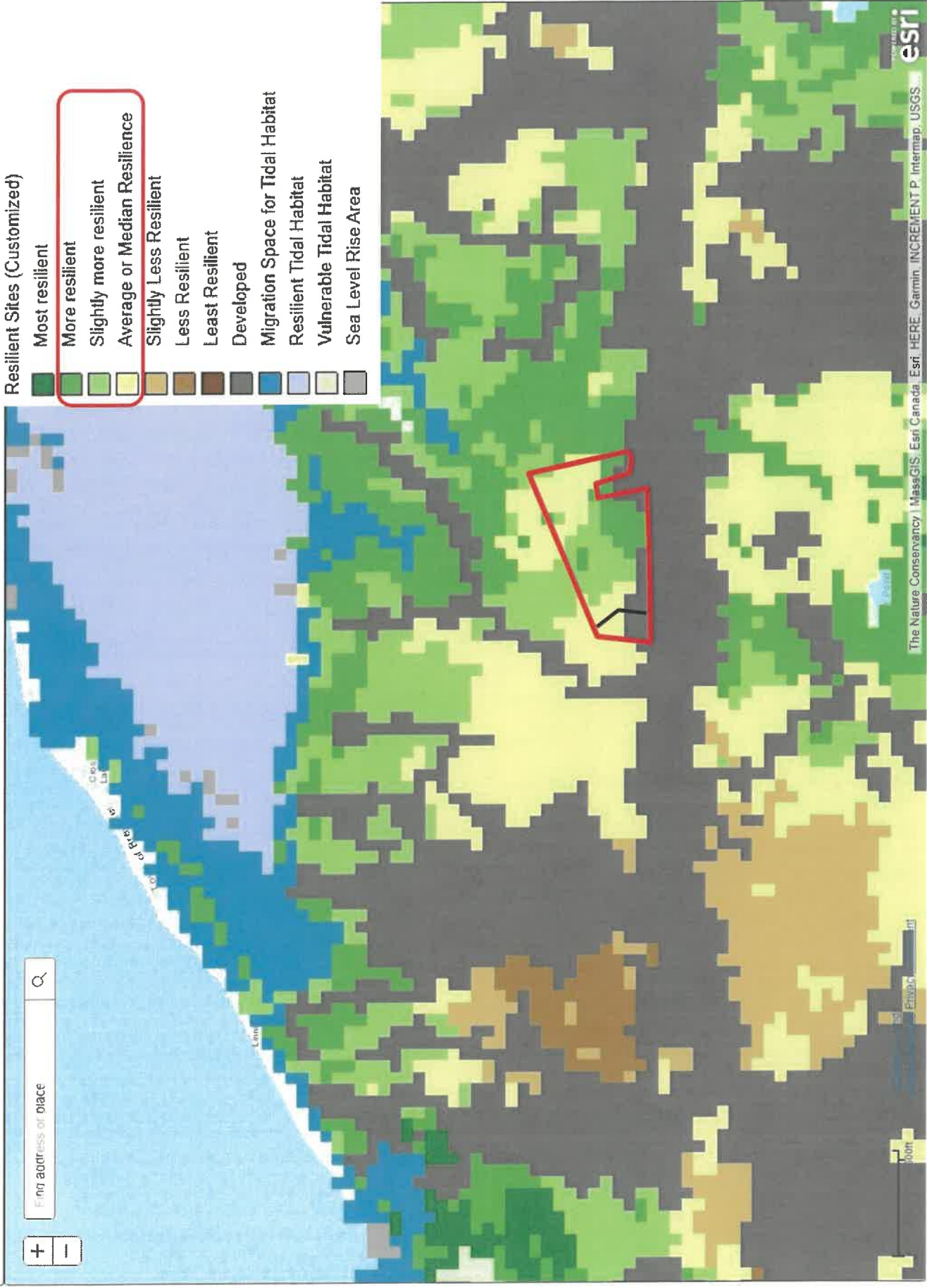




**Openspace by Ownership Solid**

- Federal
- DCR-State Parks\_Recreation
- DCRS/DFG
- Department of Fish\_Game
- DCR-Urban Parks\_Recreation
- DCR-Water Supply Protection
- Department of Agricultural Resources
- Commonwealth of Massachusetts
- County
- Municipal
- Public Non-Profit
- Land Trust
- Conservation Organization
- Non-Profit
- Private

**Attachment 3 K: Protected Open Space – Washington Chase Bog**



Attachment 3 L1: Climate Resilience – The Nature Conservancy – Washington Chase Bog



September 10, 2015

Hello Mark,

Thanks for stopping by today. Attached are two box turtle photos. Turtle 1's shell was approximately 5-6 inches long on the long axis while turtle 2's shell was only 2.5 inches long on the long axis. Turtle 1's photo was taken on July 28 along the road behind our house while turtle 2's photo was taken just three hours ago in our front yard (approximately 20 feet from where you were sitting). The white stuff on turtle 1's face was mushroom residue (looks like it has fangs).

David S. Dalgarn, Ph. D  
ASSOCIATE PROFESSOR OF BIOLOGY (retired)  
SAGINAW VALLEY STATE COLLEGE, UNIVERSITY CENTER MI



Attachment 3 L2: Mesa Listed Rare Species

Documentation – Eastern Box Turtle -

[Terrapene carolina carolina] - Washington

Chase Bog





**4A. Boundary abutting Cape Cod Rail Trail – Washington Chase Bog**



**4B. Overgrown Wetland – Washington Chase Bog**





**4C. Interior Vehicle Tracks – Washington Chase Bog**



**4D. Trail Visitor – Washington Chase Bog**

*Washington Chase Bog Conservation Restriction Brewster, Mass.*



**GRANTOR:** Trustees of the Brewster Conservation Trust  
**GRANTEE:** Town of Brewster, Conservation Commission  
**ADDRESS OF PREMISES:** Lot 2 and Lot 3, 3571 Main Street (MA Route 6A), Brewster, MA  
**FOR GRANTOR’S TITLE SEE:** Barnstable County Registry of Deeds at Book \_\_\_\_\_, Page \_\_\_\_\_.  
**FOR GRANTOR’S PLAN SEE:** Barnstable County Registry of Deeds at Book \_\_\_\_\_, Page \_\_\_\_\_.

**GRANT OF CONSERVATION RESTRICTION**

**I. STATEMENT OF GRANT**

**JOSEPH BIERNAT, BETH FINCH, DEBRA JOHNSON, PETER JOHNSON, MARTIN KAMARCK, DONALD KEERAN, JOHN LAMB, STEPHEN McKENNA, HAL MINIS, BONNIE NEWMAN, ROGER V. O’DAY, PETER W. SOULE, CHARLES L. SUMNER, SEAMUS WOODS, MICHAEL T. LINDGREN, and ROSEMARY VAN ANTWERP, as**

**Trustees of the BREWSTER CONSERVATION TRUST**, under a Declaration of Trust dated June 22, 1983 and recorded with the Barnstable County Registry of Deeds in Book 3791, Page 25, as amended, with a mailing address of 36 Red Top Road, Brewster, MA, 02631, being the sole owner of the Premises as defined herein, for my successors and assigns (“Grantor”), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, grant, with **QUITCLAIM COVENANTS**, to **THE TOWN OF BREWSTER**, a Massachusetts municipal corporation with an address of 2198 Main Street, Brewster, Massachusetts, 02631, acting by and through its Select Board by authority of the vote taken under Article \_ of the \_\_\_\_\_ Town Meeting of the Town of Brewster, an attested copy of which is attached hereto as Exhibit C and, acting by and through its Conservation Commission by authority of Section 8C of Chapter 40 of the Massachusetts General Laws, their permitted successors and assigns

(“Grantee”), for consideration of TWO HUNDRED AND NINETY FIVE THOUSAND and 00/100 DOLLARS (\$295,000.00), IN PERPETUITY AND EXCLUSIVELY FOR **CONSERVATION PURPOSES**, the following Conservation Restriction on land located in the Town of Brewster, County of Barnstable, Commonwealth of Massachusetts, containing the entirety of a 12.4-acre parcel of land (“Premises”), which Premises is more particularly described in Exhibit A and shown in the attached reduced copy of a survey plan in Exhibit B, both of which are incorporated herein and attached hereto.

The Conservation Restriction was acquired utilizing, in part, Community Preservation Act funds pursuant to Chapter 44B of the Massachusetts General Laws, which funds were authorized for such purposes by a vote of the Town of Brewster Town Meeting held on \_\_\_\_\_, an attested copy of which vote is attached hereto as Exhibit C (the “CPA Vote”). Pursuant to Section 12(b) of Chapter 44B of the Massachusetts General Laws, and pursuant to the CPA Vote, the fee interest in the Premises, and therefore the management of the Premises, is under the care, custody, and control of the Conservation Commission of the Town of Brewster.

**Attachment 5. Draft Conservation Restriction - Brewster Conservation Trust to Town Conservation Commission to (first page only)**

**Attachment 6. Letter of Support: Conservation Commission**

Open Space Committee - Community Preservation Committee Application: 0 Main Street/Washington Chase (Dalgam property)  
Conservation Restriction February 9, 2024

620

Bk 23085 P 155 #41764

08-05-2008 @ 12:56p

QUITCLAIM DEED

MARIAN DALGARN, 1693 Lathrup Avenue, Saginaw, MI 49638, as individual and as Executrix of the Estate of Washington E. Chase, Barnstable Probate No. 08P0174EP1, in consideration of ONE DOLLAR (\$1.00), paid, grants to MARIAN DALGARN and DAVID S. DALGARN, husband and wife as tenants by the entirety, of 1693 Lathrup Avenue, Saginaw, MI 49638, WITH QUITCLAIM COVENANTS, the land, together with the buildings thereon, in Brewster, Barnstable County, Massachusetts, bounded and described as follows:

Parcels 1 through 6 shown on "Survey & Plan of Land in Brewster, Mass. As Claimed By Washington E. & Mary F. Chase Scale 1" = 60' March 10, 1989 East Cape Engineering CE & LS", recorded with Barnstable County Registry of Deeds in Plan Book 459, Page 75.

Excepting therefrom Lot A, shown on "Plan of Land in Brewster, MA "as claimed by" Richard B. Winslow at April 28th, 2004", recorded in said Registry, Plan Book 593, Page 17, which was previously conveyed to Richard and Theresa Winslow. For title, see deeds recorded in Barnstable Registry of Deeds Book 7199, Page 166, Book 861, Page 75, Book 959, Page 472, death of Mary F. Chase, see Barnstable Probate Court No. 92P0727VE1, -and estate of Washington E. Chase, Barnstable Probate No. 08P0174EP1.

Property address: 3571 Main Street, Brewster, MA 02631.

WITNESS my hand and seal this sixteenth day of July, 2008.

*Marian Dalgarn*  
Marian Dalgarn

RICHARD B. FERRY, LAWYER  
P.O. BOX 960, 1172 MAIN ST  
BREWSTER, MA 02631  
PHONE 985-7971  
FAX (985) 989-7301

8

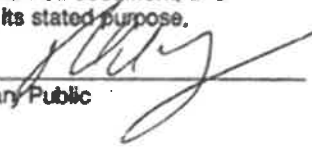
**Attachment 7. Site Background: Deed of Record**

Bk 23085 Pg 156 #41764

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE COUNTY, SS.

On this sixteenth day of July, 2008, before me, the undersigned notary public, personally appeared Marian Dalgarn, proved to me through satisfactory evidence of identification, which was State of Michigan Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

  
Notary Public

My commission expires 12/19/2014



BARNSTABLE REGISTRY OF DEEDS



## REAL ESTATE APPRAISAL REPORT

LOCATED AT

3571 MAIN STREET & 0 MAIN STREET  
BREWSTER, MASSACHUSETTS

FOR

THE BREWSTER CONSERVATION TRUST

BY

CATHERINE HAMMOND  
APPRAISAL COMPANY OF CAPE COD, INC.  
170 ROUTE 6A, PO BOX 1655  
ORLEANS, MASSACHUSETTS PHONE (508) 255-8822

DATE OF VALUE: JUNE 19, 2023 DATE OF REPORT: JULY 12, 2023

**Appraisal Company of Cape Cod, Inc.**  
REAL ESTATE APPRAISAL AND CONSULTING

Residential  
Commercial  
Vacant Land  
Expert Witness

BOX 1655, 170 ROUTE 6A  
ORLEANS, MASSACHUSETTS 02653  
(508) 255-8822 FAX (508) 255-9257  
TOLL FREE (877) 760-8900  
www.capecodappraiser.com

Michael Sutton  
Certified General Real Estate  
Appraiser – MA Lic. #786  
Mikesutton@capecodappraiser.com

**Attachment 8: Appraisal (in part)**

Open Space Committee - Community Preservation Committee Application: 0 Main Street/Washington Chase (Dalgarn property)  
Conservation Restriction February 9, 2024

## LETTER OF TRANSMITTAL

The Brewster Conservation Trust c/o Amy Henderson, Director  
36 Red Top Road  
Brewster, MA 02631

RE: 3571 Main Street and 0 Main Street, Brewster, MA

Dear Ms. Henderson:

Per your request, attached is an appraisal report of two building sites containing 12.36 acres located at 3571 Main Street and 0 Main Street, Brewster, MA. It is the portion of the properties and is shown as Lots #2 and #3 on the attached "Lot Study Sketch" (herein after referred to as "Sketch"). It is this Sketch that has been relied in this report for the property descriptions. Lots #2 and #3 are hereinafter referred to as the "subject property". The subject may also be identified as part of Parcels 114-60-0, 126-4-0, 1265-0 and 126-9-0 on the Town of Brewster Assessor's records. The subject property is also a portion of the lots shown as Lots #1 - #6 on a plan of land entitled "Survey and Plan of Land in Brewster, Mass. (hereinafter called "Plan") as claimed by Washington E. and Mary F. Chase. Scale 1 in. = 60 ft. October 1967" prepared by James Bowman, East Cape Engineering, Orleans, Mass. recorded at the Barnstable County Registry of Deeds (BCRD) in Plan Book 459 Page 75. This plan is hereinafter referred to as the "Plan" a copy of which is attached to this report. The owner of record is David S. Dalgarn. by virtue of a deed dated August 5, 2008, and recorded at the BCRD in Book 23085 Page 155 and the death certificate of Marian C. Dalgarn, recorded on December 8, 2022. A copy of the deed is attached to this report. The appraiser has been informed that the Brewster Conservation Trust intends to apply to the Commonwealth of Massachusetts LAND grant program to aid in the financing of the property.

I personally inspected the subject property on June 19, 2023, and I have gathered all the data I consider necessary to arrive at the value conclusions. There is a Hypothetical Condition to this report that Lots #2 and #3 can be subdivided from the 13.92-acre parcel to create a three-lot subdivision and that both sites can support a septic system for at least a five-bedroom home and that the subject site can connect to town water and the existing utilities on Main Street. There are no Extraordinary Assumptions to this report.

As a result of my investigation and my analysis of the information gathered, I estimate the market value of the subject property, as of the date of inspection, to be:

EIGHT HUNDRED THOUSAND DOLLARS  
(\$800,000)

July 12, 2023

Date Catherine Hammond - Certified Residential  
Real Estate Appraiser; MA License #1481