

To: Chester Board of Finance, Selectmen, ARPA Committee or other interested parties

From: Bill Myers, Jenny Kitsen and Michael Cressman on behalf of the Chester Land Trust.

Re: Chester Land Trust ARPA proposal

Date: 21 June 2022

This document was prepared in response to questions raised about the Chester Land Trust (CLT) ARPA proposal. The proposal was for a \$25,000 grant from the Town (as an ARPA fund recipient) to CLT (as a fund beneficiary). The intent of CLT is to have approximately \$5,000 per year available for project related expenses. All project related spending would be completed that would be on or before December 31, 2026.

CLT Organizational Structure: The Chester Land Trust was incorporated in 1987 as a not-for-profit organization and classified as tax exempt under section 501 (c) (3) by the IRS. It is Certified by the State of Connecticut as a public charity. Currently, there is a 10 Board of Trustees and about 100 CLT members. CLT is an all-volunteer organization that exists to protect the unique environment of Chester by preserving open space land and wetlands for wildlife and future generations of residents.

Land Trust properties: At present, there are 17 preserves (approximately 100 acres) and 3 conservation easements. CLT monitors the conservation easements but doesn't own them. Public access to the easements is not permitted. The most active preserved sites are the Carini Preserve on Water Street and the Constance Baker Motley Preserve on Cedar Lake Road. Another preserve called the Scudder Preserve is just down the street from Carini, it's a good bird watching site but doesn't have its own parking area (Carini and Motley do). Although CLT owns these properties they are open to the public.

Impact of COVID on CLT: CLT has sponsored multiple Japanese knotweed "cutting parties" at Carini Preserve in the past (since a knotweed has been a known problem for years) and usually conducts at least one educational program and one fundraising event annually. However, these activities have not taken place in the past two years because of COVID. Thus, CLT is 501(c)(3) nonprofit that has been negatively impacted by COVID. This, and the "open to the public" aspect of CLT make it an eligible beneficiary of ARPA-SLFRF funds with low risk of fund recapture.

CLT Financials: Operating expenses are generally in the \$5,000 range annually. Cash reserves (currently about \$24,000) are used for insurance, emergency repairs, removal of large trees and work that can not be performed by CLT volunteers due to lack of equipment or risk to volunteers.

CLT Bylaws: CLT has a bylaw document that describes the mission, membership qualifications, required meeting frequency, governance and identifies prohibited activities. The bylaws state that in the event of dissolution, "the current Trustees will identify and select one or more organizations to which all assets, including funds, land and property held in stewardship will be transferred. These organizations must be non-profit and have a similar mission to the Land Trust." CLT believes the dissolution risk to be extremely low.

CLT Operations: CLT members conduct annual inspections of each property to identify needs for property maintenance or improvement. Improvement projects are prioritized in terms of time that work is done (removal of large dead trees that pose a risk to volunteers or the public). There is a backlog of projects that should be done but can't be done due to resource constraints.

Rationale for Proposed Project: Maintaining CLT properties that are easy to access and open to the public is the highest CLT priority. Examples of these properties are the Carini Preserve and the Judge Constance Baker Motley Preserve at 100 Cedar Lake Road.

The **Carini Preserve** (30 Water St.) is a 6.5-acre property that CLT developed and is open to the public. The property is at the confluence of the Great Brook and Pattaconk Brook which flow into Chester Creek. Visitors can eat at a gazebo or picnic table, relax on a park bench that faces the brook, or fish in Chester Creek or the adjoining Great Brook. Unfortunately, the Carini Preserve has a serious Japanese knotweed problem that has persisted despite CLT volunteer efforts to control it. Currently, visitors who sit at the park bench can't see the brook because of knotweed. It is also encroaching on the gazebo and could destroy it. CLT believes that a professionally managed knotweed mitigation program has the best chance of getting knotweed under control at Carini and has been advised that this will require a 5-year intervention program. The cost of this mitigation program will largely depend on size of the area mitigated.

CLT's believes that much can be learned from an intensive mitigation effort at Carini. Information from the project could be used to inform future decisions about knotweed control at other locations (at Town owned or privately owned properties). A knotweed demonstration and education component will be included in the project; demonstration and education sessions will be open to the public and conducted at Carini.

The **Constance Baker Motley Preserve** was purchased by donations and funding from CLT members in November 2016. Like Carini, it is open to the public. This is a 6.7-acre pie shaped preserve; CLT cleared some of the land by the street and created a small parking area that has a picnic table. There is a kiosk that describes some of the many accomplishments of Judge Motley. CLT uncovered Judge Motley's husband's vegetable and flower gardens and. And developed a half mile loop hiking trail named "The Little Rock Nine Trail" on the preserve. The preserve, which was added to the Connecticut Freedom Trail in October 2019, requires many hours of maintenance work each year and has some large dead trees that need to be removed for safety reasons.

Additional information, including a map of CLT properties can be found on the website chesterlandtrust.org

Points to consider:

- 1) The proposed ARPA funding from the Town is largely intended to support CLT's efforts to restore/maintain the Carini and Motley Preserves which, as previously stated, are open to the public.
- 2) Since CLT is an eligible non-profit based on ARPA regulations and work to be done will be on properties that are open to the public, CLT believes that risk of fund recapture is low.
- 3) CLT recognizes that individual owners of properties in Chester may look at this project and say that they should get ARPA money for work on their properties. Should this occur, it can be pointed out that CLT is an eligible 501(c)(3) nonprofit and that the Carini and Motley preserves, where most of project work is likely to be done, are open to public.
- 4) CLT would be happy to utilize any method of fund distribution that the Town is comfortable with and will utilize its established accountability processes to assure appropriate expenditure and tracking of ARPA funds.
- 5) It would be better to start this project in August or September 2022 because its an ideal time to start a 5-year knotweed mitigation program that is completed by December 31, 2026 (the last day that ARPA funds can be spent).