

# 2020 APR Listening Session - Spoken Public Comments

**Location:** Amherst

**Topic:** Special Permits/ Agritourism

**Comments:**

I'd like to speak in favor of nonagricultural uses. Specifically the agritourism kinds of things such as Farm to table events harvest festivals weddings. "I'm happy that you have a special permit process. I would argue that it's not good enough in operation. I'd like to see something more concrete in terms of implementation. I'd like to see specific criteria with independently measured metrics and/or best practices or sufficient practices that if I agree to do, that I would have some certainty that my event would be approved. I suggest that you go to something like you did with the solar policy. We might have some set of Agri tourism things that don't need approval because they are so low in impact in terms of time or space. Others that are automatically approved if they meet these criteria and then those that fall on the discretionary side of things". "...classic example might be that once I'm done harvesting all of my hay in the Fall can I host a wedding or two. I think there's a robust support for yes. Now my question is what do I actually need to do in order to jump through the hoops so that I can officially go ahead and do it?"

**Location:** Amherst

**Topic:** Municipally held APRs

**Comments:**

"In the future if a municipality has an APR it needs to be held to the same standards a private landowners are."

**Location:** Amherst

**Topic:** Outreach

**Comments:**

"Very much interested in the future a few food systems . one of the most important things I think we've been missing There were other farmers that were really talking about what to do. that isn't happening anymore and the biggest problem is there aren't events to bring farmers together.... this event here has quite a good cross-section of farmers. With APR we are talking about forever and we need to get together to talk about what forever is really going to be like we used to in the past. I found over the years of my extension offer that we considered that to be a neutral party all cross sections of people would show up in the states would do some thing we consider the same it brought back together this cross section and there's no better way to learn them with cross sections of all types of farmers and I think at a major level we really not need to start thinking about how we can bring farmers together it's a really have the kind of summons that we used to have To really talk about what our future is going to be and it will help with all these programs like a PR farmland soil health by local all these issues going to majorly confront us in the future and unless we get together more and have somebody bring us together just doesn't look good and it just doesn't work especially with so many new farmers out there those are the farmers that are going to be the future

**Location:** Amherst

**Topic:** APR Transfers

**Comments:**

Are all the early APR asked to update when they go for a potential sale offer to you folks first or is it dependent upon but the APR ?

**Location:** Amherst

**Topic:** Carbon Sequestration

**Comments:**

"The main thing I want to bring up is this talk about carbon sequestration and paying farmers for doing the right thing. I buy 25 yd.<sup>3</sup> truck loads of composted cow manure and it costs me \$825 delivered and that does not include my machinery or time to spread it and that is about enough for 1 acre. And also I have long-term cover crops which involves taking land out of production in order to not to do tillage on that land as well as building up the crop residues etc. These are operating costs that I incur to try to put carbon into the soil and I've succeeded in two years and taking the soil organic matter from 2% to 2.5% and I know I can go higher but it's an expense. I believe the farmer should be paid to do this."  
" It would be quite appropriate for MDAR to organize 1000 acres of APR land and have the farmers commit to doing carbon sequestering And whatever the practices are deemed to be the right ones and measure it And get that money which is already out there being paid other people to do things and pay farmers to putc back in the soil."

**Location:** Amherst

**Topic:** Transparency, ALPC Meetings

**Comments:**

"The APR Program created my business and I think what you are doing here by injecting some openness into the process is a really good thing." "So I think the Department should be applauded for that- congratulated for that - because it seems to me that part of the problem, ot the issue that was really arising, is that no-one really knew what was going on with the APR Program and there was just a lot of uncertainty. I think that this process is a really one and a positive step forward and I like the idea of a triennial review". The ALPC meetings are cloudy. Summarized what has happened. "It would be great for the whole community here to be kept up to date on what transpires at those meetings."

**Location:** Amherst

**Topic:** APR Eligibility- Small Farms

**Comments:**

"providing APRs for parcels 5 acres and smaller. I think that's really important to help younger farmers to have access, that younger people cant get into farming unless they have access. You can definitely have a very successful farm on less than 5 acres"

**Location:** Amherst

**Topic:** APR Transfers

**Comments:**

"I want to thank you for a bunch of the things that were done on the new regulation updates" and a couple of comments and questions that I have are "maybe a little bit more information on the Landowner providing justification deemed valid by the Department when the purchase price is 20% or greater" "if it was 50% or greater how do we have to justify that" and then "for the business plan do you have a sample, is there a sample available that I can look at that can be five pages or 20 pages that I can read through and know that when I go to submit that to you it is as close to or exactly what you're looking for" so that I don't

**Location:** Amherst **Topic:** Hemp

**Comments:**

I would like to applaud the APR program for all that is done for operations like mine and a lot of other people in this room I can't imagine our farm having progress of the way that it has without us and are at a PR. My question today is we are always trying new things on our farm and a new crop last year was hemp fortunately we are another line that is not in the APR program And we are able to rent other land. My question is what was the thinking or even the process for deciding that hemp which is federally legal is now a crop that you can get Federal crop insurance and it's legal to grow in the state of Massachusetts yet is not able to be grown on a PR land we can grow tobacco we can grow grapes and turn them into wine you can grow hops and turn it into beer We can grow barley and turn it into beer what is so bad about hemp that somebody has to make legislation to make it OK to grow and APR it is a farm product 20 years from now it is projected to be the second largest crop in America and Massachusetts has a chance to carve a niche out in this area. Yet By not allowing it to be grown on APR farms or I'd like to know why we were even having to go through that route. I'd like to hear that

**Location:** Amherst **Topic:** APR Support

**Comments:**

"I think we are very lucky in Massachusetts to have this program and all the grants that go along with it. I m starting to pass this onto my son now so that's a whole new generation coming along and so I just want to say thank you to everybody."

**Location:** Amherst **Topic:** Special Permits/ Agritourism

**Comments:**

" special permit system you have here saved our family farm." I would like to clarify a few things one of them is the parking issue -They say they allow races but no parking is allowed -"permitting process has to be registered in Court House and it's very tiresome ordeal to get permission". I would like to get some clarification on Agritourism. Under Agritourism are the following uses allowed: disc golf, weddings, hemp, Zorbing, hunting on the property, mountain bike trails, zip lining, tenting, a music concert and if so what size ? Even corn mazes ? Fire pits? Do all of these need special permits? Would you register at the courthouse and they give you either a one year or five year. "It's very time consuming and it's also very time consuming for all of your monitors" . How much does it cost per year to run the APR Program?"

**Location:** Amherst **Topic:** Carbon Sequestration Payments

**Comments:**

"Figuring out incentives for farmers for carbon sequestration. I don't know if that's something that the APR Program is the best method for that but absolutely, you know, eliminating carbon emissions is like only part of the solution really we have to be sequestering carbon in soils. It is the only way we are going to solve the climate problem. "

**Location:** Amherst **Topic:** Hemp

**Comments:**

The decision to prohibit hemp on APRs "to me it doesn't make a lot of sense. I've read the definition of 61A and I can't fit basil into that definition. I can't fit echinacea into that definition. I can't fit azineas into that definition but I grow those things on my APR property"

**Location:** Amherst

**Topic:** Special Permits/ Agritourism

**Comments:**

"I run events on my APR all the time. I didn't know we needed Special Permits". "I think we need clarification on Special Permits."

**Location:** Amherst

**Topic:** Carbon Sequestration Payments

**Comments:**

"I'd like to second the earlier points about trying to figure out ways to pay farmers for doing the right thing by sequestering carbon and increasing soil organic matter."

**Location:** Amherst

**Topic:** Eligibility: Small Parcels

**Comments:**

"I'm not entirely sure where the rules stand in the APR Program on small parcels right now. But I think that's an issue that should be looked at""The last I heard APR's wouldn't be considered on parcels of farm land - but that are 5 acres or less. I think there are some instances of very prime agricultural land that could be very valuable or is valuable and could be used by farmers if they can stay affordable." For this day and age 2.8 acres of prime farmland can be very important for farm operations.And especially if these parcels are very close by to other parcels - across the street for instance.

**Location:** Amherst

**Topic:** Solar

**Comments:**

"On one of my APR parcels there's a large or a relatively large amount of acreage that I consider not suitable for growing any kind of agricultural crops on it because it's sloping it's got large boulders and rocks and the drainage is marginal so that there's really no crops that I can grow there but I think this land would be suitable for.... a solar array of some sort. And I could, if APR rules allowed it, to get a real beneficial revenue stream for a farm like mine ....""So I'm not really satisfied with how the solar regulations are currently set up. If there's anybody who doesn't think solar shouldn't be built on prime farm land, I'm that person but there are cases where there is other wasteland included with these APR's and it would be nice if farmers could figure out a way to turn that into a revenue stream. As it is in my land right now that land is growing invasive species."

**Location:** Amherst

**Topic:** Solar

**Comments:**

I'm not sure how set in stone the rules are right now but when you're putting up solar that's in a farm that's in the APR they say that you can only put up as much solar as your farm can use and to me it seems like it would make more sense if you have the capacity to have more solar to allow that to happen because it's a potential revenue source for the farm. And it would be nice also to see some kind of department liaison to help the farmer develop solar without relying on an outside contractor or third-party that's gonna take most of the revenue and put it in their pocket. If there was a process for that I think we would see a more efficient use of farmland in the development of solar

**Location:** Danvers

**Topic:** Communications

**Comments:**

Greater communications from the Department is important but I see you are taking care of that.

**Location:** Danvers

**Topic:** Special Permits/ Agritourism

**Comments:**

"Greater flexibility as far as non-agricultural uses. The Special permit process - because we do weddings on ground that isn't good for anything else but weddings. For weddings when you have to go for a renewal do you have to go through the whole process again. I don't know that I have an answer to that or not. And there's also an income reporting aspect to that and what's happening with that too ? I'm not worried about reporting it. I just don't know what it is sometimes."

**Location:** Danvers

**Topic:** Timeliness

**Comments:**

"It would be kind of nice to see some sort of Executive Order to be able to do because you know sometimes you run into situations and it would be easy to remedy it with a stroke of a pen. Now it's a slippery slope too because there is this thing called precedent which may be difficult to get around."

**Location:** Danvers

**Topic:** Communications

**Comments:**

"The sessions are great. It's grassroots kind of stuff and gives all of the staff people a great opportunity to hear from people who actually make a living on the farm. Certainly a good process."

**Location:** Danvers

**Topic:** Dwellings

**Comments:**

We were told that on the early APRs there would be an allowance to build a house. Thinking of transition so I would like to move out of the big house into a smaller house. That's something I would like to look into and where that all is.

**Location:** Danvers

**Topic:** Transparency

**Comments:**

"It's great to see the transparency here. Non-profits and land trusts are really, really good and they serve a function but there is a financial interest in the transfer that they have afforded themselves with which is all fine and good if it is as transparent as it should be. But sometimes I see you like to see a little bit more of that going to the farmer or the farm to begin with."

**Location:** Danvers

**Topic:** Underutilization of APR Farms

**Comments:**

This is more of an issue with the earlier APR's. Some of these farms have become hobby farms and really don't have much agricultural use. As a matter of fact they have been obstructionist. I have seen it locally in some of the communities around us. And it is good to see farms being farmed but not as hobby farms. I cry as I go by some of these fields and they are growing nothing except for what they do not want to do with the land.

**Location:** Danvers

**Topic:** Ag Value/ Transfers

**Comments:**

APR is a good program but if we want to create farms for the future we need to invest. Will ag value discourage investment? Asking for clarity to know how to invest in the farm. If farms are not viable there is no future for the farm. If a farmer cannot sell the farm to recoup his investment the farmer just gets poorer.

**Location:** Danvers

**Topic:** APR Viability

**Comments:**

Purchased APR in 2006 for \$400K. Invested \$1m (packing, geothermal, solar, greenhouses, deer fencing). Staff said "Save your receipts." An inadequate answer. Wants to invest in the long term viability of the farm. Planning needed.

**Location:** Danvers

**Topic:** Transparency

**Comments:**

AgBoard and ALPC did not receive copies of the comments from the public before voting on the regulations. Recommend that comments from the public can go to the board directly.

**Location:** Danvers

**Topic:**

**Comments:**

**Location:** Dighton

**Topic:** Dwellings

**Comments:**

"We have two APR pieces and I also have questions about a house as I'm getting old I'm gonna keep the home farm but the other one is probably going to go up for sale. Right now there is no house on it so how am I going to attract anyone to come down who doesn't want to wait for two years before they can put anything on it."

**Location:** Dighton

**Topic:** Special Permits/ Agritourism

**Comments:**

"The state of Massachusetts the MDAR has a marketing problem and that is that we have not really sold the idea enough that buying local is good."

**Location:** Dighton

**Topic:** APR Long Term Planning

**Comments:**

"It was a great big push for a PR in this region. A push by the state and a push by the local land trust the Trustees of the Reservation and then all of a sudden that kind of dwindled. Now as that interest has dwindled, the interest to put mass transit down here has increased and as an environmentalist I am all for mass transit". "As mass transit comes the price of land is going to go up and the pressure on the farmer is going to be tremendous." "Where does the department stand on land preservation in our area? "

**Location:** Dighton

**Topic:** APR Support

**Comments:**

"I definitely would like to thank the APR team and everybody at MDAR for all the work they've done protecting farmland over the years and also a lot of the grant programs that MDAR has had. I know that what we're here to talk about but just without the APR Program I would not be able to farm in my home state of Massachusetts. That's the only way I was able to find farmland to lease. "

**Location:** Dighton

**Topic:** Pre-Acquisition

**Comments:**

We've partnered with MDAR to protect thousands of acres of land specifically 2000 acres of land in Westport. One of the things that I get constantly from landowners is the process it's just too long. A lot of the farmers really want to protect their farm and they'd like to get it to a first generation farmer or next generation at restricted value but they're often coming to us or to the program at a time in which you know there's some expediency that's needed and it can't take three years to close the APR. Funds need to come in sooner and so in the past we worked on pre-acquisition and that is not allowed anymore.

**Location:** Dighton

**Topic:** Acquisition

**Comments:**

"My concern is that you want to preserve and protect land but in order for more land to be protected I guess the suggestion that I would have is to bring more parcels that are available that are already owned by APR owners and look into ways of acquiring the APR for this new land that is not under APR or under Chapter 61a based on the present owner who is applying that is the farmer. It kind of puts the brakes on.

**Location:** Dighton

**Topic:** Capital

**Comments:**

"There are great programs to help farmers do a lot of things but we can't do anything on the property to get grants because we don't own it. There's no real grant money like Chuck said to a young farmer like myself to jump in and buy the property so we're kind of struggling to find resources and people that we should be connecting with to go forward with our plans."

**Location:** Dighton

**Topic:** Process

**Comments:**

"I have very mixed feelings about APR the whole APR Program. On the surface it seems like a wonderful idea a great way for people to capitalize on their farm and protects the farmland. But unfortunately I have experienced or I have found an awful lot of legal mumbo-jumbo in the APR process and the net result is that it's become incredibly frustrating. For me on my APR project."

**Location:** Dighton

**Topic:** Affordability

**Comments:**

"I have two concerns. One is the affordability of the APR's and possibly having some funding for OPAV, to switch into an OPAV. We have an older APR so there's no OPAV so somehow coming up with funding to update those old APRs and add the OPAVs to make it more affordable to a younger farmer or also possibly an MDAR grant for young and beginning farmers towards purchasing APR land so that we can have stewardship of that land for many generations hopefully."

**Location:** Dighton

**Topic:** Ag Value

**Comments:**

"And the other concern I really have is out of state entities and non-farming entities or non-food farming entities coming in and raising up the cost of ag value. With the hemp thing coming in I think that is really something that we really need to be on our toes about. I am not against farmers having hemp as part of their diversified farm but having a farm corporation coming in and buying up APR land with the sole intent of turning it into a hemp farm, that's really going to be a big issue for raising land costs with APR."

**Location:** Dighton

**Topic:** Beginning Farmer

**Comments:**

"Being a first generation farmer has its pros and cons so the good thing about being a first generation farmer or actually maybe I'll start with the bad is that there's no one to tell you how to do things. There's no second generation sometimes, you know, there's two generations, three generations on the farm telling you they know specific information about that farm and farming in general that I don't have so that's a little difficult. And also a lot of times land comes in with that in that you have another generation to provide you with land so that's important. But the good thing is that you have no-one to tell you how to farm. So you're a little bit more free to innovate and so I think the first generation farm is really important to have that ability to innovate and it's really going to help us as we try to adapt to the change in climate."

**Location:** Dighton

**Topic:** Process

**Comments:**

"With the program and the fact that it takes so long I cant convince landowners to continue doing the program so it's putting an additional burden on us in some ways to raise the additional funds and so it's a great resource from the state and we want to continue to use it, and the federal government, but right now we're doing it more privately and with other resources. Which puts an extra burden longer-term where if we could be more collaborative and continue to shrink the timeline we could protect more acreage and get farms to a restricted value which is really what is needed in our community. There are too many multi generational farms that are going out of business and would like to get to that next level but they can't and they can't afford to wait three years."

**Location:** Dighton

**Topic:** Transparency

**Comments:**

"It's very disheartening and I would think very seriously about turning any of my land into an APR because you sign the contract and they move the goalposts and there's nothing you can do about it."



**Location:** Grafton **Topic:** Changes

**Comments:**

Our big concern is just to make sure that there are no changes in existing APRs. We don't want what we thought we had protected for perpetuity to change. So that's our big worry.

**Location:** Grafton **Topic:** APR Acquisition

**Comments:**

"We are still in the very early stages of putting an APR on our orchard in Harvard. All I can say is that so far it has been a very smooth process."

**Location:** Grafton **Topic:** APR Overreach

**Comments:**

"I think the APR Program in general is a really good idea. We wouldn't have a 245 acre farm an hour and 15 minutes away from Boston. It would be 100 houses. But over the years we have had some issues with the administration of the program. We've been taking advantage of some of the programs recently- we did some land clearing with SARA; we've got a no till drill from ACRE and we are currently involved in an AIP project to put in a barn. Last year when we were doing the SARA program, I was a little bit surprised when they came out to look at us when we mentioned how we are putting solar on our house and our house isn't excluded from the APR. We have one of the really old ones but we needed a COA for that and I know that you've revised the rules since then but at that point I thought it was a real overstep. The rationale I heard was that it affected the value of the APR and would make it less affordable. Does that mean that you guys can regulate whether we put new siding on the house or renovate our kitchen since the house is in the APR ?" So questions about overreach are issues to me.

**Location:** Grafton **Topic:** Solar

**Comments:**

I know that the state of Massachusetts is pushing dual use solar with ground mounted and they're making big incentives in terms of the rate that the solar companies would get paid for that. I'd really like to do that on some of my wooded acres because it would be great – I could get the solar company to remove the trees, fence it, seed it and then we could graze our sheep on it rather than just having woodlands." "I think the APR office should look at existing APRs, that you know maybe 5 to 10% could be utilized for dual use solar."

**Location:** Grafton **Topic:** APR Improvement Program

**Comments:**

"If you haven't looked at the AIP Program for agricultural improvements we used it to put in a store. And they were great working with us."

**Location:** Pittsfield **Topic:** Outreach

**Comments:**

"There's some good things with it and there's some bad things with it. It's great if you've got a lot of land that you want to transfer... Always a benefit to that. It gets you away from your state taxes and that sort of thing. "

**Location:** Pittsfield

**Topic:** Soil Health

**Comments:**

We are “mostly concerned about the agrichemicals that are allowed to be placed on APR land and the two agrochemicals that we find great concern with is glyphosate, the active herbicidal ingredient in Roundup and the neo-nics that are seed treatments. If we’re going to have Farmland Forever we’ve got to treat the soil properly.” “When I coach or advise young farmers about buying a farm I tell them one thing: you buy the soil, everything else can be made.”

**Location:** Pittsfield

**Topic:** Solar

**Comments:**

“I hate to see solar on good arable soil’s. That troubles me. I hear it’s a good benefit for some farmers t and I heard the argument that it will destroy farm land but I kind of disagree with that.”

**Location:** Pittsfield

**Topic:** Carbon Sequestration

**Comments:**

“ Congratulations on the APR Program. That’s a great program for sure. I would say that with the next generation of deals that you make that you should probably require some formula for carbon sequestration. There are organizations that are paying farmers now \$25 per acre if they have certain high standards of carbon sequestration. That’s extra money as well as better soil. I think that would represent the next generation of progress on your part.”

**Location:** Pittsfield

**Topic:** Solar

**Comments:**

“The most important thing I want to say is how grateful I am to the program because honestly it changed my life. We are about to get out of farming. I had started on a few acres on my parents land, and leased land in and around great Barrington for about 15 years.”The farm that we bought for half years ago was one of the four properties that was so controversial. But the person who had originally wanted to buy it has ended up in a very good situation and in Alford. One question I have is that the APR documents tells you about your Right of First Refusal I believe. So if it’s in the document can they change that? Without changing the document ? Now we’re in the process of putting another piece of property into the APR and we’re hopeful that we will do that one in the next couple of years. It’s a long and rough winding road and we’ve had a few missteps mostly on our side in terms of crossing railroad tracks and dealing with the states but I feel very grateful both that the program has been with us a long way through the ups and downs...

**Location:** Pittsfield

**Topic:** Hemp

**Comments:**

“..in 2016 voters voted for hemp but we have nothing going on in the Berkshire County to speak of with respect to hemp. Yet it represents a great opportunity for a number of us farmers making paper, making wood products, making fiber.”

**Location:** Pittsfield

**Topic:** Hemp

**Comments:**

“Very limited. I own APR land but I can’t grow hemp”. “It’s legal in Massachusetts. It’s legal in the United States but I can’t grow hemp. You know I think it stinks. “

**Location:**

**Topic:**

**Comments:**

"I can't board horses on my Property as part of the APR agreement. There are a lot of little things in this APR that they don't tell you. And if you're like me you're stuck with it."

**Location:**

**Topic:**

**Comments:**

"You are very limited in what you can do." "The state has a 120 day window on a sale if I ever want to sell."

**Location:**

**Topic:**

**Comments:**

**Location:**

**Topic:**

**Comments:**