

Department of Agricultural Resources
AGRICULTURAL LANDS PRESERVATION COMMITTEE
MINUTES OF MEETING
November 29, 2017
Department of Fishery and Wildlife
Field Headquarters
Westborough, MA

MEMBERS PRESENT:

- John Lebeaux
Department of Agricultural Resources
- Phillip DeMartino, Designee for Chrystal Kornegay
Department of Housing & Community Development
- Emmanuel Owusu, Designee of Matthew A. Beaton
Executive Office of Energy & Environmental Affairs
- Patricia Vittum
Associate Director of Center for Agriculture, UMass, Amherst
- Laura Abrams
Board of Agriculture
- Warren Shaw, Jr.
Public Member
- Stephen Verrill
Public Member
- Fred Dabney
Public Member
- Daniel Wright
Natural Resources Conservation Service, Non-Voting Member

MEMBERS ABSENT:

- George Beebe
Public Member

ALSO PRESENT:

Gerard Kennedy, Department of Agricultural Resources
Chris Chisholm, Department of Agricultural Resources
Barbara Hopson, Department of Agricultural Resources
Ron Hall, Department of Agricultural Resources
Michele Padula, Department of Agricultural Resources
Michelle Bodian, Department of Agricultural Resources
Taylor Arsenault, Department of Agricultural Resources

GUESTS:

Bill Bowles – Office State Auditor
Bob Keane – Office State Auditor

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Chairperson of the Agricultural Lands Preservation Committee ("ALPC"), John Lebeaux and Commissioner of the Massachusetts Department of Agricultural Resources (the "Department"), called the meeting to order at 10:12 A.M. Commissioner Lebeaux asked ALPC members and other attendees to introduce themselves.

Commissioner Lebeaux acknowledges the 40th Anniversary of the APR Program and thanks staff and participants for a great event. The Commissioner also reported on the Farmland Advisory Panel and the many segments, including land use that the multi members are examining. A session was held at the Massachusetts Farm Bureau Annual to assemble and provide additional advice for panel members to develop recommendation for potential policy/ guidelines to then be shared with MDAR's Commissioner. Also, Commissioner Lebeaux gave details on proposed legislation from Senator Rodrigues on changes to APR law.

I. APR UPDATE

Commissioner Lebeaux provided an update on the **APR Report Summary** dated November 29, 2017. FY18 year to date has the APR program closing **2** projects, while protecting **103** acres of farmland, with an APR value of \$860,000, at cost to DAR of approximately \$751,500, with Local Contributions of \$75,000 and Landowner Bargain Sales of \$33,500. One of the APR projects was a gift APR.

There are **22** pending Vote of Interest (Nominated) projects, tallying **1474.91** acres. There are **14** pending Final Voted projects totaling **474.85** acres at an APR value of \$6.39 million, a DAR cost of \$4.64 million, a potential local contribution of \$871,150 and landowner Bargain Sale of roughly \$1.01 million.

The Environmental Bond FY18 APR program funding is \$3,625,00 and current federal funds for FY18 obligated to the APR program are \$2,100,000. The total FY18 State and Federal funds is \$5,725,000, with \$5,550,000 apportioned to land acquisitions and \$175,000 to associated land costs.

FY18 Stewardship funding is \$450,000. The stewardship funds are used for baseline reports, monitoring reports, and Stewardship Assistance and Restoration (SARA) grant program. SARA enhances the continued use of the APR resource, which may include but is not limited to: clearing field edges of brush; stabilizing soil loss; and/or reactivating pasture or cropland use that has been negatively impacted by erosion, flooding, natural disasters or inactivity.

Further, Commissioner Lebeaux update on NRCS Agricultural Lands Easement (ALE) Program and reported that MDAR had signed the 2017 ALE agreement that will provide funds to protect 5 farm parcels with an estimate of \$2,541,000 in federal reimbursement funds. He also announced that NRCS is accepting 2018 ALE applications under the federal Agricultural Conservation Easement Program with a deadline of March 2, 2018.

II. APPROVAL OF MINUTES

a. September 6, 2017

It was moved, seconded and

VOTED: To approve of the minutes, as amended.

III. FINAL VOTES

a. Mass Audubon Society/ Hubbard – Princeton – Worcester County

Michele Padula presented information on this request to the Committee recommending it for a new final vote. It was moved, seconded and

DISCUSSION: A member asked is a full survey is a requirement, which it is a segment of due diligence performed with each project.

VOTED:

To approve the project submitted by or on behalf of the Town of Princeton for the acquisition of an agricultural preservation restriction by the Commonwealth on the land in said municipality situated on Route 62, reportedly owned by Mass Audubon Society, who will sell the land to Nancy Hubbard prior to execution of the restriction, for a sum not to exceed \$545,000.00, of which DAR will contribute \$450,000.00 with the balance to be a bargain sale of \$95,000.00 for 43.5 +/- acres, and the Commissioner of Agricultural Resources shall be and hereby is authorized to acquire a restriction, cause payment to be made therefore and do any and all other acts necessary to complete said acquisition.

This vote passed and is subject to the Department's standard conditions with respect to executing its current Agricultural Preservation Restriction contract un-amended. Further, this vote is also subject to a \$95,000.00 bargain sale, that the soils on the property meet ALE qualifications and subject to funding availability.

b. North Longyard LLC (Thomas McLaughlin, Manager) – Southwick – Hampden County

Barbara Hopson presented information on this request to the Committee recommending it for a new final vote. It was moved, seconded and

VOTED:

To approve the project submitted by or on behalf of the Town of Southwick for the acquisition of an agricultural preservation restriction by the Commonwealth on the land in said municipality situated on North Longyard Road, reportedly owned by North

Longyard LLC (Thomas McLaughlin, Manager), for a sum not to exceed \$445,000.00, of which DAR will contribute \$400,500.00 with the balance to be a local contribution and/or bargain sale of \$44,500.00 for 50 +/- acres, and the Commissioner of Agricultural Resources shall be and hereby is authorized to acquire a restriction, cause payment to be made therefore and do any and all other acts necessary to complete said acquisition.

This vote passed and is subject to the Department's standard conditions with respect to executing its current Agricultural Preservation Restriction contract un-amended. Further, this vote is also subject to a \$44,500.00 town contribution and/or bargain sale, and that the soils on the property meet ALE qualifications.

c. Warren Wilcox (Windy Hill Farm) – Sheffield/ New Marlborough – Berkshire County

Barbara Hopson presented information on this request to the Committee recommending it for a new final vote. It was moved, seconded and

VOTED:

To approve the project submitted by or on behalf of the Town of Sheffield and Town of New Marlborough for the acquisition of an agricultural preservation restriction by the Commonwealth on the land in said municipality situated on Hulett Road in Sheffield and Brewer Branch in New Marlborough, reportedly owned by Warren Wilcox, for a sum not to exceed \$1,878,000.00, of which DAR will contribute \$1,690,200.00 with the balance to be a local contribution and/or bargain sale of \$187,800.00 for 175 +/- acres, and the Commissioner of Agricultural Resources shall be and hereby is authorized to acquire a restriction, cause payment to be made therefore and do any and all other acts necessary to complete said acquisition.

This vote passed and is subject to the Department's standard conditions with respect to executing its current Agricultural Preservation Restriction contract un-amended. Further, this vote is also subject to a \$187,800.00 town contribution and/or bargain sale, and that the soils on the property meet ALE qualifications.

d. Springstube Farm – West Stockbridge – Berkshire County

Barbara Hopson presented information on this request to the Committee recommending it for a new final vote. It was moved, seconded and

DISCUSSION: A member asked about a local contribution, for which the landowner had agreed to a bargain sale

VOTED:

To approve the project submitted by or on behalf of the Town of West Stockbridge for the acquisition of an agricultural preservation restriction by the Commonwealth on the

land in said municipality situated on East Alford Road, reportedly owned by John Springstube, for a sum not to exceed \$1,914,000.00, of which DAR will contribute \$1,722,600.00 with the balance to be a local contribution and/or bargain sale of \$191,400.00 for 165 +/- acres, and the Commissioner of Agricultural Resources shall be and hereby is authorized to acquire a restriction, cause payment to be made therefore and do any and all other acts necessary to complete said acquisition.

This vote passed and is subject to the Department's standard conditions with respect to executing its current Agricultural Preservation Restriction contract un-amended. Further, this vote is also subject to a \$191,400.00 town contribution and/or bargain sale, and that the soils on the property meet ALE qualifications.

IV. VOTES OF INTEREST/ VOTES OF NO INTEREST

a. Nathan Tassinari – Monson – Hampden County

Barbara Hopson presented information on this application to the ALPC. Her recommendation was not to nominate the property for appraisal. A *vote of no interest* was moved, seconded and

DISCUSSION: Members discussed the parcel score sheet with assessing this parcel.

VOTED: To not appraise the property.

b. Marrow – Paxton – Worcester County

Michele Padula presented information on this application to the ALPC. Her recommendation was not to nominate the property for appraisal due to confirmation that one of the landowners is unwilling to participate in APR process. A *vote of no interest* was moved, seconded and

DISCUSSION: Members discussed the time frame of APR process.

VOTED: To not appraise the property.

V. DISCUSSION TOPICS

a. Gene Kosinski and John Kosinski – Agawam – Hampden County

Barbara Hopson presented information on this update to the Committee on this Final Vote project. It was reported that Michael Kosinski, Gene's son, has purchased John's 50% deed interest and the property is now owned by Gene Kosinski and his son, Michael Kosinski.

b. Robert J. and Carol L. Russell – Westport – Bristol County

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Chris Chisholm presented information on this update to the Committee on this Final Vote project. The Westport Land Trust has increased their committing to \$204,356, which brings the combined offer for the project to \$625,000. With the increased contribution from the Westport Land Trust there is no landowner bargain sale.

c. Date for next ALPC Meeting

The next meeting date is anticipated for 2018. A time and location will be determined and notice will be give.

It was moved, seconded and

VOTED: To adjourn the meeting at 10:50 AM.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Ronald A. Hall".

Ronald A. Hall,
APR Program Coordinator