

MINUTES: AGRICULTURAL LANDS PRESERVATION COMMITTEE MEETING

Friday, November 6, 2020. 10:00 AM to 12:30 PM

MEMBERS PRESENT:

John Lebeaux, Department of Agricultural Resources
Clem Clay, UMass, Center for Agriculture, Food and Environment
Robert O'Connor, Designee of Kathleen Theoharides, Executive Office of Energy & Environmental Affairs
Phil DeMartino, DHCD
Rita Thibodeau, Natural Resources Conservation Service, Non-Voting Member
Laura Abrams, Board of Agriculture
Warren Shaw, Jr., Public Member
Fred Dabney, Public Member
Susan Flaccus, Public Member
Kathy Orlando, Sheffield Land Trust
Karen Schwalbe, SEMAP

ALSO PRESENT:

Gerard Kennedy, Department of Agricultural Resources
David Viale, Department of Agricultural Resources
Ronald Hall, Department of Agricultural Resources
Barbara Hopson, Department of Agricultural Resources
Michele Padula, Department of Agricultural Resources
Delia Delongchamp, Department of Agricultural Resources
Caroline Raisler, Department of Agricultural Resources
Taylor Arsenaault, Department of Agricultural Resources
Christine Smith, Department of Agricultural Resources
Ashley Randle, Department of Agricultural Resources
Kristina Smith, Department of Agricultural Resources
Ashley Davies, Department of Agricultural Resources
Dorothy Du, Department of Agricultural Resources
Christine Chisholm, Department of Agricultural Resources
Evan Marshall, GIS Department of Agricultural Resources
Julie Weiss, Department of Agricultural Resources
Jill Ward, Department of Agricultural Resources
Alisha Bouchard- Chief of Staff, Department of Food and Agriculture

Public:

Connie Adams – Yellow Stone House Farm (APR applicant)
Ken Crater- Community Harvest
Rocio Lalanda- Farm Conservation Program Mgr. Mt. Grace Land Conservation Trust
Michael Leff- MACD Commissioner of Land Conservation

Chair of the Agricultural Lands Preservation Committee ("ALPC") and Commissioner (the "Commissioner") of the Massachusetts Department of Agricultural Resources (the "Department"), John

Lebeaux, called the meeting to order. The Commissioner asked participants on the call to voluntarily identify themselves if they were a member of the public though noted that participants were not required to identify themselves.

He provided instructions on how he will manage the virtual Zoom meeting. He noted that the meeting was being recorded and that pursuant to the Governor's Emergency Order, all votes need to be roll-call votes.

I. Department Updates

Commissioner Lebeaux presented an overview of Department activities:

The Department is very involved in the Food Security Infrastructure Grant, which is a \$36 million program, with over 1300 applications. There have been four rounds of announcements so far, and announcements will continue.

There has been a slow but steady relocation to Southborough. Ten people have been moved to the new office already, with a second phase of the move slotted for early December. MDAR staff will continue to work remotely through the end of the year.

The state budget is being worked on now. There was an increase proposed for the Emergency Food program, and the Healthy Incentives Program. The Department is not seeing any significant new money coming into our operating budget.

At the ALPC's September 21st, 2020 meeting, the Commissioner reported that the program had spent out all of the FY2008 Environmental Bond bill appropriation by the end of FY2020. This was inaccurate. In fact, there is still \$1.6 million in authorization remaining and that has been rolled into FY2021. So far \$334,000.00 of those funds have been used for acquisition.

There are 21 pending Votes of Interest (850 acres); 20 pending Final Vote projects (810 acres) with an estimated APR value of \$7.88 million with a cost to Commonwealth of \$6.1 million and an estimated \$1.5 million in local contributions. Landowner bargain sales are estimated at \$230,000.

One additional APR application has been submitted since the September 21st meeting and this is on the agenda today. Acquisition has 41 voted projects, with 4 pending applications for a total of 45.

There are three active ALE agreements with NRCS in effect at this time. There are 27 enrolled projects, 1100 acres, estimated APR easement value of \$13 million with a federal contribution of roughly \$6.5 million. There is also one project enrolled with in the Resource Conservation Partnership Program through the Massachusetts Association of Conservation Districts.

Rita Thibodeau of NRCS reported that in FY 2020, NRCS funded 9 out of 10 applications totaling \$2,680,000 or 350 acres. The federal agency has just received an allocation for ALE of \$2,606,349.00 which is slightly less than in prior years. Of the prior year's funding, \$2,731,258 was allocated for ALE of which they have \$2.6 million for projects, the balance going to due diligence costs.

If there are applications that are ready to be submitted, she encouraged staff to make sure participants have eligibility paperwork filled out with the local FSA office. The applicants should make an

appointment. If a landowner has the paperwork ready, they can go ahead and submit. In January they will start to allocate dollars.

The Commissioner asked if anyone has any questions about what had been said so far.

II. Approval of Minutes from September 21, 2020.

Gerard commented that, given Kathy Orlando's meticulous approach to reviewing the minutes that he had send her an advance copy to review for grammatical or other errors. She had made some changes which, while not substantive, helped improve the flow of the minutes.

Corrections: PG 7, Clinton and Cynthia Howard grammatical error corrected. Other corrections minor so that they do not need to be discussed.

Roll call. Unanimous approval.

III. Final Votes

Atherton-Buckland-Franklin County- Michele Padula

The Atherton property is located on Ashfield Street (Route 112) in Buckland. The total acreage is 140+- on both sides of the road, but approximately 32.5 acres on the east side of Route 112 will be considered for APR. At the time of application Susan had indicated to staff that she would be gifting 35 acres of rear woodland on the east side of Ashfield Street that was excluded from scoring consideration and appraisal, but she has since changed her mind and will be maintaining fee simple ownership of the land. Access to the woodland will not be an issue since it has frontage on Hog Hollow Road.

Susan currently cuts hay on 13 acres, leases 5 acres for corn silage to nearby Clesson's River Dairy Farm and 3 acres and a farm stand to a woman who raises and markets vegetables from the property. Sixty seven percent of the parcel is classified as prime/state important soils.

Appraised values of the parcel established by O'Connor Real Estate Associates are as follows:

Market Value Before Restriction - \$180,000 (\$5,538/acre)

Market Value After Restriction (agricultural value) - \$60,000 (\$1,846/acre)

APR value - is \$120,000 (\$3,692/acre).

Susan has accepted an offer of \$108,000 (\$3,323/acre) from the Commonwealth.

The Town of Buckland will not be contributing funds towards the acquisition, so \$12,000 (10%) will be a landowner bargain sale.

Staff Recommendation:

Staff recommends final voting this property for \$108,000 from the Commonwealth and the remaining value (\$12,000) in the form of a landowner bargain sale.

Motion to Approve: Susan Flaccus.

Second: Fred Dabney

Roll Call: Unanimous approval

Community Harvest Project, Inc. (CHP) – Harvard - Worcester County- Michele Padula

This 74-acre property on Prospect Hill Road in Harvard is owned and operated by Community Harvest Project, Inc. (CHP), an organization founded in 1998 to improve access to healthy fruits and vegetables to food insecure families in Massachusetts. The property has been surveyed and 70.61 acres were appraised. The excluded acreage contains 2 large barns which CHP plans to use for non-agricultural activities in the future, and an unimproved house lot that will allow for the possibility of housing for farm labor. The agricultural land consists primarily of a 30-acre orchard (mostly apples with some peaches).

Future plans include increasing the acreage of stone fruit, planting blueberries and planting Christmas trees to donate to less fortunate families around the holidays.

Approximately 78% of the farm is comprised of prime/state important soils. Appraised values of the parcel established by Avery and Associates are as follows:

Market Value Before Restriction - \$2,800,000 (\$39,654/acre)
Market Value After Restriction (agricultural value) - \$210,000 (\$2,974/acre)
APR value - \$2,590,000 (\$36,680,000/acre)

This project meets all of the criteria to exceed the APR Program’s \$10,000/acre cap policy, and CHP has accepted an offer of \$1,239,000 (\$17,547/acre) from the Commonwealth. There is a tremendous amount of local support for this project, and it is very likely that the Town of Harvard/Harvard Conservation Trust will be contributing some, if not all, of the remaining funds which amount to \$1,351,000. Any gap in funding will be a bargain sale by CHP.

Staff Recommendation:

Staff recommends final voting this property for \$1,239,000 from the Commonwealth and the remaining value (\$1,351,000) in the form of a local contribution and/or landowner bargain sale.

Discussion: Clem Clay asked what the criteria are for the \$10,000 per acre cap. Michele Padula asked Ron Hall to respond. Ron Hall stated that criteria include that the percentage of the resource must be productive soils and that the program is only contributing toward the portion with greater than 50% state important soils. The proposed project must be part of a block of other APR properties. Development pressure is not part of the criteria to go over the \$10,000 per acre cap. Michele Padula mentioned that Ken Crater with CHP is here. The Commissioner asked him for comments. Ken Crater stated that this funding will allow the program in Harvard to continue. Their mission is to use volunteer farming process to support hunger relief in Worcester County, with a farm in Grafton and this orchard in Harvard using volunteer labor. CHP was given the orchard in Harvard and needed funding for operations. The goal of the Harvard community is to protect the property.

Motion: Fred Dabney

Second: Susan Flaccus

Roll Call: Unanimous approval

Fisk, Skalski, and LaCoy – S. Deerfield - Franklin County- Michele Padula

Pamela Fisk recently inherited this property on South Mill River Road in S. Deerfield along with her brother Arno Skalski and sister Sandra LaCoy. Pam currently lives in the farmhouse on the property. The land was

surveyed when the property transferred to the children, so the APR portion consists of 7.4 acres which is all open and nearly all prime soils (97%). The property has been leased to local farmers to grow hay and corn, and the barn located on the APR land is used as a cow shelter by an abutting farmer.

This property is located in a very large successful APR block where agricultural land is in high demand.

Appraised values of the parcel established by O'Connor Real Estate Associates are as follows:

Market Value Before Restriction - \$200,000 (\$27,027/acre)

Market Value After Restriction (agricultural value) - \$70,000 (\$9,459/acre)

APR value - \$130,000 (\$17,568/acre)

This project meets all of the criteria to exceed the APR Program's \$10,000/acre cap policy, and the landowners have accepted an offer of \$117,000 (\$15,811/acre) from the Commonwealth. A contribution from the Town of S. Deerfield is likely, but unconfirmed at this time. The landowners have agreed that any gap in funding will be taken as a bargain sale.

Staff Recommendation:

Staff recommends final voting this property for \$117,000 from the Commonwealth and the remaining value (\$13,000) in the form of a local contribution and/or landowner bargain sale.

Discussion: None

Motion: Warren Shaw

Second: Laura Abrams

Roll Call: Unanimous approval

William and Kelly Galusha – Williamstown – Berkshire County- Barbara Hopson

This 20+/- acre property is located on Blair Road in Williamstown and is associated with the larger Fairfields Dairy Farm, LLC APR parcels. Approximately 2 acres with frontage on Blair Road containing the existing residential dwelling will be excluded. The proposed APR parcel is approximately 17.17 acres and consists of 100% prime and state farmland soils. The parcel is currently used for corn production for Fairfields Dairy, which milks around 150 head on over 400 acres of APR land. Bill Galusha would like to transition the field to organic vegetables in the future and create a retail outlet near the farm.

The Market Value Before Imposition of APR has been determined by appraisal to be \$510,000,

The Fair Market Agricultural Value is \$50,000.

The resultant price of the APR is \$460,000.

This project qualifies to go over the cap. A 10 percent match (\$46,000) is required for this project.

The Town of Williamstown is working toward committing these funds. The remaining balance of \$86,500 will consist of a bargain sale or additional local funding. The Commonwealth will be purchasing an APR on approximately 18 +/- acres for \$327,450.

Staff Recommendation:

This parcel represents a valuable agricultural resource, is critical to a local farm operation and is located in an agricultural area. Staff recommends that this application is final voted at the APR

value of \$460,000 less a local contribution/bargain sale of \$132,500 which equals a Commonwealth share of \$327,450 subject to the following conditions:

- 1.) Available funding
- 2.) The town and/or parties must provide the aforementioned match at or before closing, if applicable.
- 3.) All parcels to be excluded (if any) must conform to the layout as appraised, must be surveyed out and must be approved as required by the municipal zoning body.
- 4.) The Department will complete a recordable survey of the APR property, the cost of which will be shared according to an agreement with the owner, in formats suitable for the purposes of the Department prior to closing
- 5.) Any lowered value as a result of the final survey will result in the difference being deducted from the state share of the APR, and any higher number may result only in an increase in the local contribution/bargain sale.
- 6.) The owner(s) must execute the current approved and un-amended APR contract in effect at the time of closing with the Department.

No Discussion

Motion: Warren Shaw

Second: Laura Abrams

Roll Call: Unanimous Approval

Gomes – Dudley - Worcester County- Michele Padula

Barbara Gomes owns 100+/- acres of land on the east and west sides of Dresser Hill Road in Dudley. Approximately 41.7 acres are being considered for APR which includes 35 acres of hay on both sides of the road. Eighty percent of the land is classified as prime/state important soils. The excluded acreage is wooded and has road frontage, so access is not an issue.

Barbara's father farmed the land himself for his entire life, but since she inherited it when he passed away several years ago, she has been leasing it to local farmers for hay production. The Gomes parcel is located in the largest block of APR land in Worcester County where farmland is in high demand. It abuts the Koebke APR.

Appraised values of the parcel established by O'Connor Real Estate Associates are as follows:

Market Value Before Restriction - \$315,000 (\$7,554/acre)

Market Value After Restriction (agricultural value) - \$135,000 (\$3,237/acre)

APR value - \$180,000 (\$4,317/acre)

Barbara has accepted an offer of \$171,000 (\$4,101/acre) from the Commonwealth. Staff is currently working with the Town of Dudley to determine their contribution level (\$9,000 or 5%) and although a local contribution is likely, it is unconfirmed at this time. Any gap in funding will ultimately be taken as a landowner bargain sale.

Staff Recommendation:

Staff recommends final voting this property for \$171,000 from the Commonwealth and the remaining value (\$9,000) in the form of a local contribution and/or landowner bargain sale.

The Final Vote is conditioned on:

- 1.) Available funding
- 2.) The town and/or parties must provide the aforementioned match at or before closing
- 3.) All parcels to be excluded (if any) must conform to the layout as appraised, must be surveyed out and must be approved as required by the municipal zoning body.

Motion: Warren Shaw

Second: Clem Clay

Roll Call: Unanimous approval

Edward J. Gralinski Jr. Hadley Hampshire County- Ron Hall

The 10.6 (+/-) acre property is located on River Drive (Route 47) in Hadley, with multiple APR properties in the area. The appraisal was completed for 10.6 (+/-) acres of the overall parcels. The property is used primarily by Wally Czajkowski of Plainville Farm for vegetables, currently asparagus, and Ed has used some of the land for tobacco. There are no structures located on the parcel. According to NRCS, soils on the property proposed for APR consist of approximately 6.2 acres of prime farmland (59%) and 0.9 acres of soils of farmland statewide importance (8.6%) with an overall percentage of prime/farmland of statewide importance of 67.6%.

Appraisal values established by O'Connor Real Estate Associates, Inc. yield an unrestricted full market value of \$170,000, or \$16,038 per acre.

The restricted (agricultural value) is \$60,000 or \$5,660 per acre.

Therefore, the APR value is \$110,000 or \$10,337 per acre.

The Commonwealth's offer is \$99,000; and it was determined a local contribution/ bargain sale of \$11,000 or 10% will make up the local match. The Town of Hadley has a CPA and a Transfer of Development Rights Funds and has been supportive of APRs in the past and has indicated strong support for a local contribution.

Staff Recommendation:

This parcel represents a valuable agricultural resource, is critical to a local farm operation and is located in an agricultural area. Staff recommends that this application is final voted at the APR value of \$110,000 less a local contribution/bargain sale of \$11,000 which equals a Commonwealth share of \$99,000 subject to the following conditions:

- 1.) Available funding
- 2.) The town and/or parties must provide the aforementioned match at or before closing
- 3.) All parcels to be excluded (if any) must conform to the layout as appraised, must be surveyed out and must be approved as required by the municipal zoning body.
- 4.) The Department will complete a recordable survey of the APR property, the cost of which will be shared according to an agreement with the owner, in formats suitable for the purposes of the Department prior to closing
- 5.) Any lowered value as a result of the final survey will result in the difference being deducted from the state share of the APR, and any higher number may result only in an increase in the local contribution/ bargain sale.
- 6.) The owner(s) must execute the current approved and un-amended APR contract in effect at the time of closing with the Department.

Motion: Fred Dabney

Second: Susan Flaccus

Roll Call: Unanimous approval

William R. Handrich Jr. and Priscilla E. Handrich Family Trust Hadley Hampshire County- Ron Hall

This 49.71 (+/-) acre property is located on Moody Bridge Road in Hadley, with multiple APR properties in the area. The appraisal was completed for 40.5 (+/-) acres of the overall parcels. The property is partially rented to Wally Czajkowski of Plainville Farm for vegetable rotation, commonly used for squash, and rented by Barry Roberts for hay production. There is an improved driveway serving both the farm parcel and the owner's residence on the abutting parcel, and there are no structures located on the parcel proposed for an APR. According to NRCS soils on the property proposed for APR consist of approximately 26.9 acres of prime farmland (66%) and 3.9 acres of soils of farmland statewide importance (10%) with an overall percentage of prime/farmland statewide importance of 76%.

Appraisal values established by John S. Cote, Real Estate Appraisal and Counseling, yield an unrestricted full market value of \$500,000, or \$12,346 per acre.

The restricted (agricultural value) is \$240,000 or \$5,926 per acre.

Therefore, the APR value is \$260,000 or \$6,420 per acre.

The Commonwealth's offer is \$234,000; and it was determined a local contribution/ bargain sale \$26,000 or 10% will make up the local match. The Town of Hadley has a CPA and a Transfer of Development Rights Funds and has been supportive of APRs in the past and has indicated strong support for a local contribution.

Staff Recommendation:

This parcel represents a valuable agricultural resource, is critical to a local farm operation and is located in an agricultural area. Staff recommends that this application is final voted at the APR value of \$260,000 less a local contribution/bargain sale of \$26,000 which equals a Commonwealth share of \$234,000 subject to the following conditions:

- 1.) Available funding
- 2.) The town and/or parties must provide the aforementioned match at or before closing
- 3.) All parcels to be excluded (if any) must conform to the layout as appraised, must be surveyed out and must be approved as required by the municipal zoning body.
- 4.) The Department will complete a recordable survey of the APR property, the cost of which will be shared according to an agreement with the owner, in formats suitable for the purposes of the Department prior to closing
- 5.) Any lowered value as a result of the final survey will result in the difference being deducted from the state share of the APR, and any higher number may result only in an increase in the local contribution/ bargain sale.
- 6.) The owner(s) must execute the current approved and un-amended APR contract in effect at the time of closing with the Department.

Motion: Fred Dabney

Second: Warren Shaw

Roll Call: Unanimous approval

Scott MacKenzie – Williamstown – Berkshire County-Barbara Hopson

This 70+/- acre property is located on Adsit Crosby Road in New Marlborough. There are two residential dwelling exclusions; one approximately an acre in size and located on the north side of Adsit Crosby Road and the other about 4.1 acres, which contains the landowner’s house and associated out buildings. The proposed APR parcel is approximately 56.22 +/- acres in size and consists of 93% prime and state farmland soils.

Scott MacKenzie currently grows hay on the parcel, which he uses to feed his livestock (beef and pigs) and sells the rest to local farmers. He also ran a farm stand for 30 years, farming a total of 7 acres in sweet corn and vegetables. This parcel is in an area of high agricultural activity and several local farmers would purchase the land subject to restriction in the future.

The Market Value Before Imposition of APR has been determined by appraisal to be \$675,000. The Fair Market Agricultural Value is \$85,000. The resultant price of the APR is \$590,000.

A ten percent match (\$59,000) is required for this project, which will consist of a bargain sale. The Commonwealth will be purchasing an APR on approximately 56.22 +/- acres for \$531,000.

Staff Recommendation:

This parcel represents a valuable agricultural resource, is critical to a local farm operation and is located in an agricultural area. Staff recommends that this application is final voted at the APR value of \$590,000 less a local contribution/bargain sale of \$59,000 which equals a Commonwealth share of \$531,000 subject to the following conditions:

- 1.) Available funding
- 2.) The town and/or parties must provide the aforementioned match at or before closing, if applicable.
- 3.) All parcels to be excluded (if any) must conform to the layout as appraised, must be surveyed out and must be approved as required by the municipal zoning body.
- 4.) The Department will complete a recordable survey of the APR property, the cost of which will be shared according to an agreement with the owner, in formats suitable for the purposes of the Department prior to closing.
- 5.) Any lowered value as a result of the final survey will result in the difference being deducted from the state share of the APR, and any higher number may result only in an increase in the local contribution/ bargain sale.
- 6.) The owner(s) must execute the current approved and un-amended APR contract in effect at the time of closing with the Department.

Motion: Warren Shaw

Second: Laura Abrams

Roll Call: Unanimous

North Plain Farm, LLC – Great Barrington – Berkshire County- Barbara Hopson

This 75.36-acre property is located on North Plain Road (Route 41) in Great Barrington. Of the 75 +/- acres, approximately 58 acres are currently in hay and 20 acres have been used for Christmas tree production. Two existing home sites and a large shed are excluded from the parcel. The property consists of approximately 85% (64 acres) of prime farmland.

Sean Stanton is a local organic farmer who manages two farms, one within ¼ mile of this property and another in Monterey. He grows crops, raises chickens and cows and sells to a variety of retail establishments and restaurants in the area and as far away as New York City. The property is bordered by the Housatonic River and a railroad track runs through it. There is also a large shed that is within the area proposed for restriction.

The Market Value Before Imposition of APR has been determined by appraisal to be \$1,170,000.
The Fair Market Agricultural Value is \$250,000.
The resultant price of the APR is \$920,000.

This project qualifies to go over the cap. A 10 percent match (\$92,000) is required for this project. The Town of Great Barrington has committed the local match through CPA funds. The Commonwealth will be purchasing an APR on approximately 75.36 +/- acres for \$828,000.

Staff Recommendation:

This parcel represents a valuable agricultural resource, is critical to a local farm operation and is located in an agricultural area. Staff recommends that this application is final voted at the APR value of \$920,000. less a local contribution/bargain sale of \$92,000 which equals a Commonwealth share of \$828,000 subject to the following conditions:

- 1.) Available funding
- 2.) The town and/or parties must provide the aforementioned match at or before closing, if applicable.
- 3.) All parcels to be excluded (if any) must conform to the layout as appraised, must be surveyed out and must be approved as required by the municipal zoning body.
- 4.) The Department will complete a recordable survey of the APR property, the cost of which will be shared according to an agreement with the owner, in formats suitable for the purposes of the Department prior to closing
- 5.) Any lowered value as a result of the final survey will result in the difference being deducted from the state share of the APR, and any higher number may result only in an increase in the local contribution/ bargain sale.
- 6.) The owner(s) must execute the current approved and un-amended APR contract in effect at the time of closing with the Department.

Motion: Fred Dabney

Second: Karen Schwalbe

Roll Call: Unanimous approval

IV. Votes of No Interest:

George Davey – Middleboro – Plymouth County- Ashley Davies

This 58 +/- acre property is located on Pleasant Street in Middleborough and is currently owned by George Davey. Mr. Davey has owned Hawkwood Farm since the late 1970's but the property has been a farm since the 1700's. Mr. Davey runs an office cleaning business as his main source of income with Hawkwood Farm as a side business.

Hawkwood Farm is a livestock operation where Mr. Davey breeds registered pedigreed Highland Cattle. Last year Mr. Davey sold off a large number of his animals. He presently has 4 cow/calf pairs and 4 sheep. He is working on getting back up to normal capacity, approximately 9 cow/calf pairs (18 head) and 12 sheep. Live breeding stock is marketed through major Highland Cattle Associations and other publications

with an average price of \$1500 - \$4000/head. Inferior animals and sheep are sold at auction. Mr. Davey grows some hay, but it is of poor quality and he is working with a soil scientist to improve production. Last year he had one cutting, 30-50 round bales, and made \$1,000. He purchases hay for his animals from another farm with better quality hay. The property has two barns for the animals and hay storage, and one tractor shed.

The property is in a residential area proximate to Route 495. There is one APR within a 2.5 mile radius on the other side of Route 495, the Bresse APR/Taunton River Farm, and one within a 5 mile radius, the Wilkie Wallace APR in Lakeville owned by the Schobel family farmed by Dee Elliot of Elliot Farm. Ms. Elliot has recently inquired about additional available APR land in the area.

There are also a number of other farmers in Middleboro that have expressed interest in access to more local farmland, but Mr. Davey has had no formal discussions with other farmers and no succession planning done. He plans to continue farming for some time.

Much of the property is wooded, though Mr. Davey has seeded hay in two sparsely wooded areas, approx. 7 acres in order to create wooded pasture (this acreage is not currently being counted as open on our score sheet due to NRCS requirements). Mr. Davey has also created an elaborate trail system for himself and his cows through much of the woods, Highland Cattle preferring shade and being out in the elements. The entire property is designated as Estimated Habitat for Rare Wildlife, and $\frac{3}{4}$ of it is designated as BioMap2 Core Habitat for Species of Conservation Concern.

Mr. Davey has 8 children and many more grandchildren, none of whom are interested in taking over the farm, according to Mr. Davey. He feels certain that the property will be developed if it is unprotected when he passes away and would like to ensure that it is conserved in perpetuity.

Although there are aspects of this property that make it a good conservation project, it is not a good fit for the APR program, as reflected in its score of 180 (below our 200 point threshold). The reasons for its low score are the lack of intensity of use, the uncertain future, and the fact that it is not the primary livelihood of the owner. Other attributes, such as its habitat values make it a good conservation project. The Town of Middleboro is interested in using CPA funds to protect the property, and the Wildlands Trust has also stepped forward to work with the landowner to protect Hawkswood Farm. Due to these factors, it is the staff's recommendation that we do not move forward with this project and have recommended to Mr. Davey that he work with the Town and the Wildlands Trust on its conservation.

APR Parcel Scoresheet Rating: 180 points

Staff Recommendation: Staff recommendation is a vote of no interest.

Discussion: Karen Schwalbe asked if in conversations with Town and Wildlands Trust, did we find out if they would still allow farming. Ashley Davies said she assumes agricultural use would still be allowed. Kathy Orlando asked what the value would be as conservation land. Ashley Davies said the Conservation Commission is behind it with a CPA contribution. Kathy Orlando said she would like to hold off on a vote. Bob O'Conner says that this would be a good candidate for a conservation grant. Ron Hall said that we have been using the ALPC score sheet to make decisions- the score is low because it has limited agriculture, but the main concern is lack of succession planning. Ashley Davies talked about clarification of use of score sheets. Laura Abrams trusts in the score sheet, so would like a no interest vote, and the farm can re-apply in the future. Laura Abrams doesn't think ALPC should revise the score sheets. The

Commissioner tends to agree. Kathy Orlando suggested this decision be deferred, one of the things the pandemic has shown is that there are huge gaps in the food system. How important the farm is to the local food economy should be a factor in our decisions. We should also look at other food programs and decide how this farm fits into the bigger picture. Susan Flaccus stated that if income from other sources is a negative, we should think about what is possible for a piece of land, rather than looking only at this immediate moment. Michele Padula said that a vote of no interest is deferring a project, and we will help him work on the improvements that need to be made. Michele Padula stated that there must be a line, or we would be blanket approving everything. Laura Abrams said that a vote of no interest gives the farmer clear information on how to improve. Bob O'Connor added a vote of no interest gives a clear message to the Town and Wildlands Trust as to what has to be improved on this property. Karen Schwalbe says the scoresheet is missing an assessment of the potential of the project. She would also like to revisit the score sheet. Ashley Davies said decisions should be assessed because we can't fund every project. Kathy Orlando says incorporating somehow the potential of farms should be assessed.

The Commissioner asked Gerard Kennedy when the current cycle ends and suggests if we were to make a score sheet change, we should do it for the start of the next cycle.

Gerard Kennedy said we have a deadline of June 30th for all applications. We prioritize due to limited funding, we are also ranking them because of forwarding them to the Feds to rate as offers to be accepted to a Federal agreement. We align our criteria along with the Federal criteria.

Kathy Orlando says Resilient lands and other projects of the Federal need to align, but we have State only projects that have elements of State importance that may be different from Federal interests. Mentioned that the decision of the last meeting gave someone some leverage to make changes. Clem would like to continue the discussion about score sheets.

Kathy Orlando would like to be clear with landowner about what needs to be improved to have a chance at being approved in the future.

Motion: Laura Abrams

Second: Clem Clay

Roll Call: Unanimous approval

The Commissioner asked Staff to have an internal discussion about the score sheet question and come back to the Committee. Clem Clay asked for background materials about how the score sheet was developed.

The Commissioner said that this discussion will be on our next agenda. He asked if anyone has anything further for the Committee? No discussion.

Motion to adjourn: Fred Dabney

Second: Laura Abrams

Roll Call: Unanimous approval.

11:28 a.m.