

MINUTES: Agricultural Lands Preservation Committee Meeting
Thursday May 30, 2024

10:00 AM to 12:00 PM

MEMBERS PRESENT:

Commissioner, Ashley Randle, Department of Agricultural Resources
Rita Thibideau, Natural Resources Conservation Service, Non-Voting Member
Kurt Gaertner, EOEEA
Phil DeMartino, EOHLC
Kathy Orlando, Sheffield Land Trust
Laura Abrams, Farmer Representative
Warren Shaw, Farmer Representative
Karen Schwalbe, Mass. Farm Bureau
Clem Clay, UMass Center of Agriculture
Susan Flaccus, Farmer Member
Fred Dabney, Farmer Member

ALSO PRESENT:

Winton Pitcoff, Department of Agricultural Resources
Dave Viale, Department of Agricultural Resources
Ron Hall, Department of Agricultural Resources
Michele Padula, Department of Agricultural Resources
Jay Rosa, Department of Agricultural Resources
Jill Ward, Department of Agricultural Resources
Dorothy Du, Department of Agricultural Resources
Tyler Maikath, Department of Agricultural Resources
Katherine Otto, Department of Agricultural Resources
Julie Weiss, Department of Agricultural Resources
Tina Smith, Department of Agricultural Resources
Delia Delongchamp, Department of Agricultural Resources
Rebecca Davidson, Department of Agricultural Resources
Margaret Callanan, Department of Agricultural Resources
Cory Fox, Department of Agricultural Resources
Taylor Arsenault, Department of Agricultural Resources
Jake Lehan, Department of Agricultural Resources
Jamie Pottorn, American Farmland Trust

Kathleen Doherty, American Farmland Trust

Chairperson of the Agricultural Lands Preservation Committee (“ALPC”) and Commissioner of the Massachusetts Department of Agricultural Resources, Ashley Randle, called the meeting to order at 10:03 AM.

II. VOTE:

The minutes from the January 24, 2024, meeting had been sent to the ALPC members in advance of the meeting, so the Commissioner asked for a motion for approval. The motion was made by Susan Flaccus and seconded by Kurt Gaertner. The Commissioner asked if there were any comments or questions. Susan Flaccus had one grammar correction. Kathy Orlando had one correction to reflect that the Sheffield Land Trust and other Land Trusts had been providing funding to bridge gaps between the MDAR per-acre cap and the fair market value with APR projects for years, to clarify that this was a long-standing practice even though codifying it in written policy is new. The meeting minutes were approved, with Phil DeMartino abstaining.

Ashley gave updates of Department activities and introduced Katherine Otto who joined the Department as the Farmland Action Plan Coordinator. Katherine Otto said a few words.

Commissioner Randle provided an update on the APR Program and indicated that three projects had closed, protecting 106-acres. Ashley spoke about the Riddle Brook Farm property that recently closed with Michael Cotter and Mary Maloney in the Town of Douglas. The 7.5-acre property has ninety-eight percent of Prime and Statewide Important soils. The Department had contributed \$94,500 towards this farmland, with the Landowners receiving a Conservation Land Tax Credit to help offset some of their landowner bargain sale.

The Program’s state bond funding has \$7.1 million remaining in the 2014 environmental bond and \$19.8 million in the 2018 environmental bond for a combined total of roughly \$26.9 million

APRs on 960 farm properties have been acquired, protecting 75,778 acres. At this time there are sixteen vote of interest properties representing 1,584 acres. There are ten final voted projects representing approximately 594 acres totaling an APR value of \$6,798,650 and a MDAR cost of \$5,453,361, with an estimated local contribution of \$754,033 and

landowner bargain sales of roughly \$209,656. The APR program has twenty-six active voted projects and eight unresolved projects. The Department has received fifteen APR applications in the first two quarters, while waiting for enrollment decisions with three remaining applications submitted to the USDA/NRCS ALE Program. A fourth application is advancing through the NRCS internal control review process for enrollment consideration.

Ashley Randle asked Rita Thibideau for an update. Rita indicated that Massachusetts NRCS did supply reimbursement for five 2020 APR/ ALE easement projects for roughly \$940,000. Mass NRCS received a bulletin about IRA/ACEP funding and would be submitting a letter of request for funding even though its application had not been successful last year. Rita also provided an update on the Wetland Reserve Easement (WRE) program bulletin where an entity held WRE easement may become available. This change would allow state, municipal, and tribal entities to be holders of the easements, where previously just NRCS held them. There will be more information soon for these programs.

III. DISCUSSION:

APR Parcel Evaluation Form: Ron Hall spoke about the new form and gave an overview of the form evolution as either a parcel evaluation or scoresheet. It's been several years since the form was updated. The existing parcel scoresheet was attempting to align parcel ranking criteria with the Federal farmland protection program, so that a project selected would have a better chance to advance with NRCS's ranking. The goal of the proposed evaluation form is to obtain more than just a numeric assessment of the property. The aim of the current form is moving from a numeric form to a more narrative evaluation, to be able to give a better staff description of how the property was evaluated. The revised form would consider both State and Federal programmatic factors and maintaining traditional attributes such as the farmland resources (for example prime and statewide important soils), while bringing in farmland of local important soils. The evaluation form would provide additional details regarding succession plans, ag-related infrastructure, and whether the farm operation previously enrolled in the Farm Viability Enhancement Program. The form also provides assessment of community priorities and statewide conservation priorities, and a section for potential financial support with the application. The evaluation attributes would receive an assessment of high, medium and low, versus a point score, so that no one segment detracts from the full assessment or recommendation. The point of the form is to look at the big picture and evaluate those

fundamental principles so that the committee's decision-making process can be more inclusive.

Commissioner Randle opened the meeting up for questions or comments. Warren Shaw appreciated the attempt to update the form but thinks that the ALPC shouldn't take a vote on it today without time to review it. Clem Clay agreed with Warren Shaw's point. He said it seemed like the shift away from a scoring system was a pretty big shift. He asked if there could still be some scoring, so ALPC members have something to base priorities on. He was concerned about capturing the resource value and permanent attributes with a parcel more than the farmers significance, which is subject to change over time. Susan Flaccus said that they just preserved their farm not through APR. She said her farm has been a farm since 1802. Their goal is to preserve the land until it can be farmed again. She said that if there are owners who cannot farm the land, the land should still be preserved until the time that someone can buy it and farm it again.

Michele Padula explained about the previous form not taking everything into consideration about the property. The scoring sometimes can be deceiving, and it could be skewed and didn't tell the whole story. The goal is to give the whole picture, where the numbers do not necessarily tell the full story of the farmland significance. Kathy Orlando said that she thought the new form is a great improvement but, as Susan was getting at and given climate change issues, we need to protect as much farmland as possible, even our smaller farms and even if the current owners can't farm it at a high level. We should look at this as a more comprehensive assessment with a view to preserving this resource just because it's such a valuable resource.

Kurt Gaertner said it sounded like the new form is more comprehensive but considers scoring/ranking as being correctable and that it would be helpful during a competitive selection process, so a ranking system should be maintained. Ashley Randle asked Ron Hall or Dave Viale for comments. Dave Viale described the way it would change how projects are voted on by ALPC, it would potentially follow two scenarios: 1- there is enough money to fund every project. Staff would still provide a recommendation to the ALPC whether a project should receive a favorable vote to proceed; or 2- there are more projects applying than money to fund them, which would involve a presentation by staff of ranking projects 1 through 10, based on their professional judgement. Then the ALPC would have their choice on how they want to proceed. Kurt Gaertner indicated that scenario 2 is where scoring would be helpful and looked forward to future discussion. Kathy Orlando stated that what has always helped distinguish an APR project from other

agencies' land protection projects and made more landowners interested, was that once a project was voted by the Committee you were in line for funding. It might take time to receive the funding, but it was crucially important was to know that once the project was in line for funding it would not be bumped off the list. Also, having a backlog of projects can be useful, since in the past having a long list of pending projects helped with advocating for additional funding from other resources. Kurt Gaertner indicated he was not suggesting adding to the list in a non-competitive manner, once a project is on the list then it is on the list, and you take them in that order. He still liked scenario 2 of Dave Viale's for future discussion.

Ashley Randle asked for additional comments, indicated staff anticipated having an August meeting where further discussion may occur, and comments could be emailed to Ron. Jamie Pottner suggested modifying farmland of locally important (FLI) soils on this form to reflect NRCS's status with qualifying FLI soils.

IV. Final Vote:

1. Herrick Farm Trust- Rowley: The presentation and recommendation was given by Ron Hall and is attached to these meeting minutes. A motion to approve the project was made by Warren Shaw and seconded by Clem Clay. The motion was unanimously approved.

V. Votes of Interest:

1. Catherine Kelley- Hadley: The presentation and recommendation was given by Ron Hall and is attached to these meeting minutes. A motion to approve was made by Clem Clay and seconded by Susan Flaccus. The motion was unanimously approved.
2. Estate of Joseph T Koski- Hadley: The presentation and recommendation was given by Ron Hall and is attached to these meeting minutes. A motion to approve was made by Karen Schwalbe and seconded by Clem Clay. The motion was unanimously approved.
3. Tolper Family Nominee Trust- Hadley: The presentation and recommendation was given by Ron Hall and is attached to these meeting minutes. A motion to approve was made by Kathy Orlando and seconded by Karen Schwalbe. The motion was unanimously approved.

4. Teresa and Michael Eisenberg- West Stockbridge: The presentation and recommendation was given by Jay Rosa and is attached to these meeting minutes. A motion to approve was made by Karen Schwalbe and seconded by Kathy Orlando. The motion was unanimously approved.

The Commissioner asked for any updates from the members. Fred Dabney talked about property in Dartmouth and asked if the issue had been addressed regarding sale of the APR land. Dave Viale said that the property is on the market and that the listing does include a notice that the property is under an APR. Dave Viale said he had read the listing, and that the Department had made it clear that the property must remain in agriculture. This APR has no ROFR or OPAV, so there's no role for MDAR in the sale. Dave Viale also stated that right now there is no non-agricultural activity going on at the farm, so there is no enforcement matter. Commissioner Randle restated that MDAR has no role to play with the sale of the property due to no ROFR or OPVA, but if the land is not used for agricultural production, then MDAR could intervene. David assured Fred and the ALPC members that MDAR would be pro-active to reach out and meet with the new owners to explain the APR restrictions.

Warren Shaw had been working on another APR in Holliston with similar problems. He asked if there's something that could be done to incentivize affordability of these earlier APRs. Dave Viale indicated that there has been discussion about obtaining OPAVs on these vintage APRs post facto, but obviously there would need to be a willing landowner. Also, David mentioned there is a bill in the legislature that could provide the Department with authority to purchase farmland in fee simple. If this bill were to pass, then it could provide MDAR the opportunity to purchase an existing APR for sale and incorporate an OPVA and then re-sell the land to a landowner.

The APR program has taken steps to enhance its stewardship oversight, with hiring additional stewardship staff and putting into place a monitoring protocol to assure that every APR gets monitored in some way every year. Clem Clay asked if MDAR has the authority to purchase OPAVs and if current funding can be used. Dave Viale said he is waiting for the Legal Department to reply on that question.

Additionally, Dave Viale offered to have the Stewardship team to give updates to the ALPC members on current stewardship matters. The ALPC members were supportive of getting these updates. Karen Schwalbe asked about the Riley farm in Norton, and asked if the sale paperwork has made it to the Department. Taylor Arsenault answered that the

Department is reviewing that transaction, and that an appraisal was done which the Department is still reviewing for the breakdown between APR land and non-APR land values.

Dave Viale introduced Kathleen Doherty from American Farmland Trust (AFT). Kathleen is a new hire at AFT in a new position to help accelerate the protection of farmland. She has been working closely with Rita Thibideau and the team at NRCS and getting to know the team at MDAR.

Commissioner Randle announced August 21, November 20, and February 19 as proposed dates for upcoming ALPC meetings.

A motion to adjourn was made by Karen Schwalbe and seconded by Laura Abrams. The motion was unanimously approved.

Meeting adjourned at 11:33 AM.

Minutes submitted by Jill Ward and Ronald Hall

MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES
AGRICULTURAL PRESERVATION RESTRICTION PROGRAM

Narrative for Final Vote 5/30/24

David S. Herrick; David S. Herrick and Kathleen E. Herrick, Trustees of the Herrick Farm Trust – Rowley – Essex

The Herrick Farm, one of the oldest farms in Essex County, is a diverse dairy selling milk, corn, vegetables, hay, compost and timber. The majority of the open acreage (90+/- acres) is used to raise hay, corn and forge to support the dairy operation, but they also raise 10 acres of vegetables and manage 50+/- acres of productive woodland. The milk is sold through Agrimark and the produce through a small retail stand on the property.

The family home, small outbuilding and a sawmill will be excluded from the APR but the remaining barn complex including the dairy facility will be included. Soils on the APR consists of 51.8 % prime and state important farmland. This is a whole farm project and as such we are looking to fund this APR with American Rescue Plan Act (ARPA) monies in combination with Essex County Greenbelt and MDAR funding.

Appraised values of the parcel established by Petersen LaChance Regan Pino, LLC and reviewed by O'Connor Real Estate Associates are as follows:

Market Value Before Restriction – \$4,200,000 (\$31,343/acre)

Market Value After Restriction (agricultural value) – \$850,000 (\$6,343/acre)

APR Value - \$3,350,000 (\$25,000/acre)

The Commonwealth's offer based on revised per acre cap policy was \$3,182,500 (\$23,750/acre) and was accepted by the owner. Essex County Greenbelt has agreed to fund the local match of 5% or \$167,500.

Staff Recommendation:

Staff recommends a final vote by the ALPC for this property in the amount of \$3,182,500 from the Commonwealth, and the remaining value (\$167,500) in the form of a local contribution and/or 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.
- 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 match.
- 6) The owner(s) must execute the current approved and unamended APR contract in effect at the time of closing with the Department.

**MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES
AGRICULTURAL PRESERVATION RESTRICTION PROGRAM**

Final Vote Summary Sheet

APPLICANT: David S. Herrick, David S. Herrick and Kathleen E. Herrick, Trustees of the
Herrick Farm Trust

ACRES: 134+/-

PROPERTY LOCATION: Dodge and Mill Roads

COUNTY: Essex

ALPC DATE: May 30, 2024

APPRAISED VALUES

MARKET VALUE BEFORE APR: \$4,200,000 (\$31,340/acre)

MARKET VALUE AFTER APR: \$850,000 (\$6,343/acre)

APR VALUE: \$3,350,000(\$25,000)

APPRAISER: Petersen LaChance Regan Pino, LLC

REVIEW APPRIASER: O'Connor Real Estate Associates

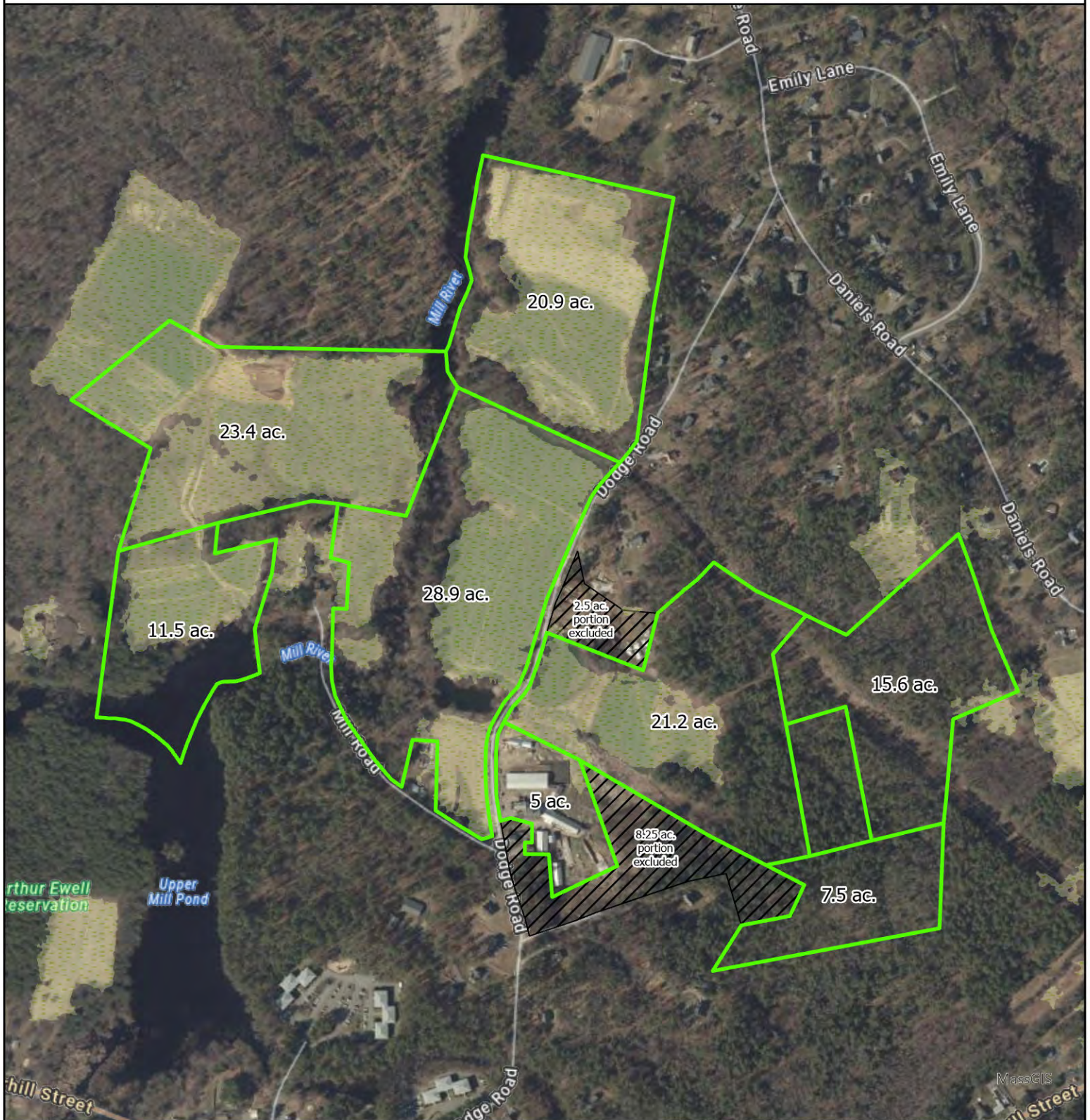
LOCAL CONTRIBUTION: 5% - ECGB - \$167,500

BARGAIN SALE: If there is no local contribution the bargain sale amount will be
\$167,500

COMMONWEALTH'S SHARE: \$3,182,500

COMMENTS: Whole farm diverse dairy operation

Project Name: Herrick Farm Trust - Land Cover Rowley, MA



Land Cover	Acreage	% Land Cover
Open Agriculture	61.7	46.1%

133.9 acres total

0 237.5 475 950 Feet

Center: 70.937804°W 42.709849°N

Data Provided by MassGIS, MDAR, and LCLU (2016)

Created by Massachusetts Department of Agricultural Resources

Created: 5/18/2023 12:47 PM



- Exclusion
- Open Agriculture
- APR Applicant



MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES
AGRICULTURAL PRESERVATION RESTRICTION PROGRAM

Narrative for Vote of Interest 05/30/2024

Catherine A. Kelley – Hadley – Hampshire

This ± 23.81-acre property consists of approximately ±13.57 acres of open agricultural land with three barns, three greenhouses, plus ± .85-acre open farm parcel at the end of Stockbridge Street. The remaining 8.37 acres consisting of established woodland, field, and mostly wetland areas. Two exclusions are proposed to encompass the horse barn, outdoor riding arena and paddocks, and a ± .14-acre area will be added on to a family member's house lot. The property itself is in a highly active agricultural area with over 1,000 acres of existing APR land within a 2.5-mile radius.

The property was once used for tobacco but is currently used for mixed vegetables, ornamental corn, and flowers. The Kelley family also owns and rents other APR properties in the area.

The property includes approximately 16.8 acres of prime farmland (73.7%) and 2.5-acres of farmland of statewide importance (10.8%). Almost the entirety of land utilized for open agriculture includes this prime designation. In total, 13.11 acres of the property are utilized for agricultural purposes (57.5%). These parcel attributes meet federal eligibility requirements for ACEP-ALE funding.

The parcel to the south of North Hadley Road will not contribute much to the appraisal due to the wetness of the area. This parcel may be pulled from the overall configuration and the family may apply to NRCS's Wetland Reserve Easement program. I am working with the family on that decision.

APR Parcel Scoresheet Rating: 390 Points

Staff Recommendation: Staff recommendation is to nominate for a vote of interest.

LAND USE	ACREAGE	SOIL CLASSIFICATION	
		CLASS	ACREAGE
Tillable Cropland	13.11±	Prime Farmland	16.8
Non-tillable Cropland		State Important Soils	2.5
Nursery/Orchard		Local Soils	1
Pasture		Unique Farmland	
Managed Woodland		TOTAL Prime, SI, LI	20.3 (89%)
Unmanaged Woodland (field)	3.85±		
Ponds/Wetlands	2.0±		
Other (Barns and Greenhouses)	2.43 ±		
TOTAL ACRES	23.82 ±		
TOTAL ACRES FOR RESTRICTION	±22.79		



Photo #	Description	Direction
1	Barn and field south of Stockbridge St.	S



Photo #	Description	Direction
2	Farm road into parcel off Stockbridge St.	S



Photo #	Description	Direction
3	Potential WRE field south of North Hadley Road	S

**MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES
AGRICULTURAL PRESERVATION RESTRICTION PROGRAM**

Preliminary Evaluation Sheet

ALPC MEETING DATE: May 30, 2024

APPLICANT: Catherine A. Kelley

DATE APPLIED: 7/3/2023

PROPERTY LOCATION: Stockbridge Road, Hadley

COUNTY: Hampshire

CURRENT AG. USE: Vegetables, Cut Flowers. tobacco

HIGHEST POTENTIAL AG. USE: Vegetables and Row Crops

ASKING PRICE:

PRICE PER ACRE:

LAND USE	ACREAGE	SOIL CLASSIFICATION	
		CLASS	ACREAGE
Tillable Cropland	11.0 +/-	Prime Farmland	5.86
Non-tillable Cropland		State Important Soils	3.16
Nursery/Orchard		Local Soils	
Pasture	6.3 +/-	Unique Farmland	
Managed Woodland		TOTAL Prime, SI, LI	9.02 (71.1%)
Unmanaged Woodland			
Ponds/Wetlands	30 ±		
Other			
TOTAL ACRES	42.66 ±		
TOTAL ACRES FOR RESTRICTION	12.66 ±		

CONSERVATION PLAN: No

CHAPTER 61A: Yes

ACRES TO BE EXCLUDED: Existing residential lot including septic, rear wetlands – totaling approximately 33 acres.

OWNERS COMMENT: Barrett Family, now Teresa Eisenberg, managed agriculture use of this land since the early 1970's. Currently, Teresa and her husband Michael utilize the land primarily for hay production but also vegetables and cut flowers that are sold from a farmstand on the property. Existing infrastructure to be included within the proposed APR are include a run-in shed, small barn, and storage shed at the southern end of the property. Eisenbergs are considering bringing minimal livestock back to the property (beef, poultry).

Applicants did not accept 2021 APR offer from MDAR, citing offer under appraised value because of cap spending limit that has since been increased.

MUNICIPAL COMMENT: Supportive of application including right to farm bylaw and 3 existing APRs.

STAFF COMMENT & RECOMMENDATION: **Vote to approve.**

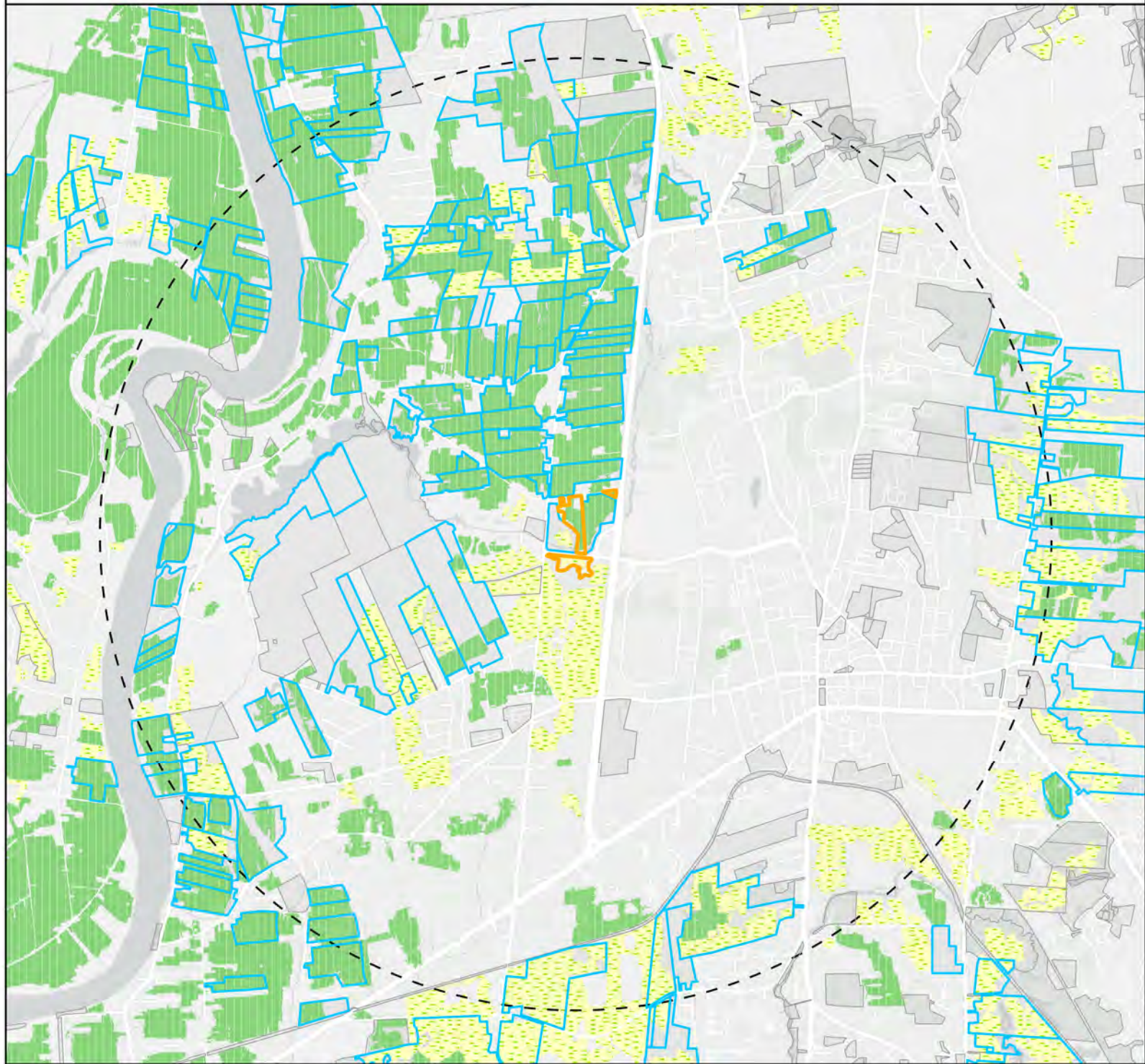
APR Parcel Scoresheet for Application received

Date: May 20, 2024

Prepared by: Chris

Landowner's Name: Catherine Kelley		Total Acres: 23.82
Property Address: 111 Stockbridge Road, Hadley		Eligible Acres: 22.8
Application Eligibility and Land Determination Requirements		
Thresholds - State		Yes
Parcel fulfills at least one EEA Land Conservation Priority		<input checked="" type="checkbox"/>
Products raised on parcel are sold in the normal course of business (i.e. commercial operation)		<input checked="" type="checkbox"/>
Parcel in active agricultural production for at least previous two years		<input checked="" type="checkbox"/>
Parcel contains at least 5 acres of active agricultural land		<input checked="" type="checkbox"/>
Thresholds - Federal		
Parcel consists of a single contiguous land parcel		<input checked="" type="checkbox"/>
Parcel contains ≥ 33% open farmland and ≤ 66% woodland		<input checked="" type="checkbox"/>
Parcel contains ≥ 50% of a combination of prime/state important soils		<input checked="" type="checkbox"/>
If sod/nursery operation, parcel meets NRCS tolerance for soil loss		<input type="checkbox"/>
Parcel Attributes		
% in open ag use: 57.5% Points	% prime/state soils: 84.5% Points	
33-50% 25	51-65% 25	
51-75% 50	66-80% 50	
76-100% 75	81-100% 75	
Total 50	Total 75	
Land Use		
Land Use Majority (circle one)		Points
Vegetable/Small Fruit/Tobacco		75
Hay/Forage/RowCrops/Orchard/Vineyard		50
Pasture		25
Christmas Trees/Sugarbush		10
Total		75
Location		
Active commercial APR land within 2.5 mile radius: ___ac		Points
None		0
1-250 acres		10
251-500 acres		25
over 500 acres		50
Abutting (including across street)		+10
Total		60
Ownership/Succession		
Attribute		Points
Land owner is also farm operator		50
Farm operator makes majority of income farming		25
Farm operator has long term (5+ yr) written lease w/owner		15
Farm owner/operator owns other APR land		10
Written succession plan prepared by professional		10
Total		60
Size		
Acres of land in open ag use: 13.11 acres		Points
5-25		10
26-75		25
76 +		50
Total		10
Intensity/Productivity		
Percent of open land intensively farmed: _30_ %		Points
0-25%		0
26-75%		25
76-100%		50
Total		25
Agricultural Priorities		
Priority		Points
Right to Farm Bylaw		10
Total		10
Single fam building permits - 5 yr average: ___permits		Points
between 1 and 5		5
6-15		15
More than 15		25
Total		25
Additional Information		Points
Parcel contains at least 75% prime soils (20 points)		
Staff Comments (1-40 points):		
Additional Comments/Considerations:		
Total Points		390
		315

Project Name: Kelley - 2.5 mile Block Map



Land Cover Summary Within 2.5 mile Radius

On APR	Acres
Cultivated	1188.3
Pasture/Hay	441.8

On Protected Openspace	Acres
Cultivated	1254.5
Pasture/Hay	486.1

Within Buffer	Acres
Cultivated	2185.6
Pasture/Hay	1106.8

This map shows active agricultural areas and APRs within 2.5 miles of the project area. Active ag. is determined by the LCLU (2016) dataset.

- APR Project
- Existing APR
- Cultivated
- Pasture/Hay
- Protected and Recreational OpenSpace
- 2.5 mile buffer

There are APRs within 2.5 miles of this project.



0 0.5 1 Miles

Center: 72.544888°W 42.386109°N

Data Provided by MassGIS, EEA Openspace, MassGIS, MassDOT & MDAR

Created by Massachusetts Department of Agricultural Resources

Created: 5/3/2024



Project Name: Kelley - Landcover
Hadley, MA



Land Cover	Acreage	% Land Cover
Open Agriculture	13.11	57.6%

APR Project = 22.8 acres

Data Provided by MassGIS, MDAR, Maxar 2023 imagery, and LCLU (2016)


Created By Massachusetts Department of
Agricultural Resources

Created: 5/2/2024 2:52 PM



 APR Project



 Feet
0 262.5 525

Center: 72.544292°W 42.386164°N

Project Name: Kelley Kelley Kelley - Property Map Hadley, MA



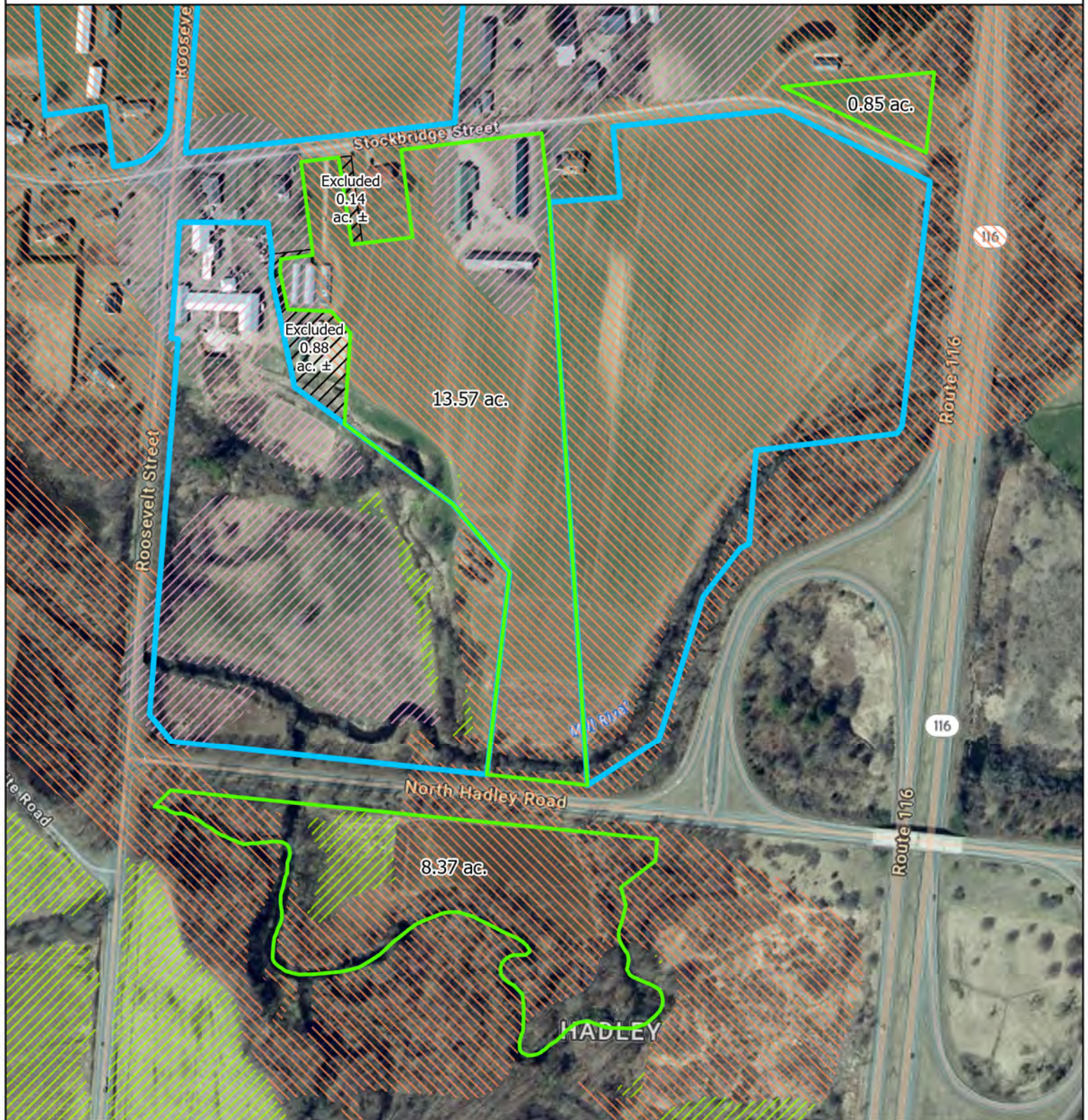
- APR Staff Recommendation
- Massachusetts Parcels Feature Layer
- Land Under Common Ownership
- APR Exclusion

Data Provided by MassGIS, MDAR, and LCLU (2016)

Created By Massachusetts Department of Agricultural Resources

Created: 4/29/2024 5:07 PM

Project Name: Kelley - Soils Hadley, MA



FRMLNDCLS	SoilAcres	% Soil Type
All areas are prime farmland	16.8	73.7%
Farmland of local importance	1	4.3%
Farmland of statewide importance	2.5	10.8%

APR Applicant = 22.8 acres

Existing APR	All areas are prime farmland	Farmland of statewide importance
Exclusion	Farmland of local importance	APR Project

0 190 380 760 Feet

Center: 72.544292°W 42.386164°N



Data Provided by MDAR, NCRS, & MassGIS 2021 Imagery

Created by Massachusetts Department of Agricultural Resources

Created: 5/2/2024 3:19 PM



**MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES
AGRICULTURAL PRESERVATION RESTRICTION PROGRAM**

Narrative for Vote of Interest 05/30/2024

Estate of Joseph T. Koski – Hadley – Hampshire

This ± 22.97-acre property consists of approximately 14.02 acres of open agricultural land with the remaining acreage consisting of woodland and wetland areas. The APR is being proposed on a 15.52-acre portion with the remaining 7.45 +/- acre wooded area with a house and out-buildings will be excluded. The exclusion will be added to several family house lots adjacent to the field in order to settle family concerns. The property itself is in a highly active agricultural area with 67 existing APRs within a 2.5-mile radius.

The property has always been used for mixed vegetables and is currently rented by Jekanowski for potatoes. The Jekanowski family owns an APR property across Roosevelt Street from this parcel.

The property includes approximately 15.52 acres of farmland of statewide importance (100%). Almost the entirety of land utilized for open agriculture includes this statewide importance designation. In total, 14.02-acres of the property are utilized for agricultural purposes (90.3%). These parcel attributes meet federal eligibility requirements for ACEP-ALE funding.

APR Parcel Scoresheet Rating: 415 Points

Staff Recommendation: Staff recommendation is to nominate for a vote of interest.

LAND USE	ACREAGE	SOIL CLASSIFICATION	
		CLASS	ACREAGE
Tillable Cropland	14.02 ±	Prime Farmland	
Non-tillable Cropland	±	State Important Soils	15.52
Nursery/Orchard		Local Soils	
Pasture		Unique Farmland	
Managed Woodland		TOTAL Prime, SI, LI	15.52 (100%)
Unmanaged Woodland	1.5		
Ponds/Wetlands	±		
Other			
TOTAL ACRES	22.97 ±		
TOTAL ACRES FOR RESTRICTION	15.52 ±		



Photo #	Description	Direction
1	Field	S.W.



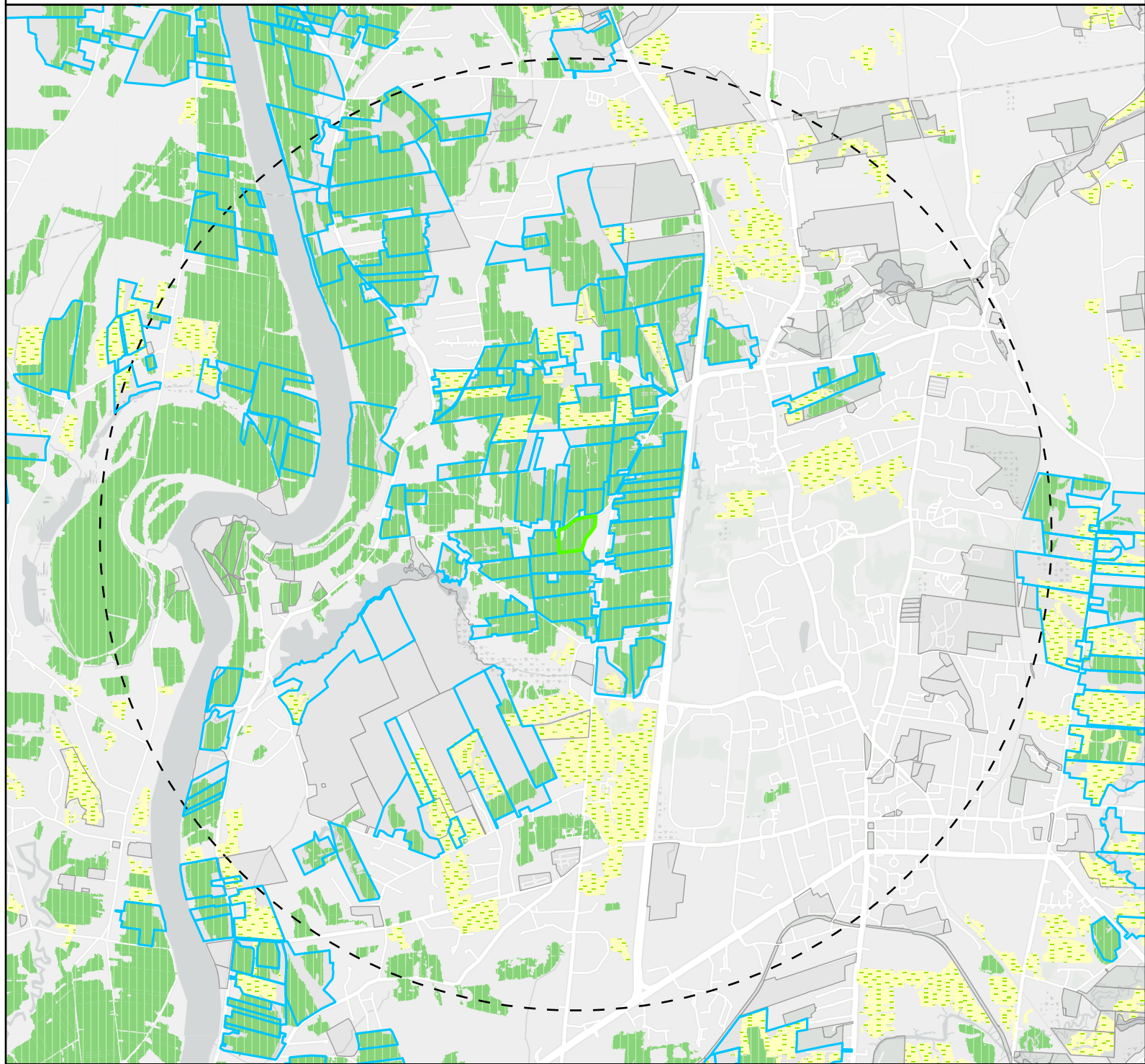
Photo #	Description	Direction
2	Field	S.E.

APR Parcel Scoresheet for Application received

Date: 5/31/2024 Prepared by: Chris

Landowner's Name: Estate of Joseph T. Koski		Total Acres: 15.8
Property Address: Roosevelt Street and Knightly Road		Eligible Acres: 15.8
Application Eligibility and Land Determination Requirements		
Thresholds - State		Yes
Parcel fulfills at least one EEA Land Conservation Priority		<input checked="" type="checkbox"/>
Products raised on parcel are sold in the normal course of business (i.e. commercial operation)		<input checked="" type="checkbox"/>
Parcel in active agricultural production for at least previous two years		<input checked="" type="checkbox"/>
Parcel contains at least 5 acres of active agricultural land		<input checked="" type="checkbox"/>
Thresholds - Federal		
Parcel consists of a single contiguous land parcel		<input checked="" type="checkbox"/>
Parcel contains ≥ 33% open farmland and ≤ 66% woodland		<input checked="" type="checkbox"/>
Parcel contains ≥ 50% of a combination of prime/state important soils		<input checked="" type="checkbox"/>
If sod/nursery operation, parcel meets NRCS tolerance for soil loss		<input type="checkbox"/>
Parcel Attributes		
% in open ag use: __90__%	Points	% prime/state soils: 100%
33-50%	25	51-65%
51-75%	50	66-80%
76-100%	75	81-100%
Total	75	Total
		75
Land Use		
Land Use Majority (circle one)		Points
Vegetable/Small Fruit/Tobacco		75
Hay/Forage/RowCrops/Orchard/Vineyard		50
Pasture		25
Christmas Trees/Sugarbush		10
Total		75
Location		
Active commercial APR land within 2.5 mile radius: 1,508 ac		Points
None		0
1-250 acres		10
251-500 acres		25
over 500 acres		50
Abutting (including across street)		+10
Total		60
Size		
Acres of land in open ag use: __14__acres		Points
5-25		10
26-75		25
76 +		50
Total		10
Ownership/Succession		
Attribute		Points
Land owner is also farm operator		50
Farm operator makes majority of income farming		25
Farm operator has long term (5+ yr) written lease w/owner		15
Farm owner/operator owns other APR land		10
Written succession plan prepared by professional		10
Total		35
Intensity/Productivity		
Percent of open land intensively farmed: ____%		Points
0-25%		0
26-75%		25
76-100%		50
Total		50
Agricultural Priorities		
Priority		Points
Right to Farm Bylaw		10
Total		10
Single fam building permits - 5 yr average: __permits		Points
between 1 and 5		5
6-15		15
More than 15		25
Total		25
Subtotal		415
Additional Information		
Parcel contains at least 75% prime soils (20 points)		Points
Staff Comments (1-40 points):		
Additional Comments/Considerations:		
Total Points		415

Project Name: Koski - 2.5 mile Block Map



Land Cover Summary Within 2.5 mile Radius

On APR	Acres
Cultivated	1327.2
Pasture/Hay	181.4

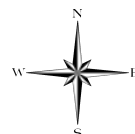
On Protected Openspace	Acres
Cultivated	1396.1
Pasture/Hay	227

Within Buffer	Acres
Cultivated	2720.4
Pasture/Hay	797

This map shows active agricultural areas and APRs within 2.5 miles of the project area. Active ag. is determined by the LCLU (2016) dataset.

- Existing APR
- Cultivated
- Pasture/Hay
- Protected and Recreational OpenSpace
- APR Project
- 2.5 mile buffer

There are 67 APRs within 2.5 miles of this project.



0 0.5 1 Miles

Center: 72.550051°W 42.397029°N

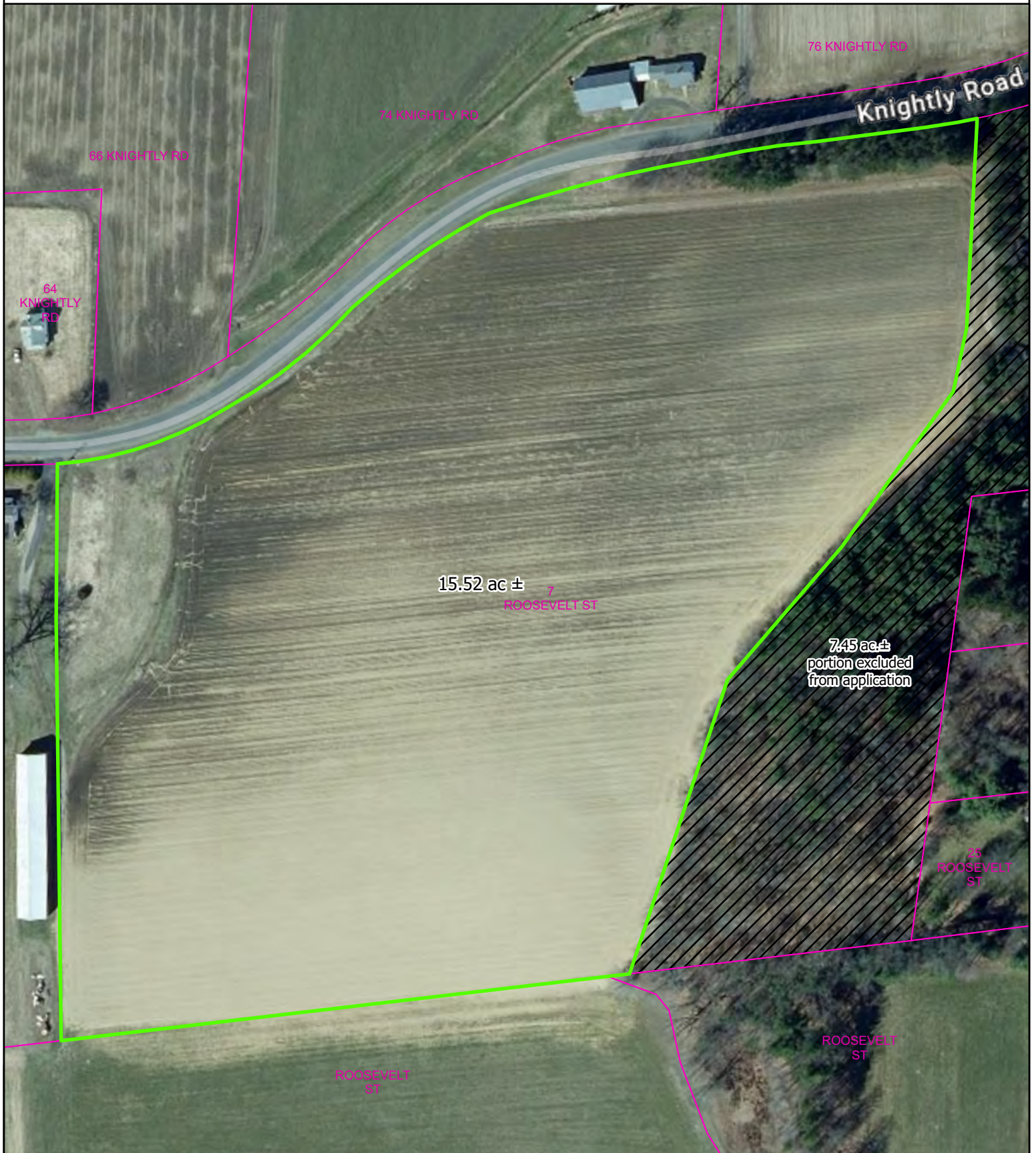
Data Provided by MassGIS, EEA Openspace, MassGIS, MassDOT & MDAR

Created by Massachusetts Department of Agricultural Resources

Created: 4/11/2024



Project Name: Koski - Landcover Hadley, MA



Land Cover	Acreage	% Land Cover
Open Agriculture	14.02	90.3%

APR Project = 15.52 acres

Data Provided by MassGIS, MDAR, Maxar 2023 imagery, and LCLU (2016)

Created By Massachusetts Department of
Agricultural Resources

Created: 4/11/2024 2:34 PM



- Massachusetts Parcels Feature Layer
- APR Project

0 125 250 Feet
Center: 72.549906°W 42.397043°N



Project Name: Koski - Property Map
Hadley, MA



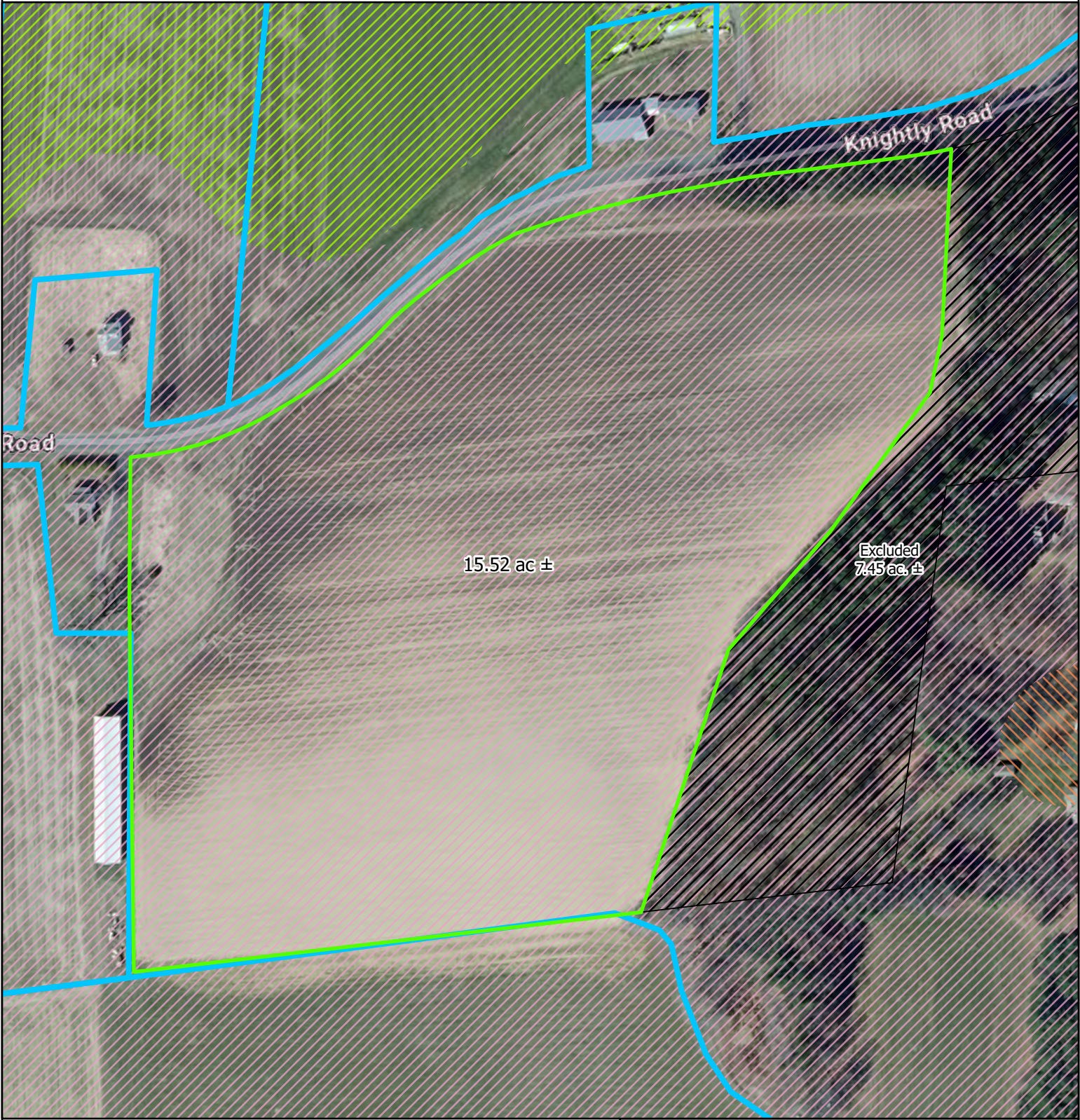
- APR Staff Recommendation
- Massachusetts Parcels Feature Layer
- Land Under Common Ownership
- APR Exclusion

Data Provided by MassGIS, MDAR, and LCU (2016)

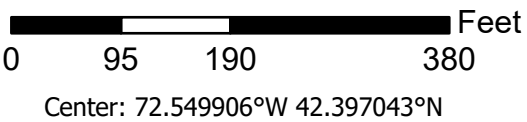
Created By Massachusetts Department of Agricultural Resources

Created: 4/29/2024 5:07 PM


Project Name: Koski - Soils
Hadley, MA





FRMLNDCLS	SoilAcres	% Soil Type
Farmland of statewide importance	15.52	100%





APR Applicant = 15.52 acres


-  Existing APR

 Exclusion

 All areas are prime farmland

 Farmland of local importance

 Farmland of statewide importance

 APR Project



Data Provided by MDAR, NCRS, & MassGIS 2021 Imagery

Created by Massachusetts Department of Agricultural Resources

Created: 4/10/2024 3:52 PM

**MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES
AGRICULTURAL PRESERVATION RESTRICTION PROGRAM**

Narrative for Vote of Interest 05/30/2024

Tolper Family Nominee Trust – Hadley – Hampshire

Peter T. Pannish, Trustee of the Tolper Family Nominee Trust applied to the program in 2020 and was unable to acquire his nephew's signature on the offer letter. His nephew, Joseph M. Parrish is a co-trustee of the Tolper Family Nominee Trust. Our required three year wait period has expired and Peter and Joseph are now reapplying.

This ± 9.5-acre property consists of approximately 8.17 acres of open agricultural land with two tobacco barns. A small 1.38-acre exclusion is proposed encompassing the house and a few outbuildings. The property itself is in a highly active agricultural area with 1,000+ acres of existing APR land within a 2.5-mile radius.

The property was once used for tobacco, onions and asparagus but is currently used for corn and potatoes. The property is rented to the Niedbala family who own several other APRs in the area.

The property includes approximately 8.17 acres of prime farmland (100%). Almost the entirety of land utilized for open agriculture includes this prime designation. In total, 7.17 acres of the property are utilized for agricultural purposes (87.8%). These parcel attributes meet federal eligibility requirements for ACEP-ALE funding.

APR Parcel Scoresheet Rating: 425 Points

Staff Recommendation: Staff recommendation is to nominate for a vote of interest.

LAND USE	ACREAGE	SOIL CLASSIFICATION	
		CLASS	ACREAGE
Tillable Cropland	7.17 ±	Prime Farmland	8.17
Non-tillable Cropland		State Important Soils	
Nursery/Orchard		Local Soils	
Pasture		Unique Farmland	
Managed Woodland		TOTAL Prime, SI, LI	8.17 (100%)
Unmanaged Woodland			
Ponds/Wetlands			
Other (Tobacco Barns)	1.0 ±		
TOTAL ACRES	9.5 ±		
TOTAL ACRES FOR RESTRICTION	8.17 ±		



Photo #	Description	Direction
1	Barn East of Middle Street	E



Photo #	Description	Direction
2	Southern Boundary – East of Middle Street	E

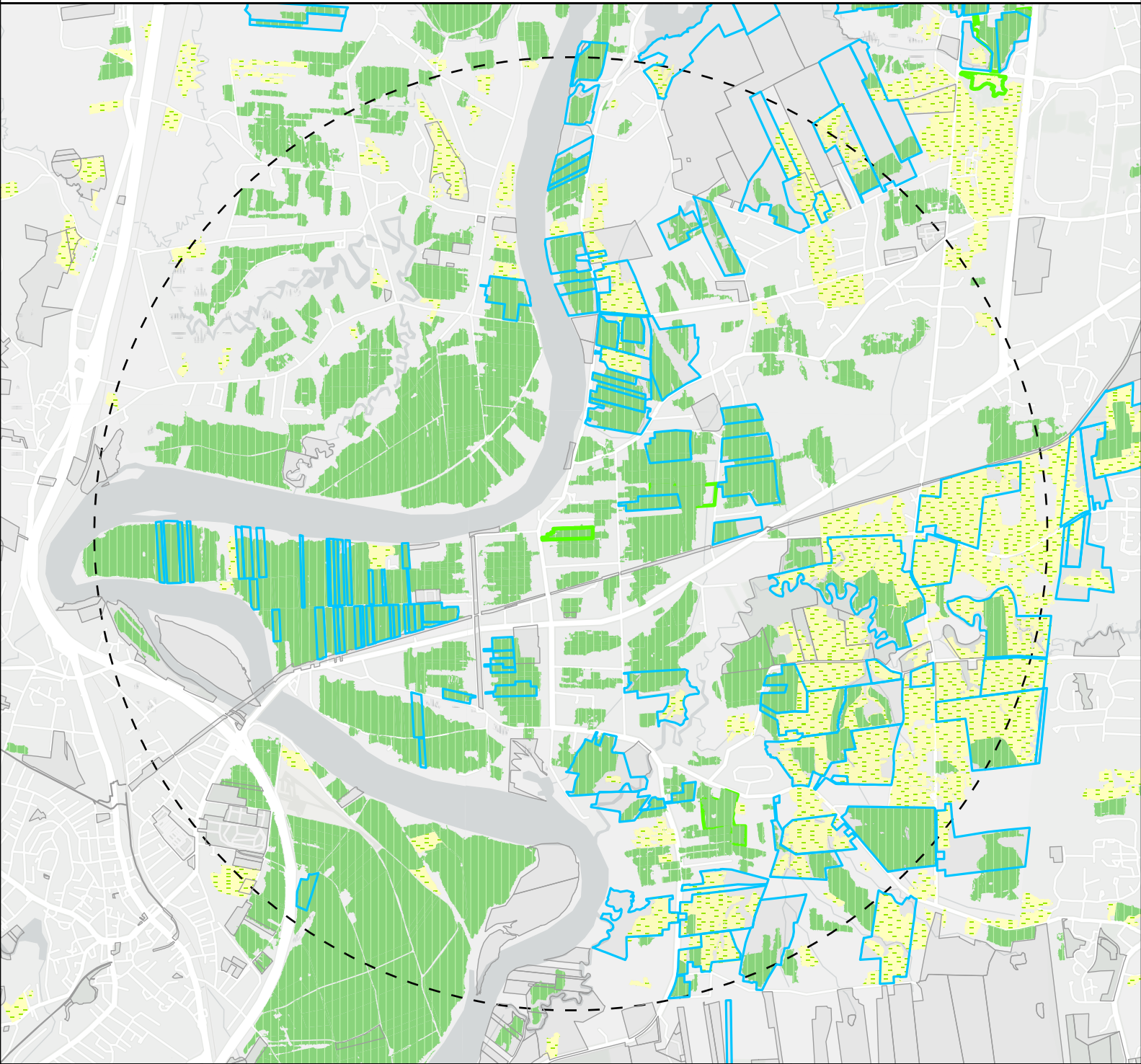
APR Parcel Scoresheet for Application received

Date: 5/31/2024

Prepared by: Chris

Landowner's Name: Tolper Family Nominee Trust		Total Acres: 9.5	
Property Address: 8 Middle Street, Hadley		Eligible Acres: 8.17	
Application Eligibility and Land Determination Requirements			
Thresholds - State		Yes	
Parcel fulfills at least one EEA Land Conservation Priority		<input checked="" type="checkbox"/>	
Products raised on parcel are sold in the normal course of business (i.e. commercial operation)		<input checked="" type="checkbox"/>	
Parcel in active agricultural production for at least previous two years		<input checked="" type="checkbox"/>	
Parcel contains at least 5 acres of active agricultural land		<input checked="" type="checkbox"/>	
Thresholds - Federal			
Parcel consists of a single contiguous land parcel		<input checked="" type="checkbox"/>	
Parcel contains ≥ 33% open farmland and ≤ 66% woodland		<input checked="" type="checkbox"/>	
Parcel contains ≥ 50% of a combination of prime/state important soils		<input checked="" type="checkbox"/>	
If sod/nursery operation, parcel meets NRCS tolerance for soil loss		<input type="checkbox"/>	
Parcel Attributes			
% in open ag use: 87.8%	Points	% prime/state soils: 8.17%	Points
33-50%	25	51-65%	25
51-75%	50	66-80%	50
76-100%	75	81-100%	75
Total	75	Total	75
Land Use			
Land Use Majority (circle one)		Points	
Vegetable/Small Fruit/Tobacco		75	
Hay/Forage/RowCrops/Orchard/Vineyard		50	
Pasture		25	
Christmas Trees/Sugarbush		10	
Total		75	
Location			
Active commercial APR land within 2.5 mile radius: 1000+ ac		Points	
None		0	
1-250 acres		10	
251-500 acres		25	
over 500 acres		50	
Abutting (including across street)		+10	
Total		50	
Size			
Acres of land in open ag use: 7.17 acres		Points	
5-25		10	
26-75		25	
76 +		50	
Total		10	
Intensity/Productivity			
Percent of open land intensively farmed: 87.8%		Points	
0-25%		0	
26-75%		25	
76-100%		50	
Total		50	
Agricultural Priorities			
Priority		Points	
Right to Farm Bylaw		10	
Total		10	
Single fam building permits - 5 yr average: __permits		Points	
between 1 and 5		5	
6-15		15	
More than 15		25	
Total		25	
Subtotal		405	
Additional Information			
Parcel contains at least 75% prime soils (20 points)		➡ 20	
Staff Comments (1-40 points):			
Additional Comments/Considerations:			
Total Points		425	

Project Name: Peter Panish - 2.5 mile Block Map



Land Cover Summary Within 2.5 mile Radius

On APR	Acres
Cultivated	806.934453
Pasture/Hay	635.545834

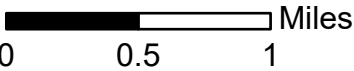
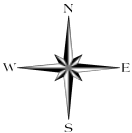
On Protected Openspace	Acres
Cultivated	879.6
Pasture/Hay	800

Within Buffer	Acres
Cultivated	3570.7
Pasture/Hay	1347.7

This map shows active agricultural areas and APRs within 2.5 miles of the project area. Active ag. is determined by the LCLU (2016) dataset.

- Existing APR
- Cultivated
- Pasture/Hay
- Protected and Recreational OpenSpace
- APR Project
- 2.5 mile buffer

There are APRs within 2.5 miles of this project.



Center: 72.587207°W 42.349169°N

Data Provided by MassGIS, EEA Openspace, MassGIS, MassDOT & MDAR

Created by Massachusetts Department of Agricultural Resources

Created: 4/11/2024



Project Name: Peter Panish - Landcover Hadley, MA



Land Cover	Acreage	% Land Cover
Open Agriculture	7.17	87.8%

APR Project = 8.17 acres

Data Provided by MassGIS, MDAR, Maxar 2023 imagery, and LCLU (2016)

Created By Massachusetts Department of Agricultural Resources

Created: 4/11/2024 2:34 PM



- Massachusetts Parcels Feature Layer
- APR Project



0 170 340 Feet

Center: 72.58755°W 42.34919°N

Project Name: Peter Panish - Property Map Hadley, MA



- APR Staff Recommendation
- Massachusetts Parcels Feature Layer
- Land Under Common Ownership
- APR Exclusion

Data Provided by MassGIS, MDAR, and LCLU (2016)

Created By Massachusetts Department of Agricultural Resources

Created: 4/29/2024 5:07 PM

Project Name: Peter Panish - Soils
Hadley, MA





FRMLNDCLS	SoilAcres	% Soil Type
All areas are prime farmland	8.17	100%

0 145 290 580 Feet

Center: 72.58755°W 42.34919°N

APR Applicant = 8.17 acres

 Exclusion
 All areas are prime farmland

 APR Project



Data Provided by MDAR, NCRS, & MassGIS 2021 Imagery

Created by Massachusetts Department of Agricultural Resources

Created: 4/10/2024 3:52 PM

**MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES
AGRICULTURAL PRESERVATION RESTRICTION PROGRAM**

Narrative for Vote of Interest

Applicant: Teresa and Michael Eisenberg – West Stockbridge – Berkshire

ALPC Meeting Date: 5/30/24

This 45.6-acre property consists of two separate parcels located between Woodruff Road to the west and Smith Road/State Line Road to the northeast. The property is located in an active commercial agricultural area with 2 existing APRs (Baldwin & Fadding) located within a 2.5-mile radius, totaling more than 80 acres protected by Agricultural Preservation.

Acreage to be excluded from the APR includes an existing residential lot (3 acres) and substantial rear wetlands associated with the Baldwin Brook (approximately 30 acres). These exclusions result in a total APR proposal of 12.66 ± acres. Soils for the proposed APR include 5.8 acres of prime farmland (46.2%) and 3.16 acres of farmland of statewide importance (24.9%). In total, approximately 10.7 acres (85%) are currently utilized for open agricultural land.

This property was historically part of the Barrett Farm and is currently utilized by the Eisenberg family to produce hay, vegetables, and cut flowers. 2-3 hay cuttings per year typically yield 70-100 round bales. Hay is primarily sold directly to area farmers. Portions of land dedicated to vegetable and flower production are rotated but typically average about 2 acres in area. All vegetables and flowers produced are sold from a farmstand located on the property near Woodruff Road.

Three existing farm structures are located within the proposed APR area including a horse barn with 4 stalls (20'x24') an equipment shed (10'x20') and a run-in shed (10'x10'). Long-term, the applicants hope to reintroduce chickens (boilers & eggs) and beef cattle back to the farm property to expand the commercial aspect of the farm.

West Stockbridge is a right to farm community and is generally supportive of APR applications with three existing APR properties in the town.

Teresa and Michael Eisenberg previously submitted an APR application in 2020 that was supported by the ALPC for a vote of interests. The Eisenbergs elected to not accept the subsequent offer made by the Commonwealth to acquire the restriction. This previous offer was below the appraised value of the APR due to spending cap limits that have since been increased by MDAR and the ALPC.

LAND USE	ACREAGE	SOIL CLASSIFICATION	
		CLASS	ACREAGE
Tillable Cropland	10.78 ±	Prime Farmland	5.86
Non-tillable Cropland	1.88 ±	State Important Soils	3.16
Nursery/Orchard		Local Soils	
Pasture		Unique Farmland	
Managed Woodland		TOTAL Prime, SI, LI	9.02 (71.1%)
Unmanaged Woodland			
Ponds/Wetlands	30 ±		
Other			
TOTAL ACRES	42.66 ±		
TOTAL ACRES FOR RESTRICTION	12.66 ±		

APR Parcel Scoresheet Rating: 320 Points

Staff Recommendation: Staff recommendation is a vote of interest.



Photo #	Waypoint #	Description	Direction
1		Proposed APR area with rear wetlands	SE



Photo #	Waypoint #	Description	Direction
2		Round bales & existing run-in shed to be included with APR	NE



Photo #	Waypoint #	Description	Direction
3		Hay field	S

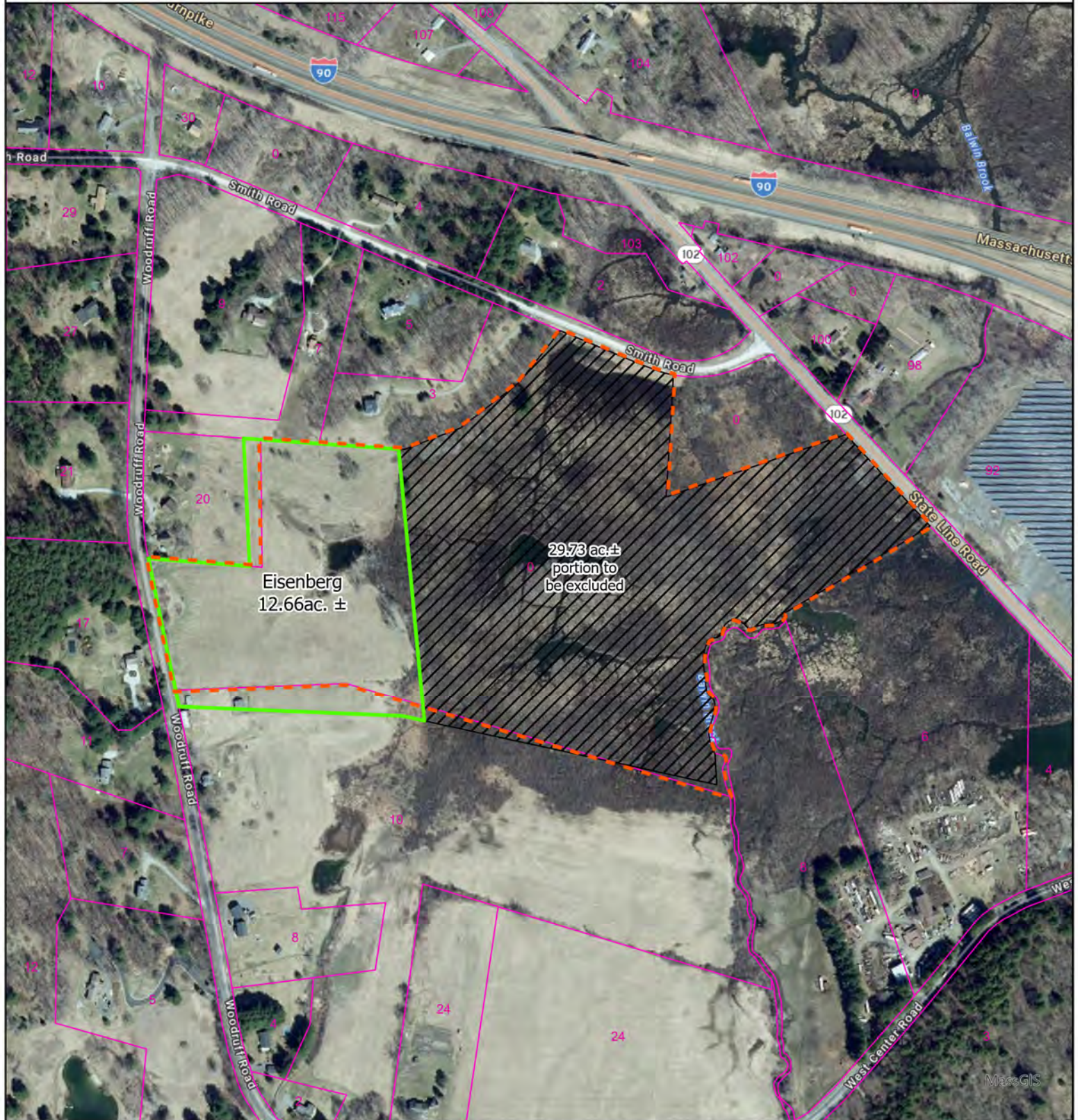


Photo #	Waypoint #	Description	Direction
4		Edge of hay field along rear wetlands	N

Landowner's Name: Teresa and Michael Eisenberg		Total Acres: 42.67
Property Address: 20 Woodruff Road W. Stockbridge, MA		Eligible Acres: 12.66
Application Eligibility and Land Determination Requirements		
Thresholds - State		Yes
Parcel fulfills at least one EEA Land Conservation Priority		<input checked="" type="checkbox"/>
Products raised on parcel are sold in the normal course of business (i.e. commercial operation)		<input checked="" type="checkbox"/>
Parcel in active agricultural production for at least previous two years		<input checked="" type="checkbox"/>
Parcel contains at least 5 acres of active agricultural land		<input checked="" type="checkbox"/>
Thresholds - Federal		
Parcel consists of a single contiguous land parcel		<input checked="" type="checkbox"/>
Parcel contains ≥ 33% open farmland and ≤ 66% woodland		<input checked="" type="checkbox"/>
Parcel contains ≥ 50% of a combination of prime/state important soils		<input checked="" type="checkbox"/>
If sod/nursery operation, parcel meets NRCS tolerance for soil loss		<input type="checkbox"/>
Parcel Attributes		
% in open ag use: 85%	Points	% prime/state soils: 71%
33-50%	25	51-65%
51-75%	50	66-80%
76-100%	75	81-100%
Total	75	Total
Land Use		Points
Land Use Majority (circle one)		
Vegetable/Small Fruit/Tobacco		75
Hay/Forage/RowCrops/Orchard/Vineyard		50
Pasture		25
Christmas Trees/Sugarbush		10
Total		50
Location		
Active commercial APR land within 2.5 mile radius: 80 ac		Points
None		0
1-250 acres		10
251-500 acres		25
over 500 acres		50
Abutting (including across street)		10
Total		20
Ownership/Succession		
Attribute		Points
Land owner is also farm operator		50
Farm operator makes majority of income farming		25
Farm operator has long term (5+ yr) written lease w/owner		15
Farm owner/operator owns other APR land		10
Written succession plan prepared by professional		10
Total		50
Intensity/Productivity		
Percent of open land intensively farmed: 30 %		Points
0-25%		0
26-75%		25
76-100%		50
Total		25
Agricultural Priorities		
Priority		Points
Right to Farm Bylaw		10
Total		10
Single fam building permits - 5 yr average: 6 permits		Points
between 1 and 5		5
6-15		15
More than 15		25
Total		15
Additional Information		
Parcel contains at least 75% prime soils (20 points)		
Staff Comments (1-40 points): Property is situated in close proximity to 2 existing APRs. Average 2-3 hay cuttings per year in support of local farming/livestock operations. Land directly abuts Barrett Brook wetland resource with associated habitat areas		
Additional Comments/Considerations: No formal succession plan however abutting land owner is brother. Veggie and flower sales from farmstand on property. Interest in bringing minimal livestock back onto property - appropriate existing infrastructure to handle		
Total Points		320

Project Name: Eisenberg - Property Map

West Stockbridge, MA



- APR Staff Recommendation
- Massachusetts Parcels Feature Layer
- Land Under Common Ownership
- APR Exclusion

Data Provided by MassGIS, MDAR, and LCLU (2016)

Created By Massachusetts Department of Agricultural Resources

Created: 4/29/2024 5:07 PM

Project Name: Eisenberg - Soils West Stockbridge, MA



FRMLNDCLS	SoilAcres	% Soil Type
All areas are prime farmland	5.85	46.2%
Farmland of statewide importance	3.16	24.9%

APR Applicant = 12.66 acres

- Existing APR
- All areas are prime farmland
- Farmland of statewide importance
- APR Applicant
- Exclusion

0 185 370 740 Feet

Center: 73.402609°W 42.34031°N



Data Provided by MDAR, NCRS, & MassGIS 2021 Imagery

Created by Massachusetts Department of Agricultural Resources

Created: 4/1/2024 9:16 AM



Project Name: Eisenberg - Landcover West Stockbridge, MA



Land Cover	Acreage	% Land Cover
Open Agriculture	10.78	85.1%

APR Project = 12.66 acres

Data Provided by MassGIS, MDAR, Maxar 2023 imagery, and LCLU (2016)

Created By Massachusetts Department of Agricultural Resources

Created: 4/11/2024 2:34 PM



- Massachusetts Parcels Feature Layer
- APR Project

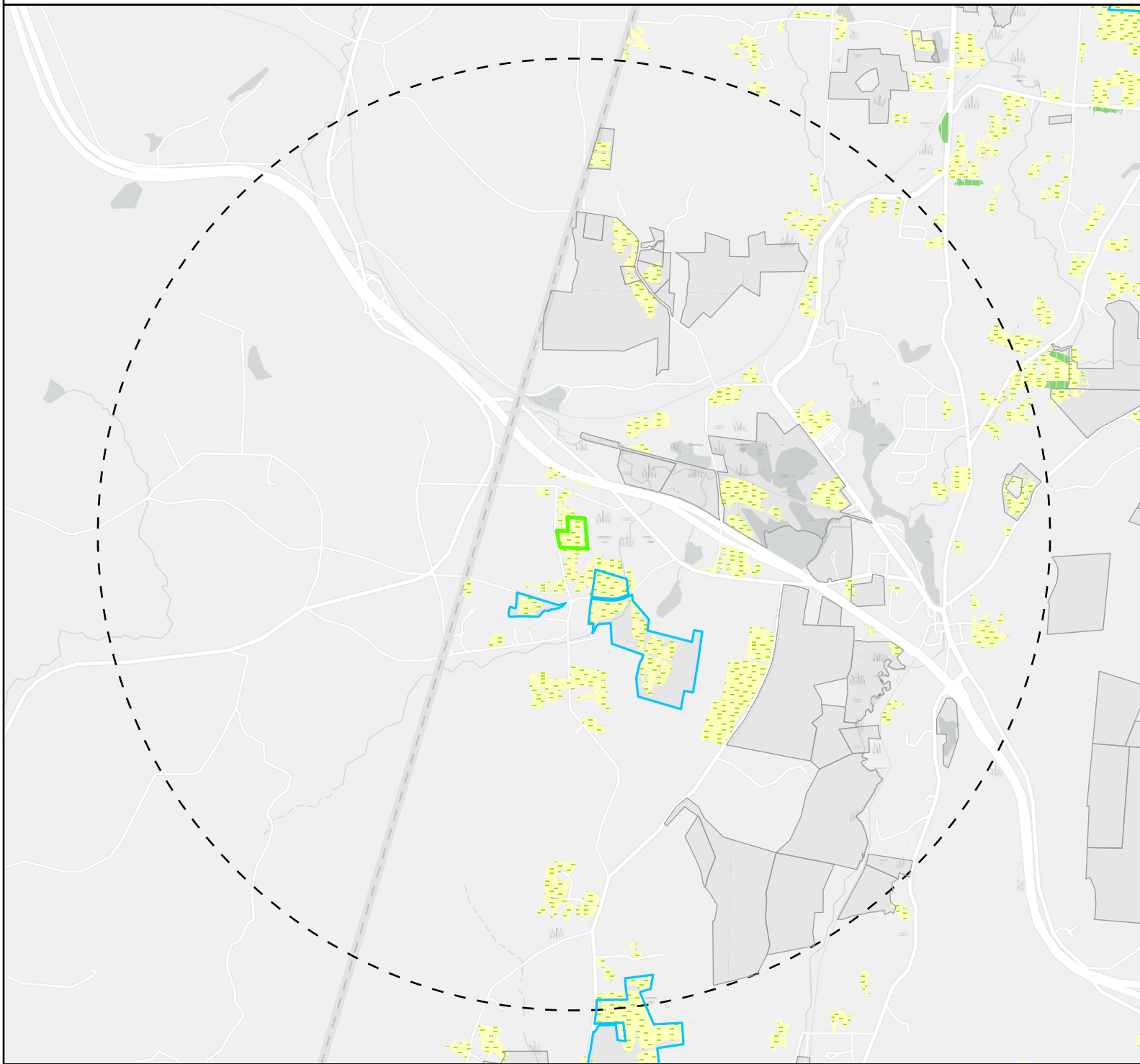


Feet

0 105 210

Center: 73.405678°W 42.340046°N

Project Name: Eisenberg - 2.5 mile Block Map



Land Cover Summary Within 2.5 mile Radius

On APR	Acres
Pasture/Hay	76.1

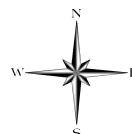
On Protected Openspace	Acres
Pasture/Hay	165.4

Within Buffer	Acres
Cultivated	0.2
Pasture/Hay	519

This map shows active agricultural areas and APRs within 2.5 miles of the project area. Active ag. is determined by the LCLU (2016) dataset.

- Existing APR
- Cultivated
- Pasture/Hay
- Protected and Recreational OpenSpace
- APR Project
- 2.5 mile buffer

There are 2 APRs within 2.5 miles of this project.



0 0.5 1 Miles

Center: 73.405491°W 42.33994°N

Data Provided by MassGIS, EEA Openspace, MassGIS, MassDOT & MDAR

Created by Massachusetts Department of Agricultural Resources

Created: 4/11/2024

