

Orchard Working Group Minutes - 5/1/2024

Meeting was called to order at 7:00pm on May 1st

Present: Jen Clancy, Amy Tarlow-Lewis, Brad Mitchell, Matthew Nordhaus, Karen Morrison

Attending Remotely: Sarah Seaward

Arrived at 7:20: Will Pickard

Update/Discussion - House Deed Restriction

Brad Mitchell updates the group on restrictions for the house and Barn. The town can only put a 30 year restriction on a deed. The Mass Dept. of Agricultural Resources (DAR) has verbally agreed to put the barn in APR, and declined to add the house. The Town can associate the house with the land with a deed restriction, but cannot do the same thing with a historical preservation restriction

Discussion - RFP Timing

Karen Morrison suggested that the working group wait until the approval for sale passes at Town Meeting, and then the RFP process can be started immediately, there's no reason to wait until the next fiscal year.

Update - Building Cleanout /Inventory

Sarah Seaward discussed building cleanout with the Town Administrator. The working group will need to have a legal release/waiver drafted. Sarah sent the Town Administrator an inventory from the orchard purchase in 1999. The Upper Barn has small farm items and furniture.

Furniture was not part of the inventory and does not need to be marked as surplus. The working group is waiting for a response from the Town Administration. Some of the items in the barn will need to be declared surplus.

Update/Discussion - House Historic Preservation

Sarah Seaward updated the Working Group on the Historical Commission's progress. Historical Commission Chair Linda Stein continues to support the project, and is in communication with Mass Historical commission. She asked if we want 74 Nagog Hill Road (the house) to be deed restricted and also with a Historical Preservation Restriction. If the Working Group wants both we need to make that explicit with the State. The Lower Barn: 91 and 94 Nagog Hill Road don't have protection.

Brad Mitchell asked if a deed restriction for the house house couldn't be separate from the APR land covering the land over 30 years, and what does that deed restriction cover? The working group discussed allowing the farmer to subdivide the house for worker housing.

Matthew Nordhaus made a motion to allow Sarah Seaward to pursue the Historical Preservation Restriction, second by Amy. Motion passed 6-0

Update - Shed Maintenance

Karen Morrison discussed with Assistant TA Ryan Ferrarra. He suggested we put in some fencing. Amy Tarlow-Lewis thought that the fencing was part of the highway department punch list.

Discussion – Town Meeting Prep

Matthew Nordhaus presented the working group with a draft of his Town Meeting presentation. The working group asked for some updates:

- Include a history of when it was purchased, what the town paid, how it was discounted for agricultural land values, the grants that were included.
- Add information about expanding the Working Group, that it currently has 7 members
- Add information that the Working Group includes abutters
- Include a history of previous RFPs
 - First RFP 2021 - 1 response as a lease
 - First RFP Feb 22 - 0 responses as a lease
 - Second RFP Mar 22 1 response as a lease
 - RFI - 15 responses to learn who is interested in the property
- Include that the working group learned from Town Counsel that an RFP could be purchase or lease, not both.
- Include that the responses to the RFI all proposed a diverse group of crops, and the the majority of the responses wanted to purchase.
- Include a new map of the house and barn, clarify where the 48 acres are
- Include an estimate of cost to own
 - 1.5 - 2M initial investment house barn new trees, irrigation, well.
 - 5M per year just in payroll
- Add information about why leasing is not viable
 - Municipally owned
 - prevailing wage
- Add information about APRs being voided across the state.
 - Article 97 in 'expensive and very rare' and acreage 48+/-
 - Requires an act of the legislature

Adjourn

Matthew Nordhaus made a motion to adjourn. Seconded by Karen Morrison
The motion passed 6-0. The meeting was adjourned at 8:19PM