

Meeting Minutes: Nagog Hill Orchard Working Group

October 2, 2024, 7:31 PM

Attendees: Matthew Nordhaus, Sarah Seaward, Will Pickard, Mark Rambacher

Matthew Nordhaus declared the meeting open at 7:31 PM, noting a quorum was present.

Approval of Prior Meeting Minutes

The group reviewed and approved minutes from previous meetings as follows:

- **April 18, 2024:** Approved unanimously with no changes.
- **April 25, 2024:** Approved unanimously with no changes.
- **May 1, 2024:** Approved unanimously with no changes.
- **May 6, 2024:** Approved unanimously with no changes.
- **May 22, 2024:** Approved with an amendment to reflect a discussion that occurred following the town meeting vote. This was noted as the first meeting post-town vote.

Additionally, Matthew Nordhaus noted that there had been a joint meeting with the Select Board, which was covered by the Select Board's minutes. There is one remaining set of meeting minutes that have not yet been located.

Review of RFP (Request for Proposal) Responses

The group discussed the responses received from the RFP process for leasing the Nagog Hill Orchard land.

- **Responses:** Matthew Nordhaus stated that there were four initial responses, but only three were considered complete. One was disqualified for being incomplete and thus could not be reviewed.
- **Group Evaluation:** The working group had read through the three complete submissions but noted that they had yet to finalize their evaluation.

Matthew Nordhaus outlined the questions that needed to be answered about the evaluation process:

- Who is responsible for evaluating the responses?
- Should additional members or experts be involved?
- Should the group form a subcommittee for the evaluation?

Questions were asked about transparency and public disclosure:

- How much information from the RFP submissions should be shared with the public?
 - No final decision was made on this matter
- Should the group bring in subject matter experts to help with evaluation, or continue with the streamlined team?

- The Working Group agreed to ask former members of the Working Group to contribute in order to increase the expertise in reviewing the applicants.

The Working Group discussed the process to get to the final decision. The group agreed that while the working group will evaluate and make a recommendation, the Select Board retains legal authority to make the final decision. However, the Select Board has expressed an intention to follow the working group's recommendation.

Evaluation Criteria Discussion:

The group revisited the criteria for evaluating the RFP responses and agreed on the following categories:

- **Experience in Managing a Farm:**
 - Fewer than 3 years
 - 3 to 5 years
 - 5 to 10 years
 - More than 10 years
- **Capital Investment Plan:**
 - No plan
 - Minimal plan
 - Substantial plan
- **Pesticide Licensing and Management:**
 - This criteria is only relevant if the farm operates under a conventional (non-organic) model.
- **Comprehensiveness of the Management Plan:**
 - The group emphasized the importance of this, considering crop diversity, soil management, and environmental considerations.

The group discussed weighting these criteria, giving more weight to the management and capital plans. A proposed breakdown was:

- 30% to 40% each for **management** and **capital investment plans**
- 15% for **experience**
- 5% for **pesticide licensing**

The group also discussed adding a fifth criterion: Town Investment Required, where lower required investment from the town would score more favorably. They debated whether this criterion should carry significant weight, recognizing that a higher town investment might be justified if it yields substantial benefits.

After further discussion it was decided that the management plan and capital investment plan would suffice to include information regarding the Town Investment.

Public Input:

There was a discussion about whether to gather more public input on the lease proposals. Several members voiced concerns that the public had not been adequately involved in recent decisions, but others pointed out that efforts had been made previously for public involvement. The group agreed that the town should understand the potential financial impact of leasing the orchard.

Future of the Working Group & Next Steps

The group acknowledged that time was a critical factor, particularly with the upcoming farming season and potential town financial obligations. It was suggested that a decision regarding the lease negotiation should be made within two weeks to avoid delays that could affect the orchard's operations for the upcoming season.

Next Steps:

- **Questions for Applicants:** The group agreed to draft and submit questions for the RFP applicants to clarify their proposals further. Questions will cover various areas, including the management plan, capital investments, and the potential impact on town resources. Matthew Nordhaus will consolidate the questions and forward them to the applicants.
- **Interviewing Applicants:** There was discussion about potentially interviewing the applicants either in person or via written correspondence. This would allow the group to ask follow-up questions based on the proposals. No final decision was made on this matter.

Additional Topics Discussed

- **Involvement of Former Group Members:**
 - Former group members with expertise in farming and land management, such as Brad Mitchell, Jen Clancy, and Amy Tarlow-Lewis, were proposed as potential resources for evaluating the responses.
 - The group acknowledged that bringing in additional individuals could slow down the process but also recognized the importance of informed evaluations.
- **Lease Terms and Options for Purchase:**
 - Some members suggested asking whether the applicants would be interested in purchasing the land at a later date. This option would need to be explored further, possibly with Town Counsel, to understand the legal implications.
 - Lease length and terms (e.g., a 30-year lease with an option to buy) were also discussed.

Parallel Process with MAPC (Metropolitan Area Planning Council)

The group discussed a parallel process with MAPC to facilitate public input and broader community engagement. This would include future public forums to discuss the orchard's future.

However, the MAPC process is not scheduled to begin until next year. Sarah Seaward raised concerns about the potential conflict between the lease process and the MAPC process if public opinion diverged from the group's decision.

Ultimately Matthew Nordhaus stated that he believed that the MAPC work should proceed in parallel, since if the Lease negotiations were not successful another attempt at selling the property would still need to be pursued.

Public Comments

- Amy Tarlow-Lewis: Expressed concerns about the current direction of the working group, stating that the public had not been adequately involved in the lease decision-making process. She suggested that selling the land would be a cleaner solution and pointed out that the public might feel disregarded if their input came too late in the process.
- Kristen Kazokas: Emphasized the importance of considering the historical and environmental significance of the orchard land, particularly its ties to Indigenous history and the presence of wildlife. She urged the group to look at the property holistically and ensure that all aspects of the land are preserved.
- Rob Rounce: Suggested holding public forums or hearings before finalizing the lease, to allow for more public engagement and input. He also noted the potential financial burden on the town and the importance of transparent communication about the costs involved.

Next Meetings

The group agreed to hold follow-up meetings to finalize the lease process:

- Wednesday, October 9, 2024 at 7:30pm
- Tuesday, October 15, 2024 at 7:30pm

At the October 9 meeting the group will review any responses from the RFP applicants and finalize evaluation criteria, as well as consider any additional public input, if applicable.

Meeting adjourned: 9:02 PM.