

**BOARD OF SELECTMEN
MINUTES
JANUARY 28, 2013
SLADE BUILDING**

Members present: Michael Stauder, Chairman
Matthew Castriotta, Vice Chairman
Chris Norcross, Clerk

Staff present: Cyndy Washburn Doane, Tax Collector; Larry Brandt, Building Commissioner; Brian Bullock, Town Administrator; Elaine Peterson, Town Secretary

Others present: Tom Howlett, Leslie Greiner, Tom Bratko, Jassy Bratko, Mike Stevens, Tom Bratko, Wendy Howes, Alan Rawle, Joe Cataldo, Charles Clark, Scott Cullinane, Kathleen Zavorskas, Paul Zavorkas, Lance Laine

Meeting called to order at 6:33 p.m.

Abandoned and Derelict Properties Discussion:

Building Commissioner Larry Brandt reported to the Board that he had spoken to Tom Colyer and Tim McEnery regarding some abandoned and derelict houses in their Brigham Street neighborhood. The first was the 27 Brigham Street house that has been under construction since a fire; another was the abandoned property located at 47 Brigham Street that the house had burnt down several years ago. A partially opened porch, shed and water well is all that remains there. Another issue was accumulation of unregistered vehicles and junk metal at 45 Brigham Street. Mr. Brandt reported Governor Patrick had issued legislation allowing two permit extensions due to the financial situation in Massachusetts. Automatically any type of permit that Mr. Brandt will be reviewing in this case gets a four year extension. Mr. Brandt reported that last time he had spoken with Andrew Hawke regarding 27 Brigham Street, he had advised a rough plumbing and wiring inspection needed be conducted. He has written a letter to Mr. Hawke advising him he needs regular inspections on the property. Ms. Doane advised that Mr. Hawke owes taxes and will not be able to get permits until they are paid.

Ms. Doane reported 47 Brigham Street has a hefty tax lien on it and she does not have a good address for owner contact. There may be a problem with determining ownership of the property. She stated the Board of Assessors will be visiting the site. Mr. Brandt and Ms. Doane will work together on these problem properties. Ms. Doane reported there is also a tax lien on 10 Brigham Street, no one is living there. The property owner is deceased. Ms. Doane stated when research is done on the property there may be a potential for sale to abutters. She stated there is a house at 51 Hale Road that is abandoned and has a tax lien on it. It is a log cabin set back off the road. Board of Assessors will be visiting that site also. Mr. Bullock stated that lot may have some value on it and be good for sale at auction. Ms. Doane reported there is another property located at 25 Abenaki Street with a tax lien on it too. She added the other property recently demolished by the town for safety reasons, located at 36 Iroquois Avenue has a tax lien on it in the amount of \$7,191.42. Once sold she has recommended establishing a revolving account at annual town meeting in June to place tax lien funds to pay for demolishing dangerous properties in the future.

Mr. Castriotta asked Mr. Brandt to report back to Mr. McEnery and Mr. Colyer on what how he will be proceeding. As far as 45 Brigham Street goes, Mr. Brandt will have to request to enter the property to conduct an inspection. He stated he would copy the Board of Selectmen office on all communications that he sends out to these property owners.

Mr. Stauder asked Mr. Brandt about the status of the lapsed Class II auto dealer licensees. Mr. Brandt reported Mr. LaJoie has moved some vehicles to the back of the property but has not done anything else. The roof has been completed. He did speak to Mr. Brandt about getting his auto dealer license but has taken no action to clean up the property. Mr. Brandt stated the town could take Mr. LaJoie to land court if desired.

As far as the other one, Jon Jonnson cleaned up the property and came into compliance but now the metal is coming back around front of the property again. Mr. Stauder stated it's time to address these auto dealers and their lapses. Mr. Brandt stated if we pass junk metal bylaw that may be the way to go versus going to land court. He reported the Planning Board did not like the bylaw Mr. Brandt had suggested that was from Templeton. He has some other towns bylaws and there's one in particular that is the most thorough. Mr. Bullock suggested inviting the Planning Board in for further discussion. Mr. Brandt stated with the general junk metal bylaw, fining situations are immediate. Mr. Brandt and Ms. Doane exited the meeting.

Open Agenda:

Scott Cullinane came in regarding a tax bill for property he does not own. He stated he has been charged for buildings (plastic greenhouses) on his property for four years that do not exist. He did not notice until he went to refinance. He asked what he needs to do to rectify the situation. He stated he did not make these mistakes and did not believe it was right. The Board of Assessors had advised that he file for abatement. The Selectboard advised Mr. Cullinane work with the Board of Assessors. He had been informed the Board of Assessors can only go back for a year for abatement. Mr. Stauder advised this falls under the Assessors' purview and to come back if he is not satisfied. Mr. Bullock advised the one year limit may be a state mandate and if there was a permit taken out to remove the greenhouses, there should be a paper trail for the Assessors to work from. Mr. Cullinane thanked the Board and exited the meeting.

Mr. Bullock reported he had two candidates to be hired this evening. Elizabeth Zaleski will be hired as an Assistant Town Accountant and will be training the new Town Accountant, complete the Town's Schedule A, perform cash reconciliation and certification of free cash. This is planned over a ten week period. Amy DeLaRoche will be hired as Town Accountant.

Motion: M. Castriotta

To hire Elizabeth Zaleski as Assistant Town Accountant with pay rate as submitted effective January 28' 2013

2nd: C. Norcross

Vote: All in Favor

Motion: M. Castriotta

To hire Amy DeLaRoche as Accountant with pay rate as submitted effective January 28, 2013

2nd: C. Norcross

Vote: All in Favor

Mr. Castriotta thanked Mr. Bullock. Mr. Castriotta exited the meeting at 7:15 p.m.

Ms. Peterson presented a wage authorization for Antonette Walker for Land Use Clerk in the Board of Health and Conservation Commission offices. She stated Ms. Walker had requested the time spent as a temporary fill-in be applied to her probationary period. The Board had no issues with this request.

Motion: C. Norcross

2nd: M. Stauder

To hire Antonette Walker to the Land Use Clerk position permanently and to credit hours worked towards her probationary period

Vote: All in Favor

Master Equipment Lease –Purchase Agreement for Police Cruiser

Ms. Peterson presented the Ford Motor lease agreement for the new police cruiser

Motion: C. Norcross

2nd: M. Stauder

To authorize the Chairman to sign the police cruiser agreement

Vote: All in Favor

New Town Administrator Job Description and Solicitation

Ms. Peterson reported the town administrator screening committee is requesting the Board approve both documents.

Motion: C. Norcross

2nd: M. Stauder

To approve the Town Administrator job description and job solicitation

Vote: All in Favor

Ms. Peterson reported the Parks Commission has requested if the Highway Department could supply and haul gravel to Curtis Field for new tennis courts. Mr. Bullock stated he had spoken with the Highway superintendent and they could do this.

Another question from the Parks Commission concerns the original donation account established at Town Meeting had declared the Recreation Field Committee to be administrators of the funding. That committee is no longer and the question now is can the Parks Commission administer those funds. Mr. Stauder requested Mr. Bullock check with legal counsel.

Jassy Bratko reported there is a PARC grant available for the tennis courts. The PARC Program (formerly the Urban Self-Help Program) was established in 1977 to assist cities and towns in acquiring and developing land for park and outdoor recreation purposes. Any town with a population of 35,000 or more year-round residents, or any city regardless of size, that has an authorized park /recreation commission is eligible to participate in the program. Communities that do not meet the population criteria listed above may still qualify under the "small town," "regional," or "statewide" project provisions of the program.

Only projects that are to be developed for suitable outdoor recreation purposes, whether active or passive in nature, shall be considered for funding. Grants are available for the acquisition of land and the construction, or renovation of park and outdoor recreation facilities, such as swimming pools, zoos, athletic play fields, playgrounds and game courts. Access by the general public is required.

The Board asked resident Wendy Howes back tonight regarding her initial request in November 2012 to delay haying at Mt. Jefferson Conservation Area in order for bobolinks and other grassland birds to finish nesting. The delayed date would be July 20th and Ms. Howes is requesting all the hay fields be cut after this date. She read a statement- see attached "request for change in town's hay management plan. Ms. Howes stated she had proposed a proposed

amendment and additional wording to the Mt. Jefferson Conservation Area Hay Management Plan.

“Add final phrase to existing Paragraph 4:

The beauty of the plan is to have each field restored....to enhance the beauty of the fields and ensure adequate ground cover protection for wildlife, including nesting grassland birds.”
Add “including nesting birds”

On page 2, under USE OF THE FIELDS, add the following paragraph;

First cutting in all fields except Field 4 and the Malone Road field shall be between July 20 (to allow for successful nesting of grassland birds) and August 20 (to prevent excessive encroachment of brush into the field), In the unexpected event that bobolinks are determined to be colonizing Field 4 or Malone Road fields, these fields will also be designated delayed-cut fields.”

Mr. Stauder asked to hear from the Open Space Committee about the proposal. Chairperson Jassy Bratko stated the Open Space Committee is opposed to Ms. Howes' request. She stated the committee members sympathized with her position and presented her reasons to continue with current hay management plan at Mt. Jefferson Conservation Area Key points are that the town was only able to purchase the land because it was in active agricultural use and under Chapter 61A giving the town right of first refusal. The farmer who has a contract with the town had converted the fields from corn to hay production. He actually had created the habitat for the bobolinks. A late cutting will produce hay that is of little nutritional and monetary value for the farmer. Ms. Bratko stated the committee met with the farmer who is haying the fields and he had proposed leaving the field at the intersection of Malone Road and Mt. Jefferson Road directly across from the foundation uncut until after July 1st each year. He also has offered to brush cut the former apple orchard area to provide habitat for the bobolinks every year. See attachment for the entire list of reasons to continue with the current hay management plan. Mr. Stauder asked if Mr. Laine discontinued haying the fields would the town be in violation of the grant agreements. Ms. Bratko stated no but that was the initial intent.

Mike Stevens, Conservation Commissioner, stated the commission was in favor of the Open Space Committee's stance. After much discussion back and forth the Board made the following motion.

Lance Laine, son of Paul Laine, the farmer with the current contract, stated he could not cut any later than July 1st in the designated areas as he has other fields to attend to at that time of the year. He indicated a section that will be cut after July 1st and take one cutting only. The area near the pear trees will be brush hogged and left for the wildlife. He indicated the other field will not be cut until July 1st from the tree line all the way to Malone Road.

Motion: C. Norcross

2nd: M. Stauder

To go with Mr. Laine's compromise of cutting the two designated fields after July 1st

Vote: All in Favor

Ms. Howes suggested having Mr. Laine hay all the fields late using his own equipment, take all profits and not reimburse the town at all. Mr. Stauder stated the Board had just voted to the

proposed compromise from Mr. Laine and they would proceed that way. Ms. Howes stated she was hoping for a later date and hoped at the next contract renewal it would be put into writing. Several attendees began exiting the meeting.

Other Business:

Mr. Bullock reported Chief Perron has requested the Board allow him the ability to expand his residency requirement to thirty miles for personal reasons. He is looking at around thirty minutes of travelling distance to Hubbardston.

Motion: C. Norcross

To approve the request with a provision for fuel costs

2nd: M. Stauder

Vote: All in Favor

Mr. Bullock will return to the next meeting with a follow-up.

Mr. Stauder stated he had observed the dropping off of students at the Main Street side of Center School and was concerned about the traffic congestion. Mr. Stauder stated he would have a conversation with the school principal and Police Chief to work out a better solution.

Holiday Pay Policy

Mr. Bullock presented a policy on holiday pay regarding the following:

- 1) Salaried Staff- will be paid 11 holidays at their daily rate
- 2) Hourly staff working more than 20 hours per week would be paid regular hours for the holiday if it falls on a regularly scheduled day
- 3) Hourly staff working less than 20 hours per week receives no holiday pay.

Motion: C. Norcross

To approve the holiday pay policy as presented

2nd: M. Stauder

Vote: All in Favor

Mr. Bullock reported the budget for fiscal year 2014 will be finalized by Wednesday.

Mr. Bullock reported there would be an informational meeting on February 4th at 11 a.m. regarding regionalizing highway services. Representatives from Rutland as well as Representative Anne Gobi and Selectmen Norcross will be attending. Mr. Bullock reported he will be informing the applicants for the DPW Superintendent position that this would be put on hold until the regionalization option is explored.

Motion: M. Stauder

To adjourn the meeting at 8:25 p.m.

2nd: C. Norcross

Vote: All in Favor

Respectfully submitted,



Elaine M. Peterson

Town Secretary

Approved: February 11, 2013.

REQUEST FOR CHANGE IN TOWN'S HAY MANAGEMENT PLAN
(Part of Mt. Jefferson Conservation Area Land Use and Management Plan of June 2008)

Proposal

A delayed cutting date of July 20th is requested for all the hayfields owned by the town, except for two small fields in which Bobolinks and other grassland birds so far do not nest.

Reasons

Bobolinks, Savannah Sparrows, Red-winged Blackbirds and other birds and animals utilize the Mt Jefferson hayfields during the breeding and nesting season.

- ◊ Bobolinks are protected by federal Migratory Bird Protection Act which prohibits "taking" (killing) birds, or destroying nests and/or young.
- ◊ MassAudubon's letter of support for purchase of this property specifically noted the value of the property for grassland birds. A spokesperson from MassAudubon stated that this was written with the expectation that wildlife habitat protection and improvement would take place at Mt. Jefferson.
- ◊ The Land Use Management Plan for this property, which was prepared for the purpose of obtaining public monies and support, states:
 - "the open fields are excellent habitat for birds such as the Eastern Meadowlark and Bobolink, which are declining in population."
 - Section "Habitat Protection" states that "wildlife management techniques to enhance certain species may be considered. . .[including] cutting some fields after bird nesting season."
- ◊ A major requirement for open space and recreation properties purchased with public funds is that property use and needs of the community be balanced.
- ◊ The Executive Office of Energy and Environmental Affairs states agricultural interests do not preclude wildlife interests and that delayed haying is a reasonable trade-off in light of all the other uses being made of the property.

Other Considerations

- ◊ A delayed first cutting after July 20th in most years allows for a second cutting in the fall before shrubs and unwanted growth encroach. Late-cut hay is still marketable.*
- ◊ Should haying be discontinued on this property, the hayfields would gradually start to grow in. Eventually Bobolinks would stop nesting there. Successional pastureland is a highly desirable and scarce wildlife habitat type in Massachusetts and would attract another important suite of wildlife species.
- ◊ The property in question is first and foremost open space and recreation land for all the people of Hubbardston. It is not a farm. There are many people in town who wish to use this property for wildlife viewing and study
- ◊ The proposed delayed date doesn't protect all the young birds, as in many years it will be August before all the young can fend for themselves and depart.

* See *Good Conservation Practices for Leased Fields*

Reasons to Continue with Current Hay Management Plan at Mt. Jeff

- 1) Town was only able to purchase land because the land was in **active agricultural use** and under Chapter 61A giving the town right of first refusal. It was being farmed by Paul Laine.
- 2) Original plan for conservation of Mt. Jeff that was outlined in grant applications and presented at town meeting, was for preserving existing agricultural land. It was always intended that the 40 acres of hayfields would be used for agriculture. (*see Self-Help Grant Project Description June 1 2001. See Interagency Review and Paul Laine letter of intent in original application.*)
- 3) The Land Management plan was written as a result of collaboration with the former MDC, Conservation Commission, Open Space Committee and Selectboard.
- 4) The Hay Management Plan was a collaboration of all the above.
- 5) Hay Lease provides income for the town. \$14/acre/cut.
- 6) Hay fields are maintained by Paul Laine with no financial or work input from the town.
- 7) Fields used to be in corn. Mr. Laine was asked by Soil Conservation Service to plant hay to prevent soil erosion into Canesto Brook. **He created, at considerable expense to himself, the habitat that was ideal for bobolinks.**
- 8) Once the town purchased the land and signed a lease with Mr. Laine he again invested considerable sums of money to reseed and reclaim the hayfields.
- 9) Hay harvested after July 20 is of little food and monetary value. It has high levels of cellulose, hemicellulose and lignon (Neutral Dietary Fiber value NDF) which makes it hard for animals to digest, undesirable as a feed and consequently of little value.
- 10) Mr. Laine or any subsequent farmer will lose 2nd cut causing further loss of income to himself and the town.
- 11) Mr. Laine or any subsequent farmer will not likely hay a field if it can't be done before July 20th (see letter to Newburyport News)
- 12) If the fields are not hayed Town will lose **all** income from the fields and will have to choose between **paying** to mow the fields (likely to take 40-60 hours per season) or **leaving them uncut.**
- 13) Uncut fields will revert to forest land and bobolinks will lose habitat!
- 14) According to the Natural Heritage and Endangered Species, **Bobolinks are not considered to be endangered, threatened or of special concern**
- 15)) Paul Laine has **agreed to a compromise.** Field at intersection of Malone Road and Mt. Jeff directly across from the foundation will be cut after July 1st. He will brush hog the "apple orchard" area every year.
- 16) "Consistency is essential to bobolink conservation. Bobolinks will return year after year to a field where they've had success. It is better to forgo early mowing on one small unproductive field consistently than to change mowing cycles after a couple of years." *Managing your Land for Birds by Nadine Berrini 2008 Winter Stewards of the Land Newsletter, Vermont Land Trust*
- 17) While delayed mowing of fields makes sense for lands whose primary purpose is wildlife conservation (Mass Audubon of Fish and Wildlife) it doesn't make sense for other management goals. DCR division of water protection does not require delayed mowing for their fields.
- 18) "Massachusetts Audubon has consistently supported agriculture as a land use that is necessary for the production of food for human consumption. The Society recognizes that farms provide habitat for wildlife, and has supported federal and state laws and programs aimed at maintaining land in

agricultural production and avoiding conversion of farmland to development. Massachusetts Audubon acknowledges the valid role of agriculture within the state's economy, its historic place as land use consistent with maintaining rural character, and its value in maintaining open space.

The information here and in the booklets is aimed at providing recommendations and options for managing open space for wildlife when appropriate, and are not intended to influence changes in agricultural production.” *Preserving Grassland Birds* by *Andrea Jones and Peter Vickery of the Grassland Conservation Program, Center for Biological Conservation, Massachusetts Audubon Society, Lincoln, Massachusetts, in collaboration with Silvio O. Conte National Fish and Wildlife Refuge and the USFWS North American Waterfowl Management Program.*

19) Farmers are an endangered species

TOWN OF HUBBARDSTON
SELF HELP GRANT APPLICATION: PROJECT SUMMARY, JUNE 1, 2001

The ultimate irony for Hubbardston is that most residents move to town because they value the rural way of life, but according to the latest census figures Hubbardston is the fastest growing community in Central Massachusetts. The ultimate challenge for Hubbardston is to accommodate that rapid growth while preserving the rural character its residents cherish. The preservation of the land on Mt. Jefferson Road will help the town to rise to that challenge.

The land in question is an area of unique scenic beauty. It sits at the highest point in Hubbardston with an unspoilt 360 degree view referred to in Hubbardston's Open Space Plan as one of its "most treasured vistas." To the east is Mt. Wachusett and the church steeple in the center of town, to the north and south are rolling fields and to the west are woodlands. Although there are subdivisions close by they are not visible because of the topography.

The land itself is predominately hayfield with some woodland areas. It is part of a 270 acre parcel known as the Ryder Estate that is all presently under Chapter 61A. The six acres in question was subdivided from the estate and the owners had a potential buyer who wished to develop the land. The Metropolitan District Commission is currently negotiating with the owners to purchase the remaining acreage to further enhance their protection of the Ware Watershed and more specifically the Cannesto Brook.

The attached Assessors map shows that, if the Town preserves the 6 acres by exercising its option under 61A and the MDC purchases the remaining land, a protected greenway corridor will be created connecting the Hubbardston and Templeton State Forest, several parcels of Town owned land and several existing MDC parcels. It would represent a cooperative effort between state, municipal and water protection agencies to enhance the green infrastructure of the region. Failure to protect the land could result in three houses being built in the middle of this space connecting the residential development, destroying the view and interrupting the greenway corridor.

Multiple uses of this land can be foreseen for the future. A local resident has expressed interest in continuing to hay the field thereby preserving its agricultural value. The proximity of vernal pools and the forest/field boundaries make it an excellent wildlife habitat. The land could become a center for the development of passive recreation in the town. It provides an excellent site for signage and access to the multi use trail system of the adjacent state forest. The present trail system could be enhanced to include such things as a self-guided nature trail to be used for environmental education. Its proximity to the road makes this a favorite spot for people with disabilities to enjoy its beauty and it is also a favorite spot for picnicking, stargazing and watching the sunrise.

The Montachusett Regional Planning Agency recommends that environmentally based tourism should be the major focus of regional economic development, that there should be increased public awareness of local recreation areas and greater connectivity should be promoted through the establishment of a greenway network. The development of this area as a center for passive recreation would attract people from out of town for hiking, skiing, snowmobiling, biking and horseback riding, bird watching and hunting. The Hubbardston Open Space Plan specifies that the expansion of existing protected open space is one of its major goals and Mt. Jefferson Road was cited by many residents as an area to protect.

Preserving this "treasured vista" is in keeping with regional plans and will help Hubbardston to face the challenge of the future by balancing suburban development with rural character.

Information Concerning the Interagency Review

initiatives in the Town. The Open Space Committee has been discussing the possibility of placing a question before the town voters concerning implementation of the Community Preservation Act in Hubbardston. In order to better understand all of the issues that can have a bearing on making this kind of commitment to open space, Paul Hale, one of the members of the Open Space Committee, attended the Community Preservation Institute offered by the Donohue Institute at UMass. After more discussion concerning the need for the community to balance growth and preservation in productive ways, the Open Space Committee will present its recommendations about future funding for open space initiatives to the Selectboard. At this time, adoption of the CPA is proposed for consideration as part of the Open Space and Recreation Plan's *Five-Year Action Plan* to protect natural resources.

6. MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

The Town has submitted its annual Contract Compliance Report to the MCAD.

7. PRESERVATION OF AGRICULTURAL LAND

The subject property is a 6.55 acre piece carved out from a 260-acre area that has been under Chapter 61A status for a number of years. For the past several years the majority of this small parcel has been in agricultural use as a hayfield. A local farmer has cut the hay and intends to continue this practice once the Town takes ownership if the Town is willing. The activities the Town envisions for this property would not preclude the continuation of the haying, and the Town intends to keep the property under 61A status.

8. APPLICANT'S PAST PERFORMANCE ON DCS FUNDED PROJECTS

Although Hubbardston applied for a grant from DCS in 1988, the state budget did not allocate funds for the program, so no grant was received. We are not aware of any other DCS grant received by the Town.

May 8, 2001

Paul Laine
376 South Street
Templeton, Ma 01468

Hubbardston Selectboard
Town Office
Main Street
Hubbardston, Ma 01452

Dear Selectboard,

It is my understanding that Hubbardston has the right of first refusal on the Ryder property on Mt Jefferson Road. I have been haying this property for the Ryders for a number of years. I am registered with the town of Hubbardston as a 61A Agricultural provider.

Once Hubbardston takes control of the property and with the approval of the Hubbardston Selectboard I will continue to hay this property and keep the fields open.

Sincerely,



Paul Laine

CC: Hubbardston Open Space Committee

NewburyportNews.com, Newburyport, MA

July 3, 2006

Mayor should rethink Bobolink decision

Amesbury Mayor Thatcher Kezer should reconsider his statement that the welfare of a few birds comes before that of people.

The mayor, apparently striving to be a good environmentalist, called a halt to the mowing of a section of the town-owned Woodsom Farm after resident Bernadette Lucas complained that a "vast number" of baby bobolinks were being killed in their nests.

Lucas, with support from the Massachusetts Audubon Society, has asked that the field not be mowed until the first week of July, when the fledgling birds are able to leave the nest. But Bob Woodsom, whose family used to own and farm the land, says it is impossible to make any money from haying in a field without cutting it three times - once in May, once in June and again in July.

He says if the farmer who now mows the field under a contract with the town cannot make any money, he won't mow anymore.

Kezer says he hopes to fashion a compromise that will meet the needs of the farmer and the birds, but if he can't, "the birds will win out on this."

It is unfortunate that the mayor has apparently already set his priorities. There are a number of things he should consider.

Bobolinks are not an endangered species. While nobody should intentionally go out of their way to kill any creature for no reason, the focus when it comes to wildlife preservation should be on the species, not individuals. This species is in no danger of extinction.

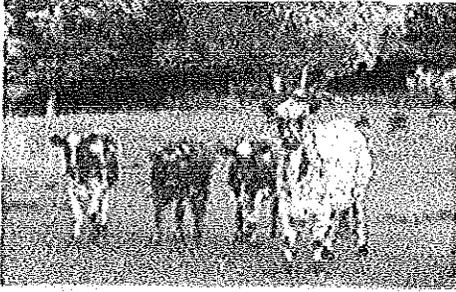
It's unclear how many Bobolinks there are in the field. Woodsom, who mowed the field for years, says he would see a dead snake or other animals every now and then but no dead birds. Kezer should not make a decision on behalf of the birds without credible proof that there are actually a lot of them there.

Woodsom also correctly notes that plenty of the farm property does not get mowed, including 40 acres of wet grassland and a cow pasture. In other words, the mowing of this 40-acre section of field does not eliminate all of the bobolink habitat.

Mowing is not the only thing that goes on at Woodsom Farm. It is heavily used by dogwalkers, joggers, walkers and even an occasional town festival. It was bought with taxpayer money for the enjoyment of Amesbury residents, and the practical use of Woodsom Farm requires that it be mowed on a regular basis to keep the field healthy.

The key to wise environmental policy is balance. If the mowing of Woodsom Farm meant there would be

December 16, 2012



from the desk of
Laine Farm
376 South Road,
Templeton, MA
01468

Board of Selectmen,

Mt. Jefferson Conservation area fields -vs- bobolink the east side of Mt. Jefferson Rd., before reclaiming the field was brush and weeds with many perk holes that all had to be filled. It is now hay fields and a good crop. The west side we seeded to hay and it too had many perk holes to fill. This project cost hundreds of dollars and many hours of labor, stone picking, machine work, seeding and fertilization.

The whole area is in very good shape as of now. There is another area at the end of Malone Road that has been reclaimed and seeded. In having feed that is palatable for cows and horses, we cannot wait until Aug. to start cutting, we are in a constant battle with mother nature, it takes multiple days (3 or 4) of good sunny weather to dry hay to bale and it's not just a matter of convenience its a matter of livelihood, if we wait there will not be a second crop.

We are going to provide areas for the bobolinks at the far east ends of some fields, this Mt Jefferson Conservation area would have been all homes and a good many at that, we now provide feed for deer, moose and many game birds such as turkeys & pheasants.

The fact that we had the fields in 61A Farm Land Protection at the time the contractor wanted to build homes in the entire Mt Jefferson Road area, however 61A allowed the M.D.C. and the Town of Hubbardston to take ownership of the property by matching the asking price.

The problem that is there are the many coyotes, fox, raccoon, opossum and skunks that raid all the fields and grounds at night. This is just a note on what we have done an seen as we have been farming this area.

I (Paul Laine) of Laine Farm have been awarded farmer of the year twice by the Worcester County League of Sportsmen.

Thank you for your interest in this matter.

Yours Truly,

Paul A Laine, Laine Farm

Chapter 61, 61A and 61B as a Farm Land Protection Tool

- Goal of the 2007 Chapter 61 law amendments were to make Ch 61 programs more consistent, simple, fair, attractive to landowners and better for open space protection;
 - Chapter 61 and 61A value forest and farm land for property tax purposes for their value for forest production and farming purposes;
 - Chapter 61B values recreational land at 25% of the value the town would normally value it at;
 - Chapter 61 land must be “devoted to the growth of forest products” (but “assessory land” devoted to non-timber purposes can be included);
 - Chapter 61A land must produce a minimum income from crops;
 - Chapter 61B may be used for pasture, horse boarding and riding businesses and forestry uses with an approved forest management plan;
 - Land may be transferred among the 3 Chapter 61 programs without penalty
 - If water or sewer “betterments” cross the Chapter lands the higher assessment and interest does not affect the land value until the land leaves the program
 - For land leaving the 3 programs and changing to a non-compatible use, the landowner must pay “roll-back” taxes for the past 5 years and 5% interest
 - Land cannot be sold or converted for a non-Chapter 61 use within one year of being taxed under the chapter without giving the town a notice to sell or convert – the town has a right to match a “bonifide offer” within 120 days and set a closing date within 90 days after that unless the landowner agrees to more time;
-
- There are about 2.1 million acres of private forests eligible for Chapter 61
 - There are about 309,587 acres of cropland, pasture and open land in the state (MassGIS 2008)
 - There are about 518,000 acres owned by Mass. farmers (about 208,413 is forested – about 34,128 have DCR forest plans)
 - As many as 40% of woodland owners are not aware of the Stewardship Program or Chapter 61.
 - Average Parcel Values for the 3 programs are: Ch 61=\$12,850; Ch 61A=\$14,436 and Ch 61B=\$166,960 (DOR FY 08 with FY 06 similar except Ch 61=\$11,200)

Chapter Program	Acres	Parcels
Chapter 61	199,387	4,619 (DCR Plans)
Chapter 61A	228,015 – 283,411	10,515 (from Warren Group but DOR has 13,033 Ch 61A parcels which would mean approx. 55,396 more acres in Ch 61A)
Chapter 61B	61,951 – 81,527	2,608 (from Warren Group but DOR has 3,434 parcels which would mean approx. 19,576 more acres in Ch 61B)