



TOWN OF ACTON AGRICULTURAL COMMISSION

Meeting Minutes Oct 24th, 2023

6:00 PM

Hybrid Meeting: Zoom and in person at Town Hall Room 9

Present: Morene Bodner, Patrick Hearn, Joe Hebert, Heidi Porten

Ian Bergemann Land Stewardship Coordinator

Attendees: Fran Arsenault Acton Select Board Liaison, Mike Gendron Acton Conservation Agent, Susan Mitchell-Hardt Acton Conservation Trust, Nora Masler Acton Planning Dept, Dylan Frazier Associate Commissioner Candidate, Bettina Abe

Regular Business:

Heidi convened the meeting at 6:06 PM

The virtual meeting advisory was read in its entirety

1. Citizen's Concerns None reported

2. Nora Masler Planning Dept

Nora presented on the Acton Zoning Bylaw regarding farming, particularly as it relates to small farming operations of less than 2 acres that wish to be commercial (officially a business) and requested Ag Comm feedback. Pat provided an example of a local small farm that is less than 2 acres, very well managed, provides local food, and whose owner, a former biology teacher, provides classes in horticultural/agricultural in our community education program. Pat felt this type of small operation farming is extremely important and should definitely be supported. Joe pointed out that permitting small farming operations enables individuals to try small scale farming and learn from that before committing to a larger property. Morene mentioned that state law limits less than 5 acres to one horse and asked if a less than two acre Acton Bylaw would be in conflict with state law. Nora commented that Acton Bylaws would not be allowed to supersede State laws and that this particular case would need to be studied. Heidi pointed out the distinction between what is generally accepted practice of farming and farming as a business with tax ID, and tax filing, etc. The group discussed other subtleties and summarized that the Ag Comm was in favor of town Bylaws that would allow the definition of farming as a business to be less than two acres and compliant with other laws. The group also discussed the very nice 6 panel Acton Ag Comm brochure than Nora formatted for us based on our inputs. Pat mentioned we should add a reference to Forestry to make the scope complete.

3. Approval of Aug 24th meeting minutes: Pat will add Bettina to the attendance list and with that change the minutes were approved.

4. Discussion of Farmland of Local Importance (FLI)

Pat reported on his action item to provide an overview of the FLI and Agricultural Conservation Easement Program (ACEP). The recent work on Farmland of Local Importance (FLI) indicates there is opportunity for landowners in Acton to have their property certified as FLI. The FLI designation is a land definition that helps to secure Ag land preservation grants that require 50% designated farmland soil type within parcel. Pat stated that the Farmland Information Center fact sheet on Agricultural Conservation Easement Program (ACEP) and Agricultural Land Easements (ALE) showed Massachusetts as having received large sums for farmland preservation since 1996. The amount going to Massachusetts 1996 through 2019 was over \$84M which is 5th highest funded state in the nation. The land owners would have received twice that amount as the ACEP grant requires a 50% match from another entity such as land trust or a town. Although this sounds like a lot of money it is really only a small amount considering that the \$86M is over 24 years and across all towns in Massachusetts.

There are three different classification of farmland that can be summed to meet the 50% required for an ACEP grant. These farmland types are Prime Farmland, Farmland of Statewide Importance and Farmland of Local Importance. An individual who wants to apply for the FLI designation on their land would first look at their property soil types as shown in the on line Web Soil Survey. If the property soil types sum to less than 50% designated farmland and the property has soil types of one of the 12 designated potential FLI soil types for Acton that, when certified, would result in a greater than 50% farmland content the property owner may wish to pursue certifying their FLI soil type. The next step would be to have NRCS visit their property to certify their FLI potential land actually is farmable land. If this process results in creating a property of more than 50% farmland designation then the owner can apply for an ACEP grant.

The ACEP Grant typically takes on the order of 2 years to process and needs to be filed through the State Conservationists Office and with the assistance of a land trust experienced in the ACEP program. Presently neither ACT nor SVT have experience in this type of grant but this will likely change over time and there may be other land trusts that could be used. Part of the process is to assess the land market value by a USDA approved appraiser skilled in assessing market value of land with an easement which is the amount the owner would be given as compensation. NRCS would provide 50% and another entity such as a land trust or a town would provide the remaining 50% of the compensation. The contact for more information and guidance is Natashia.Sawabi@usda.gov. Also see the Summary of the FLI and ACEP process, titled Land Protection process, in the Ag Comm docuserve files.

Pat pointed out that ACEP is only one of many land protection methods and that a table of the pros and cons and high level details of each is needed. Bettina pointed out that Kathy Sferra (Stow Cons Dept), Pete Westover (Conservation Works), and Bob Wilbur (Stow Conservation Trust and involved with Massachusetts CR approval) may all be able to provide further information on the full range of land protection methods and programs.

5. Morrison Farm CR Update

The Morrison Farm CR is in the process of being updated to revision level 6 to exclude the historic buildings and their minimal footprint from the CR and focus on the remaining property. The earlier comment from the conservation commission were reviewed and considered. Morene, Susan and Mike felt that the CR should proceed to revision 6 w/o any further inputs from the Conservation Commission. Pat mentioned that Pete Westover felt that some of the content in Revision 5 was unusual enough to warrant a request for pre-read from the State conservationist before going to town meeting. Pat was not sure what the basis for the concern was but the idea was that a pre-read and adjustment, if required, might avoid the possibility of passing the CR at town meeting and then having it rejected by the state. Pat suggested that after Pete has completed revision 6 Morene ask Pete's opinion on whether he would suggest a request for pre-read on the new revision.

6. Comprehensive Ag Plan Update

Morene has provided her inputs which are now included in the latest revision of the draft ag plan. This provided the needed extra detail regarding horse farming. Recognizing the Ag comm members are not forestry experts we also requested inputs from Brewster Conant who has provided the requested inputs as well as many other suggestions. Pat and Morene agreed that many of his comments should be included. In addition we asked Nora to provide inputs from a planning department perspective. Pat also discussed the pros and cons of changing the land ranking methodology to use an all categories composite of SVT ranking vs using SVT farmland only ranking. An example was given of 9 properties ranked both as SVT composite and SVT farmland only. The comparison showed only small shifts in property rankings. This exercise provided comfort that various land use types including crop farmland, animal farmland, and forestry land would be rated equitably under the farmland rating. It was decided we should use just the farmland rating as it is much simpler to use than the composite rating. We discussed pros and cons of various ways to include all properties in a single table and still be able to rank them in top to bottom order. There was also discussion on how to best group and rate contiguous, single owner, multi parcel situations to make the tabular list and the map of the properties as simple and readable as possible. It was agreed that we would put all properties in a single table but separate properties into 3 categories, State, Town and All Others. Every property would be rated using the same SVT criteria. Properties of the same category would be shown together in the overall list and rank ordered within its category. Pat will attempt to include above inputs from Brewster, inputs from planning and merging of property tables by working directly with Ian so as to avoid violations of open meeting law.

7. Support Letter for OSC

The Letter was signed by Heidi

8. Non-resident Ag Comm Members

The best way to include both Dylan Frazier and Usha Thakrar of Best Area Gleaners, a large Acton based farming/food bank organization, as alternating associate members while maintaining no more than 20% non-residency in the commissioner's vote was discussed. The conclusion was that we would request permission from the Select board for two non-resident

associate members. A request to be on next available open slot on Select Board agenda will be made.

9. Farmers Meeting

Details of the upcoming farmer's meeting were discussed. Morene agreed to host the event at her home. A date of December the 5th has been agreed. Invitations will be sent out to approximately 40 people, Heidi and Moreen will write the invitation letter. Documents that could be ready by Dec 5th include the Draft Ag Plan, the AG Comm Brochure, and an updated farm map. The Updated Ag plan may not be in final form and its not yet clear that the GIS folks can update the farmers map by then but this can be sorted out at our Nov 28th meeting.

10. New Property in Consideration

None mentioned.

11. Nov 28th 2023 Meeting Agenda

Reading of Virtual Meeting Advisory

1. Citizen's Concerns
2. Approval of Oct 24thth minutes
3. Morrison Farm CR update and next steps
4. Ag Plan Update
5. Request for 2 non Acton resident associate commissioners
6. Farmers Meeting
7. New Property in Consideration
8. Meeting Agenda for Dec 26th 2023

The meeting was adjourned at 7:54 PM

Linked relevant documents and meeting materials can be found in the Agricultural Commission's page on the Town website or through the following link. <http://doc.acton-ma.gov/dsweb/View/Collection-12706>