

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

KATHLEEN A. THEOHARIES
Secretary

JOHN LEBEAUX
Commissioner

October 19, 2020

Board of Selectmen
Town of Whately
4 Sandy Lane
South Deerfield, MA 01373

Re: APR Project name: Ashman Revocable Trust, Project ID # 20A02

As required by General Laws Chapter 7C, Section 37, enclosed please find:

- 1) A **"NOTICE OF PROPOSED ACQUISITION"**, commonly known as the "120 Day Notice", informing you that the Commonwealth of Massachusetts, acting through its Department of Agricultural Resources ("MDAR"), proposes to purchase an Agricultural Preservation Restriction ("APR") on farmland in your municipality as described in the enclosed Notice. ***The return receipt attached to this packet will confirm that you have received this notice.***
- 2) A **"CONFIRMATION OF NOTICE"** on this project. ***We ask that you (1) post and/or publish this NOTICE, and (2) hold a public announcement at which the NOTICE OF PROPOSED ACQUISITION is read into the record.*** This can be at a regular Select Board or City Council meeting, or at another public meeting for which standard legal notice was given. Please understand that the municipality need not take any action or vote concerning the acquisition - the announcement is for informational purposes only.
- 3) A **"CERTIFICATE OF NOTICE"** that following said adequate notice, the hearing/public announcement mandated by Section 37 has been held within the Municipality not later than 120 days prior to the planned acquisition. Once the meeting has been held, **please complete and return the enclosed signed "Certificate of Notice"**. The date that you certify for the announcement starts the minimum 120-day (4-month) clock for closing on the APR.
- 4) A **"CONSENT TO REDUCTION OF NOTICE PERIOD"** for this project. The law also allows for reduction of the notification period if the local public officials and legislators so agree. Because of MDAR's priority classification of this farmland for protection, we ask that your municipality agree to reduce the 120 day notification period to 60 days to expedite the process. The closing for this project is a time-sensitive matter, and your cooperation in this request is very much appreciated by the Department.

If you have any question regarding this proposed acquisition, I can be contacted at 617-626-1758. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Michele Padula".

Michele Padula
APR Regional Planner

Cc: Dorothy Du, APR Program Administrator

NOTICE OF PROPOSED ACQUISITION
OF AN AGRICULTURAL PRESERVATION RESTRICTION
ON PROPERTY IN THE TOWN OF WHATELY

Date of this Notice: October 19, 2020

Notice of proposed acquisition is hereby given to:

- (X) Chairman of the Board of Selectmen of the Town of **Whately**, or
() Mayor or City Manager of the City of

Separate notice will be given by the Department to the appropriate: County Commissioners, Regional Planning Agency, and the members of the General Court representing the district in which the land is located.

In compliance with G. L. c. 7C, Section 37, the Commonwealth Massachusetts, acting by and through its Department of Agricultural Resources (the “Department”), hereby gives notice that it proposes to acquire an agricultural preservation restriction (“APR”) on the real property identified herein for the purpose of protecting in perpetuity its superior and productive agricultural resources by preventing their conversion to other uses.

The application received by MDAR indicates that the property is owned by Lawrence S. and Nancy L. Ashman, Trustees of the Ashman 2014 Revocable Trust and consists of parcel (s) located at Long Plain Road **as approximately represented on the attached map**. The APR may encompass all or parts of the area shown.

The current use of the property is primarily for potato and butternut squash production.

Following the recording of the APR, the use of the subject property is limited to agricultural use as more particularly set forth in the APR document, the General Laws [Chapter 184, Sections 31], and the Regulations of the Department [330 CMR 22.00 et seq].

Massachusetts Department of Agricultural Resources, by:



Michele Padula, APR Regional Planner

CONFIRMATION OF NOTICE
REGARDING PROPOSED ACQUISITION
OF AN AGRICULTURAL PRESERVATION RESTRICTION

In compliance with the G. L. c. 7C, Section 37, notice is hereby given that an announcement at a public meeting was held for the purpose of disclosing the conditions or reasons supporting the Commonwealth's proposed acquisition of an agricultural preservation restriction ("APR") on certain property in the Municipality of Whately as more particularly described in the attached NOTICE OF PROPOSED ACQUISITION.

The date, time, and place of the hearing are as follows: Date: _____ Time: _____ Place: _____
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CERTIFICATE OF NOTICE

I certify that this Confirmation of Notice Regarding Proposed Acquisition of an Agricultural Preservation Restriction was posted or published in the following manner:

I further certify that an announcement was held at the place, date, and time indicated in this Notice.

X _____
(name and title: _____)

<p><i>Please complete this form and return to:</i></p> <p style="text-align:center">Dorothy Du Massachusetts Department of Agricultural Resources 251 Causeway Street, Suite 500 Boston, MA 02114</p>

CONSENT TO REDUCTION OF NOTICE PERIOD

APR Project Name: Ashman Revocable Trust, Project ID # 20A02

As authorized by the Massachusetts General Laws Chapter 7C, Section 37, the undersigned and duly authorized representative(s) of the town of Whatley do hereby consent to a reduction of the 120 day notice period prescribed for the announcement at a public meeting on the Commonwealth's proposed acquisition of an Agricultural Preservation Restriction referenced above to not less than 60 days.

Date: _____

_____ Signature	_____ Name	_____ Title
_____ Signature	_____ Name	_____ Title
_____ Signature	_____ Name	_____ Title
_____ Signature	_____ Name	_____ Title
_____ Signature	_____ Name	_____ Title

Additional signatures are required for a 60 day Waiver from legislators and Regional Planning Agencies. MDAR will attain those additional approvals.

Please complete this form and return to:

Dorothy Du
Massachusetts Department of Agricultural Resources
251 Causeway Street, Suite 500
Boston, MA 02114