

AGRICULTURAL LAND PRESERVATION COMMISSION

MINUTES OF THE DECEMBER 1, 2005 MEETING

COMMISSION MEMBERS PRESENT: Jim Opaluch, Everett Stuart, Kevin Nelson, Ken Ayars (for Bob Sutton), Judy Bailey, Dave Wallace, Jason Pezzullo

COMMISSION MEMBERS ABSENT: George Mason

STAFF PRESENT: Mary Kay, DEM/Legal
Ken Ayars, DEM/Agriculture
Lis Peterman, DEM/Agriculture
Vicky Drew, USDA/NRCS

GUESTS: Joanne Ritchitelli, South Kingstown Land Trust
Freddie Bettinger, South County Conservancy

The meeting began at 5:10 pm at the USDA, 60 Quaker Lane, Warwick.

Joanne Ritchitelli discussed with the Commission a proposal to allow a floating house lot on the Keah Property (Wallace), South Kingstown (Dave Wallace recused himself and left the room). The Keah properties are scheduled to close early in January, 2006, and a non-floating house lot in the middle of the farm field has previously been approved by both the Commission and South Kingstown Land Trust on the Keah property bordering Rt 138 and Route 2. A floating house lot is requested for various reasons outlined in a letter by Joanne Ritchitelli to the Commission dated November 15, 2005. The Commission briefly discussed this issue at the November meeting, and voted that the South Kingstown Land Trust be considered the applicant in this regard, and to consider the request based on a written letter from the Land Trust to the Commission. The Commission's contribution to this project is \$412,500. After discussion, Kevin Nelson made a motion, seconded by Jim Opaluch, to approve a 1 acre floating house lot as part of the agreement. The motion passed unanimously.

Dave Wallace rejoined the meeting.

Freddie Bettinger discussed with the Commission the Fenner/Ricci project. A request has been made for the Commission's contribution toward the joint project to go only toward the Fenner acquisition, and that the Commission approve Ricci be protected via a conservation easement, not development rights. The Ricci's are donating the majority of the value of the property on the condition that Fenner be protected, and the Commission has agreed to protect Fenner on the condition that it be in concert with Ricci. The Town of Charlestown is contributing \$400,000 toward the project, the Commission \$128,750, the Nature Conservancy \$128,750. After discussion, Kevin Nelson made a motion, seconded by Jason Pezzullo, that the Commission funding of \$128,750 go only toward the Fenner farm, and a conservation easement is approved for the Ricci Farm (under the condition that the Commission has the

right to review and approve the management plan for Ricci). The motion passed unanimously.

The meeting adjourned at 5:50 pm.

Respectfully Submitted,

Kenneth D. Ayars, Chief
Division of Agriculture, RIDEM

The Commission discussed farms in negotiation:

Schartner (Bald Hill Nursery), Exeter/N. Kingstown – Schartner has purchased the Bald Hill property in fee, and the Commission has made an offer for the sale of development rights to the farm of 3.1 million, pending receipt of funding.

Green, N. Smithfield – Offer made and Purchase and sale agreement forwarded to representatives of estate.

Lebreaux, Tiverton – Appraisal received, offer for development rights to farm in amount of \$1,000,000 made to Lebreaux.

Richmond, L. Compton – Continuing discussions with family regarding conservation plan and subdivision of property.

Manfredi, Westerly – FRPP grant toward Manfredi farm moved to the Knight Farm, Scituate. No longer negotiating with family for development rights.

Escobar, Portsmouth - Proceeding toward closing by end of September, survey and final deed language being finalized.

Salisbury, Scituate – Appraisal being updated to include an additional 21 acres of woodland, per request of Salisbury.

Knight, Scituate - Proceeding toward closing by end of September, deed language being finalized, survey underway. Town meeting scheduled with respect to requested contribution of \$250,000 by the Town of Scituate.

Panciera, Hopkinton – Closed

Tuckahoe Turf, Richmond – Discussions continue toward resolving issues related to proposed public water supply wells on the property, and agreement is reached that the Water Resources Board will own in fee the acreage immediately around the proposed wells.

J. Peckham, Tiverton – Offer letter sent to Pete Peckham, no formal response as of yet. Pete Peckham to meet in the near future with tax attorney via arrangement by DEM and the Nature Conservancy.

Wallace, So, Kingstown – Commission increased its offer on a matching basis with the Town of South Kingstown to reflect the higher appraisal value.

Smith, Gloucester – appraisal to be amended to include additional 4 acres.

Ceppi, Neale and Dutra Farms, Jamestown – A meeting was recently held with DEM and representatives of the Town of Jamestown and Land Trust to discuss the negotiating

committee and strategy, appraisals etc. Formal negotiations will commence upon receipt of the final appraisals.

L. Peckham, Tiverton – Undergoing Appraisal

Hibbad, Tiverton – Undergoing Appraisal.

Pandolfi, No. Smithfield – Appraisal recently received, undergoing review by DEM.

Jaswell, No. Smithfield – Undergoing appraisal.

Smith, Tiverton – Eric and Catherine Watne have purchased the Smith farm in fee, and the offer still stands for the sale of development rights by the by the Tiverton Land Trust and Commission for \$100,000 (Tiverton Land Trust and Commission each contributing \$50,000).

Bove, North Kingstown – Proceeding toward closing by the end of September, 2005.

Ken Ayars and Bob Sutton reported on 12 million dollars in the federal transportation bill to Rhode Island, which through the efforts of Senator Chaffee are designated toward open space protection particularly within the area of the Queens River Watershed. This can include farmland, and the Senator has requested via a letter to the Governor that the funds be administered through DEM. DEM and DOT are in discussion in this regard.

Ken Ayars reported the public hearing on the revised Commission rules is tentatively scheduled for October 13th, 2005. Bob Sutton made a motion, seconded by Judy Bailey, that the hearing be at 4pm at USDA, 60 Quaker Lane, on that date. The motion passed unanimously.

The Commission then toured several farms in Tiverton and Little Compton, and the meeting adjourned at approximately 6pm.

Respectfully Submitted,

Kenneth D. Ayars, Chief
Division of Agriculture, RIDEM