

Agricultural Land Preservation Commission

Meeting Minutes for March 24, 2011

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Commissioners Present: Kevin Nelson, David Wallace, Martha Neale, and Everett Stuart. George Mason arrived at 5:17 PM.

Commissioners Absent: Ken Ayars, Jim Pagliarini

Guests: None

Staff: Michelle Sheehan, DEM/Planning Div.; Michael Moorman, USDA – NRCS

The meeting was called to order at 5:06 PM by Vice Chair Kevin Nelson in the USDA Conference Room, Quaker Lane, Warwick, RI.

1.) The draft minutes of the February 17, 2011 were discussed. Several items were recommended for clarification. A motion was made by David Wallace to accept the minutes as amended. Seconded by Everett Stuart. Motion was unanimously approved.

George Mason joined the meeting at this point.

2.) Farms in Negotiation:

> DEM staff recommended that the Commission authorize land value appraisals be conducted on the:

**Rocky Point Farm in Warwick,
Cucumber Hill Farm in Foster,
and the Payne Farm in New Shoreham..**

A motion was made by Martha Neale to authorize DEM staff to proceed with appraisals on these three farms. The motion was seconded by David Wallace. Motion was unanimously approved.

A further discussion was held on future authorizations to begin appraisals. A consensus was formed that in the future when an application to sell development rights to the Commission is scored, and the applicant is approved for acceptance into the ALPC program, then a motion should be made at that time authorizing a future appraisal, to be procured when negotiations are about to begin with the land's owner(s).

> Michelle Sheehan reported that the DEM Open Space program was assisting the Southside Community Land Trust with the Burnett Street Community Garden project in south Providence. The Open Space program intends to purchase the development rights to the parcel and requests that the ALPC agree to be the holder of the development rights. No ALPC funds are needed. After discussion of

the proposal, George Mason moved that the ALPC accept the donation of the development rights to Plat 43, lot 438 in Providence, with the stipulation that the deed contain a clause requiring mandatory future use of the land for agricultural purposes. The motion was seconded by David Wallace. The motion was unanimously approved.

> **Wicks Nursery, Middletown, RI:** Michelle Sheehan stated that the Aquidneck Land Trust has reached a negotiated agreement with the owners of the Wicks Nursery land. This parcel had received a high score when rated in the past by the ALPC. To close the deal the Aquidneck Land Trust needs \$200,000.00 more and requests that the ALPC become a partner in the transaction by committing that amount of funding. The total purchase price for the development rights is to be approximately \$2 million, with just under half the funds coming from the USDA's Farm and Ranchland Protection Program. After a discussion of funds available to the ALPC, Martha Neale moved that the ALPC commit \$200,000.00 toward the Wicks Nursery transaction. Seconded by Jim Pagliarini. Motion was unanimously approved.

> **Diamond Hill Vineyards, Cumberland, RI:** The Town of Cumberland has been working with the vineyard owners for a number of years on a land preservation plan. The ALPC received, and scored, an application for this parcel several years ago. It was accepted into the ALPC program at that time and has been on the ALPC waiting list. DEM staff asked for ALPC authorization to commence an appraisal

for this parcel, should it be needed. Everett Stuart moved that the DEM be authorized to acquire an appraisal of the vineyard parcel if it turns out that it is needed. Motion seconded by Martha Neale. Motion was unanimously approved.

3.) Kent Property, East Greenwich, RI -- DEM staff has been contacted by Mr. Kent regarding his interest in establishing a pet cemetery on land for which the ALPC holds the development rights. No formal request had been received by the ALPC as of this date, so the topic was postponed until a future date should Mr. Kent submit a written proposal to the ALPC.

4.) Ethics and Integrity in Government Training: Kevin Nelson presented training to the Commissioners, under Executive Order 11-01. Items reviewed included: a.) the Executive Order, b.) Rhode Island Executive Branch Code of Conduct, c.) Guide to the Code of Ethics: Nepotism and Favoritism, d.) Code of Ethics (Chap.36-14 of RI General Laws), and e.) "How to Recuse" guidelines.

5.) Election of Officers: A slate of potential ALPC officers for 2011 was presented. Martha Neale moved that the slate be elected: George Mason, Chair; Kevin Nelson, Vice Chair. The motion was seconded by Jim Pagliarini and was unanimously approved.

6.) Additional business:

> Michelle Sheehan provided an overview of her recent activities under the Farmland Protection Priorities partnership. She is working in the DEM Planning and Development Division as a Nature Conservancy employee, with major funding provided by USDA. Her main focus is assisting the agencies in identifying which farmlands are highest priority to be preserved and assisting with coordination of the various programs to that end.

> A discussion was held on the several vacancies on the ALPC. Martha Neale indicated she had a conversation with a municipal planner in RI who is interested in farmland preservation and would be interested in being appointed to the Commission. It was recommended that Martha contact the person and suggest they contact the Governor's Office to express their interest.

7.) Announcements: Kevin Nelson made note of a recently adopted RI Senate resolution relating the Farm, Forest, and Open Space Act. The resolution establishes a Senate Commission to review the act and develop recommendations for improvements to the act.

The meeting adjourned at 6:23 PM.