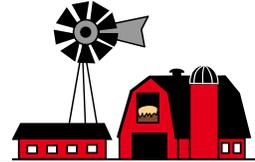




STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
Agricultural Lands Preservation Commission
c/o Department of Environmental Management
235 Promenade Street
Providence, RI 02908



AGRICULTURAL LANDS PRESERVATION COMMISSION (ALPC)
Minutes for the meeting of Thursday, October 27, 2016 at 4:00 pm (FINAL)

COMMISSION MEMBERS PRESENT: Kevin Nelson, Everett Stuart, Martha Neale, Jon Reiner, Dianne Lynch

COMMISSION MEMBERS ABSENT: George Mason, Dave Wallace, Ken Ayars

STAFF: Michelle Sheehan – DEM, Lauren Farley – DEM, Attorney Mary Kay – DEM

GUESTS: Larry Anderson – Little Compton resident, Nicole Benjamin - Attorney for Dionysus Acquisition LLC d/b/a Carolyn's Sakonnet Vineyards, Bill Sears – Little Compton resident, Liz Greeley - Dionysus Acquisition LLC d/b/a Carolyn's Sakonnet Vineyards, Bill Richmond – Little Compton Agriculture Conservancy Trust (LCACT)

The meeting was called to order at 4:08 at USDA, 60 Quaker Lane, Warwick, RI by Kevin Nelson, Vice Chair.

Items #8 (Sakonnet Vineyards request for approval letter) and #9 (Young Family Farm request for approval letter) were moved forward on the agenda for the benefit of guests.

Sakonnet Vineyards, Main Road, Little Compton. Request for approval letter regarding town entertainment license request for Annual Concert series.

N. Benjamin spoke on behalf of Dionysus Acquisition LLC. They seek approval for their 2017 Entertainment License Application – a requirement of the Town of Little Compton. A written statement must be submitted by easement holders stating that activity in license application is consistent with the terms of the Deed to Development Rights (DDR). The ALPC and LCACT co-hold DDR. It was previously decided by ALPC that the activity described in the 2016 license application (summer concert series) was not in the purview of the Commission. N. Benjamin received the ALPC letter and submitted to Town of Little Compton along with a request for a waiver from provision requiring easement holder statement that entertainment activity is consistent with DDR terms. **On a motion by J. Reiner and a second by E. Stuart, the Commission voted unanimously to issue statement to the Town of Little Compton that the proposed activities do not violate the terms and conditions of DDR.**

Young Family Farm, Main Road, Little Compton. Request for approval letter regarding town entertainment license request for annual Apple Picking and Bluegrass Festival.

M. Sheehan presented. For last year's approval request, DEM administratively issued statement that the proposed activity did not violate terms and conditions of the Deed to Development Rights. The one day event includes apple picking and music etc. ALPC members stated that issues related to music and traffic remains outside of ALPC purview. J. Reiner asked if authority can be delegated to DEM for routine administrative decisions. M. Kay advised that it cannot, but it may be voted on in future agenda item if ALPC wants to cede that authority to DEM. **On a**

motion by J. Reiner and a second by D. Lynch, the Commission voted unanimously to issue statement to the Town of Little Compton that the proposed activities do not violate the terms and conditions of DDR.

Reading and approval of the minutes of the meeting of 9/15/16

On a motion by E. Stuart and a second By D. Lynch the Commission voted unanimously to approve the minutes of the September 15, 2016 meeting with minor amendments.

Review of current ALPC budget

M. Sheehan provided update on current budget. The current balance \$3,132,167.00. Current project commitments are \$172,000 to Andrews in Exeter, \$550,000 to Bailey, \$185,000 to Regnier/Fletcher Road, \$200,000 to Whaley Farm in South Kingstown, \$1,000,000 to Adams in Exeter, \$330,000 to Broadwall in Coventry, \$233,333 to Hibbad in Tiverton. Current overhead commitments (appraisals and survey) total \$85,000.

Status update of farms in negotiation:

a.) Adams, Glen Rock Road, Exeter: The ALPC request for funding from Champlin Foundation will be considered at their November meeting. P&S Agreement to be signed in November. Closing will likely be in late spring / early summer 2017

Review the ALPC Alternative Energy Policy. Discussion and possible action.

M. Sheehan reported that Commissioner D. Wallace, who was unable to attend meeting respectfully requested this item be deferred in order to gather additional information for ALPC to consider. Members agreed that they would be very willing to hear additional information, especially regarding the economics of the policy and also to clarify contradictory information that has been presented from various sources about the feasibility of solar projects.

West Wind Farm, Reservoir Road, North Smithfield. Request to install a temporary solar array on one acre of this protected farm. Discussion and possible action. Deferred

Simmons Farm, West Main Road, Middletown. Request to install a solar farm on 10 acres of this protected farm. Discussion and possible action. Deferred.

Covell Farm, Jingle Valley Road, South Kingstown. Request to subdivide farm. Discussion and possible action.

M. Sheehan presented a letter of request from Covell Attorney John Kupa Jr.. M. Sheehan had informed Mr. Kupa that the item would likely be deferred pending receipt by Commission of specifics of the subdivision scenario, which are forthcoming. The Commission discussed that subdivision is prohibited in the DDR. ALPC finds that the use of subdivision for estate planning / distribution to heirs is not valid as there is no agricultural benefit. **On a motion by M. Neale and a second by J. Reiner the Commission voted unanimously to deny the request to subdivide the protected farm.**

Schartner Home Farm, Route 2, South Kingstown. Submission of application cover letter.

M. Sheehan informed Commission of cover letter dated July 18, 2016 that was received with the application to sell development rights. The farm's appraisal will start soon.

Cottrell Farm, Waites Corner Rd, South Kingstown. Submission of additional information

under existing request to run an underground power line across the farm to service a solar array. Discussion and possible action. deferred (Submission of requested material was not in time to discuss at this meeting.)

Amendment policy. Discussion and possible action. Members discussed minor changes to the draft policy. The policy will be voted on at November meeting.

Farmland Acquisition Program: brief update on progress with the Rules & Regulations

Meeting will tentatively be in early December. Location suggestions are welcomed. This meeting will inform public of recommended changes and suggestions brought up at previous workshops. DEM also seeks input regarding additional concerns articulated at Workshop #1 and #2

Scoring New Applications:

Phoenix Rising Farm, Pound Hill Road, North Smithfield: The farm was scored by the Commission and achieved an average score of 31.4. The minimum score for acceptance into the program is 35.

Daviau, 62 Westcott Road, North Scituate The farm was scored by the Commission and achieved an average score of 23.8. The minimum score for acceptance into the program is 35.

Spruce Acres Farm, 1286 East Main Road, Middletown: Deferred pending receipt of additional information from the Aquidneck Land Trust regarding the long term role of agriculture on this parcel.

On a motion by M. Neale and a second by E. Stuart, the Commission voted unanimously to accept the scoring of Daviau property.

There being no further business, on a motion by J. Reiner, seconded by D. Lynch the Commission voted unanimously to adjourn the meeting at 5:30.

Respectfully submitted by Lauren Farley, DEM