

Westport Agricultural Commission

January 9, 2019

Members present: Ray Raposa, Tina Newell, Gerri Gaskell, Carole Mann, Seth Lewis, Norm Anderson, Lee Tripp, Ed Ferreira, Shirley Robbins, Jackie White

Members not present: Jay Tripp, Tom Barrett

Guests: Phil Weinberg BOH, Cynthia Jeffers, Constance Gee, Averyl Andrade, Nathan Andrade, Tom Barrett's Mom

Call to order: 6:30

Pledge of Allegiance

-Review of meeting minutes for December 12, 2018 meeting. Ed made motion to accept, Carol second the motion. All members approved.

-Ray had met with the Board of Health this morning regarding the Summary Draft of the proposed Tenant Farm Regulations.

-A motion was called to the commission to accept Mr. Weinberg's (Board of Health) definition of a tenant farm as worded in the Summary Draft of the proposed Tenant Farm Regulations. More specifically part (b) "a site less than five acres on which livestock owned by a sole tenant operator is kept". Lee made a motion to accept, Norm second the motion. Vote count was two yes, two no, and one unsure. (Carol, Lee –yes), (Ed, Ray – no) (Shirley – unsure) Motion was denied.

-A motion was called to make a change to part (b) of the definition of a tenant farm as worded in the Summary Draft of the proposed Tenant Farm Regulations. The change to part (b) would be "a site less than two (2) acres on which livestock owned by a sole tenant operator is kept". Lee made a motion to accept. Ed second the motion. Four voted in favor and one against. Motion was approved. (Shirley, Lee, Ed and Carol – yes, Ray –No)

A few questions arose regarding Manure Management in the proposed Tenant Farm Regulations. In paragraph 4 under Manure Management Ray mentioned that there are no known products that he is aware of that exist for treating manure piles during fly breeding season. Lee was concerned that if products do exist what effect would that have on organic farming practices if farmers were spreading treated manure on their crops?

- Mr. Weinberg stated he would make a change to the definition of "tenant farm" as noted above and also include a definition of "surface water". Phil, Ray and Matt Armendo will have a further discussion regarding products used during fly breeding season.

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Ray noted that Ag Com will work with the Board of Health to help mediate any problems concerning animal welfare in the future. This is stated in Article LIV Right to farm By-Law. The last six lines state “ The ZEO or Select Board shall forward a copy of the grievance to the Agricultural Commission or its agent, which/who shall review and mediate the grievance and report its findings and recommendations to the appropriate Town authority for further action. The Board of Health, except in cases of imminent danger or public health risk, and the Conservation Commission shall forward a copy of the grievance to the Agricultural Commission or its agent, which/who shall review and within an agreed upon timeframe report its findings and recommendations to the Board.

New Business - Phil and Averyl spoke regarding developments with the newly organized town Craft Cannibas Co-op Committee. The CCCC has been meeting frequently to help develop proposed By-Law changes. This is in order to meet the required time frame for submission (by law) for the changes to be considered at the annual town meeting.

Next meeting is February 13, 2019 at 6:30

Shirley made motion to adjourn. Ray second the motion. All approved. Meeting adjourned at 8:45 pm.

Westport Agricultural Commission

February 13, 2019

Members present: Ray Raposa, Tina Newell, Gerri Gaskell, Carole Mann, Seth Lewis, Norm Anderson, Lee Tripp, Ed Ferreira, Shirley Robbins, Jackie White

Members not present: Tom Barrett

Guests: Debbie Barrett, Sue and Bud Smith, Maryann Manchester, Linda and Paul Tavares, Paul Manchester, Tucker Manley, Paul Schmidt, Andrew Orr, Mike Orr, Ben Wolbach, Maury May, Jim Whitin, Ian Ward, Mr. & Mrs. Aaron Burr

Call to order: 6:30

Pledge of Allegiance

First order of business was a discussion with State Rep. Paul Schmidt regarding wildlife damage in food plots. Members and guests discussed different types of fencing and effectiveness. Questions arose regarding degradation permits from the MA State Dept. of Fish, Game and Wildlife to hunt deer, turkeys and rabbits off season. Ag Com member Jackie White volunteered to research more information.

Second order of business was a discussion of the future of the Westport Farmers Market. Little Compton resident and Westport farmer Ben Wolbach and his wife Hanna will spearhead this coming summers market with support from Maury May and Jim Coyne at the Westport Town Hall Annex.

Maury May (Westport Board of Health) updated AgCom regarding new Tenant Farm Regulations. Regulations have been finalized and will be effective March 1, 2019 for permit year starting May 1, 2019. Fees have not yet been established.

Third order of business was an update from Ian Ward. Ian was a guest of AgCom approximately 7 months ago when he discussed the Palmer River Initiative in Rehoboth and the success he had working with farmers in reducing nitrogen runoff into the Palmer River. Recently, grant money was approved by the State and is available to help Westport farmers reduce nitrogen run off into the Westport River. Ian works as an intermediary between the myriad of several state agencies and farmers. Ian is starting to meet with several Westport farmers. Ian's goal is to be a low key advocate for the farmer and help them navigate the different grants available through different MA State Departments.

Jim Whitin of the Westport Planning Board spoke next regarding proposed zoning by-law changes for the growing of recreational marijuana.

A motion was made by Carol Mann and second by Ed Ferreira to ask the selectmen to delay proposed zoning by law changes currently being drafted by the Craft Cannibas Commission (allowing the growing of recreational marijuana) for one year. All AgCom board members approved.

A motion was made by Ed Ferreira and second by Lee Tripp to not release from Chapter 61 land owned by Pedro L. and Maria M. Texeira Terminus of Sullivan Drive along Route 88, Westport, MA . Assessors Map 31 parcels 5 and 6A containing approximately 44 acres of land. The vote was unanimous.

A motion was made by Shirley Robbins and second by Carol Mann to accept last month's minutes dated January 9, 2019. Vote was unanimous.

A motion was made by Shirley Robbins and second by Ed Ferreira to release from Chapter 61 a 10 acre portion shown as Parcel A on ANR Plan Book 178, Page 76 dated November 12, 2018. Portion of Assessor's Map 70, Lot 15 and owned by Muriel M. Peters and Thomas Peters Jr. Life Estate 667 Main Road Westport, MA. Vote was unanimous.

A decision was made by Ray Raposa to postpone until next month the decision to release two properties on Sodom Road from Chapter 61 until the board has time to become familiar with the properties.

Westport Animal Control Officer Donna Lambert has asked AgCom in helping to assist in identifying all farm animals in Westport. The Westport Town Administrator had given Ms. Lambert until March 1st to complete this task.

A motion was made at 9:04 to adjourn. The motion was made by Shirley and second by Ed. Vote was unanimous.

Westport Agricultural Commission

April 10, 2019

Members present: Ray Raposa, Tina Newell, Gerri Gaskell, Carole Mann, Seth Lewis, Norm Anderson, Lee Tripp, Ed Ferreira, Jackie White

Members not present: Tom Barrett, Shirley Robbins

Guests: Averyl and Nathan Andrade, Rep. Paul Schmidt, Deanna Levanti, Ben Wobach

Call to order: 6:41

Pledge of Allegiance

First order of business was a discussion with Deanna Levanti from MDAR regarding various grant programs. AgCom members were handed a sheet of paper listing the grants.

Second order of business was an update on craft cannibas from Averyl Andrade and Brian Valcourt. Averyl and Brian are looking for endorsement from the Agricultural Commission. No vote of endorsement was taken at this meeting.

Third order of business was an update on the Farmer's Market from Ben Wobach. Ben is still recruiting vendors for this years market to be held at the Westport Town Hall Annex. The market will run for 16 consecutive Saturdays starting June 15th.

A motion was made by Norm Anderson to release from Chapter 61 one parcel of land owned by Hugh E. McGovern of Dunstable, MA , a second motion made by Carol Mann. All approved.

0 Sodom Road, Map 59, Lot 5-1 – a portion of this parcel shown as Parcel 1 on ANR Plan Book 178 and Page 65 recorded with the Bristol County S.D. Registry of Deeds. Approximately 5.3 acres.

The next meeting is Wednesday May 8, 2019 at 7:30.

A motion was made to adjourn. The motion was made by Carol and second by Ed. Vote was unanimous.

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Westport Agricultural Commission

March 13, 2019

Members present: Ray Raposa, Tina Newell, Gerri Gaskell, Carole Mann, Seth Lewis, Norm Anderson, Lee Tripp, Ed Ferreira, Shirley Robbins, Jackie White, Tom Barrett

Members not present: None

Guests: Averyl and Nathan Andrade, Donna Lambert, Tanya Ryden, Phil Weinberg BOH, Matt Armendo BOH, Cynthia Jeffers

Call to order: 6:30

Pledge of Allegiance

First order of business was a discussion with Phil Weinberg from the Westport Board of Health. Phil touched upon information and instructions for the new tenant farm permit application. There will be no fee for applications submitted before May 1, 2019.

Mr. Weinberg is working on a draft proposal of the Keeping of Animals and hopes to have it completed by the time of the annual town meeting.

The animal control officer will soon be under the supervision of the Board of Health.

New Business – Composting food waste – The Macomber School Principal has reached out to see if there is potential to turn food waste into compost and is looking to AgCom for suggestions and/or help.

Second order of business was an update on craft cannabis from Averyl Andrade. Ms. Andrade passed around to AgCom members the proposed warrants to amend town by-laws affecting craft marijuana cooperatives and summary of proposed craft marijuana cooperative town and zoning by-law articles. Averyl is looking for AgComs support in the proposed by-law amendments coming up at the next annual town meeting.

Third order of business was update on hemp cultivation by AgCom's Tom Barrett. Tom submitted a two page update.

A motion was made by Shirley Robbins and second by Carol Mann to release from Chapter 61 two parcels of land owned by Hugh E. McGovern of Dunstable, MA

Parcel 1. 0 Sodom Road, Map 60, Lot 2 – a portion of this parcel shown as Lot 1 on ANR Plan Book 165 and Page 103 dated June 18, 2007 recorded with the Bristol County S.D. Registry of Deeds. Approximately 2.47 acres.

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Parcel 2. 0 Sodom Road, Map 60, Lot 2 – a portion of this parcel shown as Lot 2 on ANR Plan Book 165 and Page 103 dated June 18, 2007 recorded with the Bristol County S.D. Registry of Deeds. Approximately 2.38 acres.

A motion was made by Shirley Robbins and second by Ed Ferreira to accept last month's minutes dated February 13, 2019. Vote was unanimous.

Old Business – Regarding MA State Rep. Paul Schmidt's past months visit regarding wildlife damage to food plots, AgCom's Jackie White researched degradation permits and found information from Massachusetts General Laws Chapter 131 section 37 that makes allowances for residents experiencing damage. (see attached copy of MGL Ch 131, section 37).

A representative from MDAR might attend next month's meeting to discuss fencing possibilities through state cost share programs.

The next meeting is Wednesday April 10, 2019 at 6:30.

A motion was made at 8:59 to adjourn. The motion was made by Carol and second by Shirley. Vote was unanimous.

Westport Agricultural Commission

May 15, 2019

Members present: Ray Raposa, Tina Newell, Gerri Gaskell, Carole Mann, Seth Lewis, Norm Anderson, Lee Tripp, Ed Ferreira, Jackie White, Tom Barrett

Members not present: Shirley Robbins, Norm Anderson

Call to order: 7:30

Pledge of Allegiance

-Review minutes. A motion to accept the past months minutes was made by Ed. Lee Tripp second the motion. Vote was unanimous.

-Chapter 61 Release. Land owners are Valerie Hawes and Barbara Hawes Caldwell. Location of area of 61 property is 1778-1780 Drift Road. A portion of 1.88 acres. Assessor's Plat Map 58, Lot 185 – a portion of this parcel, shown as Lot 3 revised on ANR Plan dated April 14, 2019 to be recorded with the Bristol County (S.D) Registry of Deeds. Agricultural Land Tax Lien deed book 1827, Page 1173. **A motion** was made by Ed Ferreira to release from Chapter 61. Second motion made by Carol Mann. All approved.

-Keeping of animals registry update. A new committee has been formed to come up with new rules and regulations. Some of the members of the committee are Phil Weinberg and Matt Armendo from the BOH, Ray Raposa, Darren Mendes and Donna Parillo.

-Ag Com is working with the Board of Health regarding farm complaints and issues of management.

-No old business.

-No new business.

-No other business.

The next meeting is Wednesday June 12, 2019 at 7:30.

A motion was made to adjourn. The motion was made by Carol and second by Tom. Vote was unanimous.

Adjourn at 8:28 p.m.

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Westport Agricultural Commission

Minutes

July 10, 2019

Members present: Ray Raposa, Tina Newell, Seth Lewis, Norm Anderson, Lee Tripp, Jackie White

Members not present: Shirley Robbins, Ed Ferreira ,Tom Barrett

Call to order: 7:30

Pledge of Allegiance

-A motion to accept the past months minutes was made by Lee. Jackie second the motion. Vote was unanimous.

-Keeping of Animals update – Another meeting was scheduled. Ray will email a draft of proposed new regulations when they are ready.

-Ray is going to send out an email to all AgCom members prior to next meeting to see if there is anything a commission member would like added to the agenda for discussion.

-There are 3 alternate member openings for AgCom.

-No old business.

-Next meeting is August 14, 2019 at 7:30.

-No other business.

-A motion was made to adjourn. The motion was made by Norm and second by Lee. Vote was unanimous.

Adjourn at 8:02 p.m.

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Westport Agricultural Commission

Minutes

August 14, 2019

Members present: Ray Raposa, Tina Newell, Norm Anderson, Lee Tripp, Jackie White

Members not present: Shirley Robbins, Ed Ferreira, Tom Barrett, Seth Lewis

Call to order: 7:34

Pledge of Allegiance

-Meeting with Phil Weinberg and Tanya Ryden from the Westport Board of Health regarding first draft of proposed new "Keeping of Animals" regulations.

Some points of interest were:

- There will be two inspections for farms. Barn Book inspections will take place in the fall. The Board of Health will have an additional inspection in the spring.

-There will be no permit fees initially but that could change next week, month or year.

-Brief discussion regarding manure transfer and changing definition of potable water.

Next on Agenda:

-Release of 61A lot owned by McGovern on Sodom Road. Map 60, Lot 1B. Motion made by Jackie. Norm second the motion. Vote was unanimous.

-A motion to accept the past months minutes was made by Lee. Jackie second the motion. Vote was unanimous.

-No old business.

-Next meeting is September 11, 2019 at 7:30.

-No other business.

-A motion was made to adjourn. The motion was made by Jackie and second by Lee. Vote was unanimous.

Adjourn at 9:13 p.m.

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Westport Agricultural Commission

Minutes

September 11, 2019

Members present: Ray Raposa, Tina Newell, Tom Barrett, Lee Tripp, Jackie White, Seth Lewis

Members not present: Shirley Robbins, Ed Ferreira ,Norm Anderson

Guests: Ray Elias, Phil Plant and friend.

Call to order: 7:35 -Pledge of Allegiance

-First order of business – Keeping of Animals update – Ray Raposa “not sure where we are headed next but it will be back to the round table for further discussion”.

Guest Ray Elias expressed interest in joining the Agricultural Commission as an alternate member. Mr. Elias commented that farms over 5 acres in size come under scrutiny from MDAR at the state level and it makes sense for same level of scrutiny for backyard farmers with less than 5 acres.

Jackie White with other members of AgCom and guest Phil Plant think officials from the state (MDAR) should come down and clarify what information can be shared with the Town of Westport prior to approving Keeping of Animal regulations.

A **Motion** was made by AgCom to not accept the Keeping of Animals Regulations draft as written. Jackie White made the motion and Tom Barrett second the motion. Vote was unanimous.

Lee Tripp asked if AgCom had any suggestions for the BOH regarding the Keeping of Animals regulations.

AgCom recommends: 1. Voluntary registration. 2. No fees. 3. No additional inspections. Barn books should suffice. 4. Limit inspections to animal welfare and not environmental concerns.

Next on Agenda: -Release of 61B land owned by Carvalho off of Horseneck Road. Motion made by Jackie. Lee second the motion. Vote was unanimous.

-A motion to accept the past months minutes was made by Lee. Jackie second the motion. Vote was unanimous.

-No old business. -New business - 1. Possible discussions with MDAR officials. 2. Investigate amending Town of Westport Right to Farm by-laws to provide more protection for farmers. 3. A sub-group or committee of concerned farmers may be forming to help provide further input.

-Next meeting is October 9, 2019 at 7:30.

-A motion was made to adjourn. The motion was made by Lee and second by Tom. Vote was unanimous.

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Westport Agricultural Commission

Minutes

October 9, 2019

Members present: Ray Raposa, Tina Newell, Tom Barrett, Lee Tripp, Jackie White, Seth Lewis, Ray Elias, Jackie White, Kate Nemeth, Sherilyn Mahoney

Members not present: Shirley Robbins, Ed Ferreira

Guests: Marianne Lima, Ronald Laprise, Ginny Graham, Charlie Mellow, Claudine Lewis, Cathy Sisson-Carvalho, Tony Carvalho, Patrick Mc Bride, Jean Mc Bride, Korey Pinto, K. Cordeiro, Grace Greenwood, Chris Azevedo, Thomas C. Vieira, Phil Weinberg, Bill Harkins, Matt Armendo

Call to order: 7:00 -Pledge of Allegiance

-**First order of business – Keeping of Animals update** – Phil Weinberg Board of Health came before AgCom to give update. BOH met after the public hearing about how to proceed and to address major concerns. There are four parts to Mr. Weinbergs overview. 1. There will be a **registry** form. The form would include location, category of animals and contact information. One time registration with no fee. Records will be retained by first responders. 2. **Operating Standards.** BOH will not impose regulatory standards but guidelines. 3. **Inspection.** Properties/farms would not be automatically subject to additional inspections. 4. **Enforcement.** There is an issue on whether registry should be mandatory or not. Should there be consequences for filing false or inaccurate information or not filing at all? A financial penalty could be similar to other permit regulations.

Mr. Weinberg stated that public officials do not know where all the animals in town are kept.

ACO Donna Lambert stated that all properties with livestock are required to have a State barn book inspection, even if there are only 2 chickens and 1 goat.

Next on Agenda: Eric Olson a deer hunter, is looking for land to hunt.

A letter was written by Lee Tripp, signed by Ray Raposa and forwarded to the planning board expressing support from AgCom on the reduction of acreage that is permitted to be clear cut for solar farms.

-**No old business. No new business**

-Next meeting is November 13, 2019 at 6:30.

-A motion was made to adjourn at 10:17. The motion was made by Ray Elias and second by Tom. Vote was unanimous.

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Westport Agricultural Commission

Minutes

November 13, 2019

Members present: Ray Raposa, Tina Newell, Lee Tripp, Jackie White, Seth Lewis, Ray Elias, Kate Nemeth, Sherilyn Mahoney, Shirley Robbins, Norm Anderson

Members not present: Tom Barrett

Guests: Taylor Raposa, Jon Alden, Sam Mundel, Patrick McBride, Sheri Barron, Chris Azevedo, Grace Greenwood, Ronald Laprise

Call to order: 6:30 -Pledge of Allegiance

-First order of business – Keeping of Animals – the new regulations will be implemented November 25. Ray Raposa thinks AgCom might be responsible for helping to draft the guidelines

Second order of business – Sam Mundel from the Westport Farmers Alliance spoke regarding the Petition for a Special Town Meeting to strengthen the Right to Farm By-Law. Definition of Farm changes in petition to include the small scale back yard farmer. The proposed new By-Law is respectful of MA State Law. The BOH can regulate up to the State level but no further. AgCom is proposed to maintain the census.

Jackie White made a **motion** to support the proposed Petition for a Special Town Meeting. Norm second the motion. Vote was approved 3-2 with Jackie, Norm and Ray Raposa voting yes and Shirley and Lee abstaining.

A motion was made by Shirley and second by Jackie to accept the minutes from September and October. The vote was unanimous.

New Business – Ed Ferreira has resigned from AgCom.

-No old business.

-Next meeting is Thursday December 12, 2019 at 6:30.

-A motion was made to adjourn at 7:30. The motion was made by Norm and second by Jackie. Vote was unanimous.

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Westport Agricultural Commission

Minutes

December 12, 2019

Members present: Ray Raposa, Tina Newell, Seth Lewis, Ray Elias, Norm Anderson, Tom Barrett

Members not present: Jackie White, Shirley Robbins, Sherilyn Mahoney, Kate Nemeth

Guests: Jon Alden, Cynthia Jeffries

Call to order: 6:31 -Pledge of Allegiance

First order of business - review of MDAR's Mike Cahill visit with the Board of Health on December 11, 2019.

A motion was made by Norm and second by Ray Elias to accept the minutes from November. The vote was unanimous.

A motion was made by Seth and second by Ray Elias to release Chapter 61A property owned by Hugh E. and George R. McGovern. 0 Sodom Road – 106,198.8 sq. ft. Vacant lot Map 60, Lot 1A Sodom Road (lot 5) – a portion of this parcel shown as Lot 1 on ANR Plan Book 165, Page 104 dated October 15, 2007. The vote was unanimous.

A motion was made by Seth and second by Ray Elias to release three Chapter 61A parcels owned by Meader Corporation on River Road. Parcel 1 – 570 River Road containing 62,029.8 sq. ft. Assessor's Map 87, Lot 87. Parcel 2 – 572 River Road containing 61,119 sq. ft. Assessor's Map 87, Lot 87e. Parcel 3- 574 River Road containing 64,500 sq. ft. Assessor's Map 87, Lot 87a. The vote was unanimous.

New Business – Lee Tripp has resigned from AgCom. Ray Elias gave a brief discussion regarding Animal Care Guidelines for the Keeping of Animals Regulations.

-No old business.

-Next meeting is Wednesday January 8, 2020 at 6:30.

-A motion was made to adjourn at 8:20. The motion was made by Seth and second by Ray Elias. Vote was unanimous.