

# Northfield Open Space Committee

**DRAFT**

Minutes

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September 15, 2015  
Town Hall – Planning Board Room

*Items in italics require action prior to next meeting.*

Present: Mike Barry, Julia Blyth, Joanne McGee, Leslie Powers, Jerry Wagener, Chair.

Absent: Sue Ross, Kate Rossiter (LOA), Bob Hall

Guests: Robin Conley, Open Space representative to Community Preservation Committee

Lucy Livingston, resident

J. T. Horn, Senior Project Manager, Trust for Public Land

Brian Noble, Town Administrator

The meeting opened at 7:30.

## 1. **Trust for Public Land option for Northfield Mt. Hermon land:**

Grandin Reservoir Zone A - J. T. Horn discussed progress in the negotiations and planning as explained in his draft proposal (distributed at meeting and attached to these minutes) and his efforts to take into considerations desired by all parties. Value Water Systems, AKA Colonial Water Co of Plainfield Ct. has signed a letter of intent to purchase all the infrastructure, customer base, billing, dam, assets, etc., and the Zone A acreage (44 acres) around the reservoir. The next step is to move to a buy contract. If the water company's purchase included the additional acreage of Zone B (273 acres), it would need to raise rates. Both Department of Public Utilities (DPU) and the Department of Environmental Protection (DEP) must approve this deal, but DEP wants the water company to have both zones.

Grandin Reservoir Zone B - JT's proposal that the town own Zone B with a conservation restriction and then lease the land to the water company has several advantages. The lease would remove liability, outsource headaches, eliminate day to day regulation, and provide a mechanism to replace some lost tax revenue by a share of forestry proceeds.

A resident expressed concern about public access to the land around the reservoir as has been the custom in the past. According to state law, the utility has a legal right to post the land. If the town demanded public access, the DPU would not approve the sale. The water company has a waiver for an open water supply rather than building a filtration plant (cost ca \$900,000) and would not want to be jeopardize that waiver.

Mike is concerned about the management of Department of Conservation and Recreation (DCR) forests and wants to negotiate a memorandum of understanding. JT will talk with DCR about the town's concerns about active management.

Because DEP does not like the “chopped up” management of the zones, JT will go with representatives of DCR and Executive Office of Environmental Affairs and with Brian Noble, town administrator to meet with DEP.

The committee voted to support the plan as proposed with a change to the Zone A conservation restriction to allow recreation and public access if water supply purpose is ended and with the inclusion of a memorandum of understanding about future management of DCR’s land. Mike/Julia 5 – 0

The proposed date for J. T. to brief the Selectboard and Conservation Commission is Oct. 6. It would be helpful to have members of the Open Space Committee at that meeting.

2. **Ad for Northfield Outdoor Challenge Weekend**: The committee voted to split the cost of the \$100 ad with the Northfield Trails Association. Leslie/Julia 5 – 0
3. **Leaders for the 3<sup>rd</sup> Sunday of the month hike**: Jerry distributed the hike series schedule. Robin Conley will lead the hike Sept. 20 on King Phillips Hill. Jerry will ask Bob Pasteris to lead the Oct. 18 hike.

The remainder of the agenda will be discussed in October.

4. **Adjournment**: The meeting was adjourned at 9:30. The next meeting will be October 20.

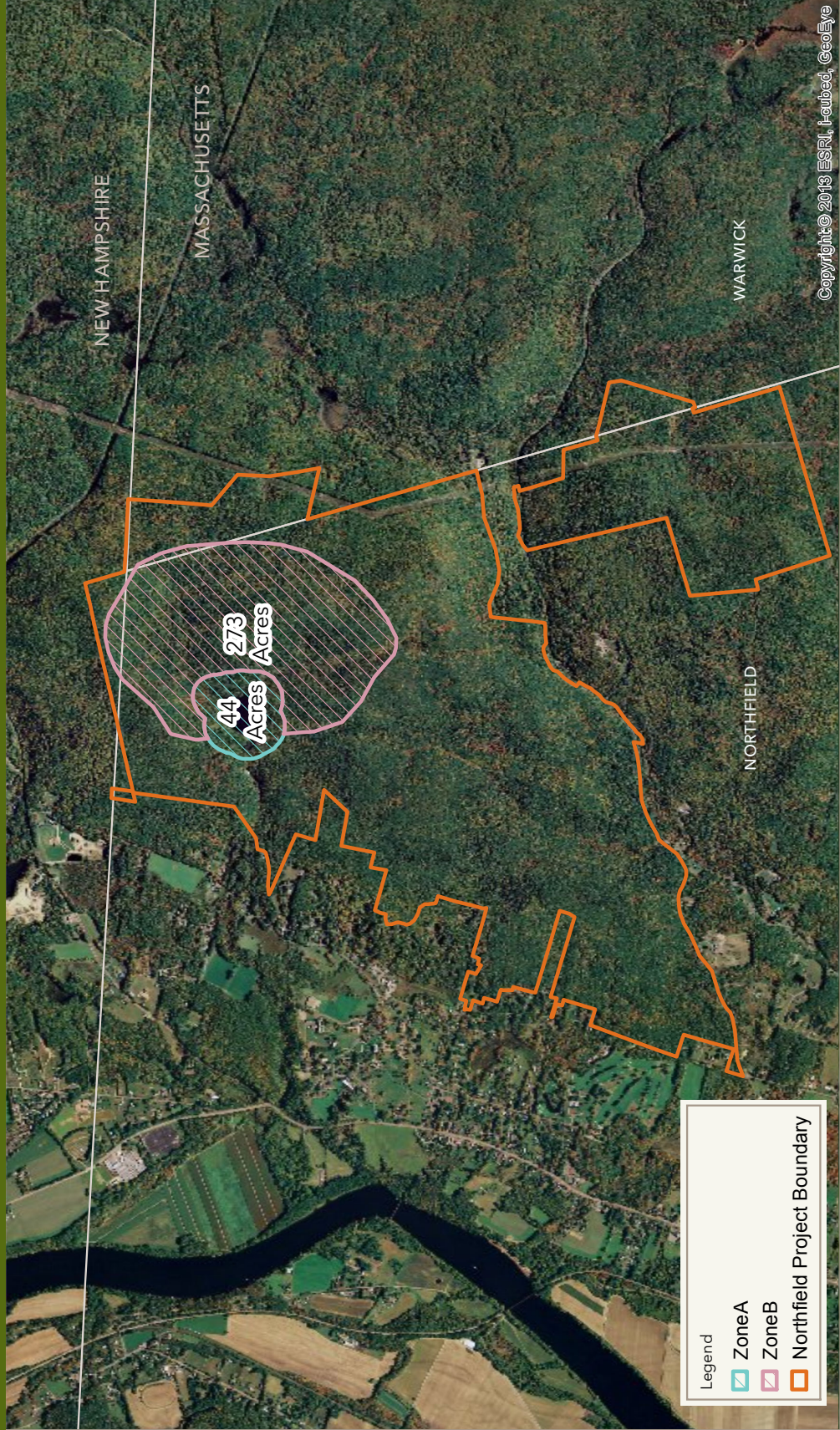
Respectfully submitted,

Joanne McGee, Secretary

Attachments: 1. Northfield Forest & East Northfield Water Company, Proposed Conservation Disposition  
2. Northfield Forest, Map

# NORTHFIELD FOREST

FRANKLIN COUNTY, MASSACHUSETTS



THE TRUST *for* PUBLIC LAND

LAND FOR PEOPLE

**Northfield Forest & East Northfield Water Company**  
**Proposed Conservation Disposition**  
**DRAFT 09/14/15**  
**By J.T. Horn, Senior Project Manager, Trust for Public Land**

**Background:** The Trust for Public Land (TPL) has signed purchase contracts with the Northfield Mount Hermon School (NMH) for 1,650+/- acres of land and the assets of the East Northfield Water Company (ENWCo), which operates a public drinking water system that serves approximately 300 households on a subset of those lands. NMH has decided to divest these lands in Northfield and Warwick, MA and Winchester, NH as part of a long term plan to consolidate their operations from two campuses - one campus each in Northfield and Mount Hermon - to a single campus in Mount Hermon.

TPL and NMH have agreed to pursue a conservation outcome for the land that will respect the public values of the land for water quality, wildlife habitat, non-motorized recreation, sustainable forestry and scenic beauty. This paper summarizes the proposed final disposition of the lands to several entities that will become the long term conservation stewards of the property. Please see attached maps that show the proposed disposition.

**Grandin Reservoir Zone A:** This portion of the property consists of approximately 44 acres that is proposed to be transferred to the purchaser of the East Northfield Water Company in fee with a conservation restriction held by the Town of Northfield. This parcel will be defined by a yet-to be completed survey, but will encompass the immediate "Zone A" watershed of the reservoir, which is defined by Massachusetts Department of Environmental Protection as being 400 feet from the surface water of a public drinking water supply (Grandin Reservoir).

- This parcel contains the Grandin Reservoir and the high hazard dam on Louisiana Brook that creates the reservoir. The East Northfield Water Company will be responsible for maintaining the dam and reservoir.
- This parcel contains the East Northfield Water Company's buildings and pipes integral to the water company operations for filtration, water testing, chemical treatment and pumping.
- This parcel will be benefitted by a right of way up the private Louisiana Road for access, but that ROW will be limited to purposes of operating a public drinking water supply and forestry. There will be no access rights for residential or commercial development. Mass DCR and the Town of Northfield will review and approve the ROW as it will cross property that they will own and/or have a Conservation Restriction.
- The Conservation Restriction will be held by the Town of Northfield and will be paid for by the Town through their Community Preservation Act funds and supplemented by TPL's private fundraising if necessary. Landscape Partnership Grant funds cannot be used for this portion of the property because it is unlikely that there will be public access.
- Mass DCR will be given a chance to review and approve the terms of the Conservation Restriction as a project partner and an abutting landowner. Mass DEP will be given a chance to review and approve the terms of the Conservation Restriction as the water quality regulator for the ENWCo. Mass EEA - Division of Conservation Services will have a statutory obligation to review and approve the conservation restriction as they would any municipally held CR.
- The purchaser of the East Northfield Water Company will pay the appraised fair market value for the restricted fee interest in this land. This appraisal will recognize the limited uses of this land insofar as the Conservation Restriction will only allow the operation of a public water supply or forestry.

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- The purchaser of the East Northfield Water Company will pay the appraised fair market value for the restricted fee interest in this land. This appraisal will recognize the limited uses of this land insofar as the Conservation Restriction will only allow the operation of a public water supply or forestry.
- This portion of the property is unlikely to have any public access in order to protect the public drinking water supply.

**Grandin Reservoir Zone B:** This portion of the property consists of approximately 273 acres that surrounds Grandin Reservoir Zone A and will be acquired by the Town of Northfield in fee subject to a long term lease by the East Northfield Water Company. This area will be defined by a yet-to-be-completed survey, but is modeled on the Mass DEP regulations which define Zone B as being within .5 miles of surface drinking waters. This parcel will be managed by the lease holder (ENWCo) to ensure adherence to the DEP drinking water protection standards.

- The Town of Northfield will be fee owner and will pay fair market value from their Community Preservation Act funds, the Landscape Partnership Grant and/or TPL's private fundraising.
- Mass DCR will hold or co-hold a conservation restriction on the Town's property to ensure permanent protection. The conservation restriction will allow for (or be subject to) a long term lease of this property to the ENWCo for public water supply purposes (see below). The exact integration of terms of the Conservation Restriction and the ENWCo lease will need to be carefully designed so as to not trigger Massachusetts Article 97 concerns regarding the conveyance or disposal of public lands to private entities.
- The land will be leased to the East Northfield Water Company for a renewable 99 year lease to ensure that ENWCo can maintain operational control to ensure the highest quality drinking water standards. Under the terms of the proposed lease ENWCo will be responsible for all day-to-day management of the parcel including overseeing all vegetation management, recreational uses (or the enforcement of the prohibitions on recreational uses that may compromise water quality), and construction and maintenance of any structures or improvements related to a public drinking water system.
- Under the terms of the Conservation Restriction and the Lease, any commercial timber harvesting will be subject to DEP water quality protection standards and will be primarily in furtherance of protecting the water quality for the Grandin Reservoir and secondarily for commercial profit. Proceeds from any timber harvesting will be shared between the leaseholder and the fee owner (see below).
- The lease payment will be modeled on two factors:
  - An annual payment that is tied to the Northfield municipal tax assessment for this property should it be still a privately owned parcel. The logic is that Northfield should not lose any tax revenue by agreeing to own this land but lease it to ENWCo.
  - A periodic payment that is equal to 50% of the share of any net timber harvest proceeds that occur on the property. (Net harvest proceeds are defined as being payments to ENWCo after related expenses for consulting forester fees, logger fees, road building or other improvements, etc.). This income for the Town of Northfield is expected to be periodic (every 15-20 years) and minimal. The primary benefit to the Town of Northfield is maintaining a high quality public drinking water supply and avoiding any management costs for this parcel.
- The land may be open to hiking, hunting and other passive recreational uses at the mutual agreement of the Town of Northfield as fee owner and the East Northfield Water Company as leaseholder and may be subject to the approval of Mass DEP, which is the water quality regulator for a public drinking water supply. Any recreational access must be compatible with the protection of the water quality of the Grandin Reservoir.

- Please note that this includes 24+/- acres that are in the Town of Winchester, NH. It is likely that the Town of Northfield as the fee owner will be responsible to pay the Town of Winchester annual property taxes; albeit at a reduced rate assuming that the land is enrolled in the New Hampshire Current Use taxation program.

**Great Hemlock and Seminary Forest Tracts (Excluding Grandin Reservoir Zone A and B):** This portion of the property, which is believed to be 1,309+/- acres spanning Northfield and Warwick will be conveyed to Massachusetts Department of Conservation and Recreation in fee as a new State Forest unit. This area is outside of the current ENWCo lease and the current area considered part of the regulated watershed for a surface water drinking water source by DEP. Mass DCR would manage this property for multiple uses including sustainable timber harvest, public recreation, wildlife habitat conservation, and watershed protection.

- This property would be purchased in fee by Mass DCR utilizing their land acquisition capital funding and the Landscape Partnership Grant.
- This property will be open to multiple use recreation at the discretion of a Mass DCR management plan to be developed with public input.
- DCR is likely to practice long rotation forestry that will sustain the wildlife habitat, water quality and recreation potential of this forest.
- Please note that there is a 15 acre lot on the Warwick Road that is subject to a conservation restriction held by the Mount Grace Land Conservation Trust. This property may have to be handled in a separate transaction as Mass DCR cannot acquire lands subject to a third party conservation restriction. A transaction strategy must be worked out with Mt. Grace and DCR to ensure a satisfactory outcome for all parties.

