

HOUSE No. 4674

The Commonwealth of Massachusetts

PRESENTED BY:

Paul W. Mark

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act releasing certain land in Northfield from the operation of an agricultural covenant.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>6/6/2018</i>

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By Mr. Mark of Peru, a petition (subject to Joint Rule 12) of Paul W. Mark relative to releasing certain land in the town of Northfield from the operation of an agricultural covenant. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act releasing certain land in Northfield from the operation of an agricultural covenant.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. Notwithstanding any general or special law to the contrary, but subject to
2 section 2 of chapter 184 of the General Laws, the commissioner shall execute an amendment of
3 agricultural covenant held by the Commonwealth, acting through the Massachusetts department
4 of agricultural resources, on land owned currently by Hopping Ahead LLC. Title was acquired
5 by a covenant recorded in Book 6863, Page 183 at the Greenfield Registry of Deeds. The
6 amendment shall add, at the end of III. A. Retained Rights: (4) The construction and placement
7 of solar panels and associated infrastructure in a manner consistent with the provisions of the
8 Commonwealth’s regulations pertaining to Agricultural Solar Tariff Generation Units and shall
9 not be subject to additional requirements on the use of electricity generated.

10 Section 2. As a condition precedent to the release authorized in section 1, the current
11 owner shall pay to the department of agricultural resources 50% of the funds originally received,
12 prorated at the time of release to be used to acquire new agricultural covenants , pursuant to the

13 rules and guidelines of the department, Such proration shall be determined as follows: \$5,000
14 for every full year and \$417 for every additional month or part thereof remaining on the term of
15 the covenant.

16 Section 3. Except as amended by this act, the original agricultural covenant shall remain
17 in full force and effect.