

HOUSE No. 4757

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 16, 2018.

The committee on Environment, Natural Resources and Agriculture to whom was referred the petition (accompanied by bill, House, No. 4674) of Paul W. Mark relative to releasing certain land in the town of Northfield from the operation of an agricultural covenant, reports recommending that the accompanying bill (House, No. 4757) ought to pass.

For the committee,

SMITTY PIGNATELLI.

HOUSE No. 4757

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 of agricultural resources shall
3 execute an amendment of the agricultural covenant held by the commonwealth, acting on its
4 behalf, on certain land in the town of Northfield owned currently by Hopping Ahead LLC,
5 (“Landowner”). Title was acquired by a covenant recorded in Book 6863, Page 183, at the
6 Greenfield Registry of Deeds. The amendment shall add a clause to said covenant, at the end of
7 “III. A. Retained Rights”, as follows: “(4) The construction and placement of solar panels and
8 associated infrastructure in a manner consistent with the provisions of the Commonwealth’s
9 regulations pertaining to Agricultural Solar Tariff Generation Units and shall not be subject to
10 additional requirements on the use of electricity generated.”.

11 Section 2. As a condition precedent to the release authorized in section 1, the current
12 landowner shall pay to the department of agricultural resources a monetary amount as
13 determined by the commissioner, provided such sum shall not exceed the funds the landowner
14 originally received as consideration for said covenant. Monies received by the commonwealth

15 for said release under this section, shall be held in trust by the department, to be expended only
16 for acquiring new agricultural covenants.

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