

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Aaron L. Saunders, (BY REQUEST)

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 authorizing the Division of Capital Asset Management and Maintenance to convey Lampson Brook Farm in Belchertown to the Nipmuc People, and the historic Jepson Farmstead parcel to the New England Small Farm Institute.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tammy Ryan</i>	<i>837 Federal St., Belchertown, MA 01007</i>	<i>12/6/2024</i>

HOUSE No.

By Representative Saunders of Belchertown (by request), a petition (subject to Joint Rule 12) of Tammy Ryan that the commissioner of Capital Asset Management and Maintenance be authorized to grant Lampson Brook Farm in the town of Belchertown to the Nipmuc Indian Development Corporation, and to the New England Small Farm Institute. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the Division of Capital Asset Management and Maintenance to convey Lampson Brook Farm in Belchertown to the Nipmuc People, and the historic Jepson Farmstead parcel to the New England Small Farm Institute.

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

1 As used in this act, the following words shall have the following meanings unless the
2 context requires otherwise:

3 “Lampson Brook Farm”, an approximately 430-acre historic site comprised of five
4 distinct parcels: a 240-acre forest parcel, a 120-acre commercial agricultural parcel, a 44-acre
5 community farm parcel, a 10-acre enterprise zone parcel and the 16-acre historic Jepson
6 farmstead parcel and grounds and as further described on the survey plan.

7 “Survey plan”, a plan that clearly delineates the 5 parcels that comprise the Lampson
8 Brook Farm.

9 “Division”, the division of capital asset management and maintenance.

10 “Grantee” ,the non-profit Nipmuc Indian Development Corporation (NIDC) or the New
11 England Small Farm Institute (NESFI), depending upon the parcel conveyed.

12 “Jepson farmstead parcel”, approximately 8.4 acres of land that includes the historic
13 Jepson farmhouse and adjacent land and the former root cellar parcel.

14 “Commercial agriculture parcel”, approximately 120 acres of commercially managed
15 farmland and associated conservation land as further identified on the survey plan. This land will
16 continue to be leased to current leaseholders as long as they wish to remain.

17 “Community farm parcel”, approximately 44 acres, including the historic Belchertown
18 state school structures and viewscape and associated farm fields and garden plots, as further
19 defined in the survey plan.

20 "Forest parcel”, approximately 240 acres of forest and natural cover, including the former
21 compost site, as further described on the survey plan.

22 “Enterprise zone parcel”, approximately 10 acres of land that makes up the site of the
23 former dairy farm structures.

24 “Hassanamisco Nipmuc Band”, a state-recognized tribe of the Commonwealth of
25 Massachusetts who are descendants of the original inhabitants of Belchertown.

26 “Nipmuc Indian Development Corporation,” also referred to as the “NIDC,” a 501(c)3
27 Massachusetts state non-profit owned by the Hassanamisco Nipmuc Band.

28 “New England Small Farm Institute” also referred to as the “NESFI,” a 501(c)3
29 Massachusetts state non-profit, which held a lease on the property from 2003-2023.

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

32 SECTION 1. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
33 Laws or any other general or special law to the contrary, the commissioner of capital asset
34 management and maintenance is authorized and directed to grant fee-simple title to the historic
35 Lampson Brook Farm in Belchertown in part to the Nipmuc Indian Development Corporation
36 and in part to the New England Small Farm Institute (NESFI) as specified in this Act.

37 SECTION 2. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
38 Laws, in consideration of the stewardship and land maintenance and management obligations,
39 restrictions and operational expenses undertaken by grantees, the division shall transfer fee-
40 simple ownership of the 5 parcels comprising the Lampson Brook Farm as follows:

41 1. The Jepson farmstead parcel, at no cost, to the New England Small Farm Institute, Inc.
42 or its successor organization, provided that any proposed transfer to a successor organization
43 shall be approved by the division, prior to such transfer. There shall be a historic preservation
44 restriction over the Jepson farmstead parcel in compliance with section 32 of chapter 184 of the
45 General Laws which shall be held by a qualified public or private entity. Permitted uses of the
46 Jepson farmstead parcel shall include, but not be limited to, office space, classrooms, meeting
47 and archival storage space, and residential use, so long as these uses comply with applicable
48 historic preservation restrictions.

49 2. The Commercial agriculture parcel, at no cost, to the nonprofit Nipmuc Indian
50 Development Corporation.

51 3. The Community farm parcel, at no cost, to the nonprofit Nipmuc Indian Development
52 Corporation upon the condition that the grantee shall commit to honoring the terms of any lease
53 between the Commonwealth and NESFI in force at the time of the transfer of title to the Nipmuc
54 Indian Development Corporation and allowing NESFI and others operating under subleases from
55 NESFI to continue farming the land under the terms and conditions of these leases until their
56 expiration. After the NIDC assumes ownership of the Community Farm parcel and after prior
57 Commonwealth lease terms have ended, the duration of future leases shall be no less than 5
58 years.

59 4. The Forest parcel, at no cost, to the nonprofit Nipmuc Indian Development
60 Corporation.

61 5. The Enterprise zone parcel, at no cost, to the nonprofit Nipmuc Indian Development
62 Corporation.

63 6. Commonwealth funds may be used to restore or partially restore the enterprise zone
64 parcel to successfully complete the transition from the former dairy farm into Nipmuc farm
65 worker housing.

66 7. The landfill site of the former Belchertown State School as described in the survey
67 plan and the management plan shall remain under the care and control of the division. The
68 division may dispose of that parcel provided the division shall consider and ameliorate the
69 impact any such disposition may have on adjacent property.

70 SECTION 3. Chapter 355 of the acts of 2020 and Chapter 664 of the acts of 1986 are
71 hereby repealed.